

**BELFAST EDUCATION AND LIBRARY BOARD
NORTH EASTERN EDUCATION AND LIBRARY BOARD
SOUTH EASTERN EDUCATION AND LIBRARY BOARD
SOUTHERN EDUCATION AND LIBRARY BOARD
WESTERN EDUCATION AND LIBRARY BOARD**

REVISED EQUALITY SCHEME

Analysis of Respondents' Comments and Boards' Response

The Boards are grateful to:

- Autism NI;
- The Committee on the Administration of Justice (CAJ);
- Disability Action;
- The Equality Commission for Northern Ireland (ECNI);
- UNISON; and
- NICEM;

who provided written responses to their revised Schemes and the members of the Joint Consultative Forum (JCF) who made comments at its meeting held on 12 May 2011.

The substantive comments covered a range of issues which are summarised and responded to below.

ISSUE 1

Comment: The revised Schemes should follow more closely the wording of the Equality Commission's Model Scheme. (*CAJ; Disability Action; ECNI; UNISON and NICEM*)

Response: Amendments have been made accordingly to paragraphs 1.3; 2.1; 3.2.1; 3.2.3; 3.3; 4.5; 4.10; 4.11; 4.12; 4.18; 4.27; 4.30; 4.33; 5.3; 6.3; 6.5; 6.6; 6.7; 6.9; 8.5; 9.3,10.3 and Appendix 3.

ISSUE 2

Comment: Public Authorities should be required to explain deviations from the ECNI Model Scheme. (*NICEM*)

Response: The Boards have amended the initial draft to take account of responses received during the consultation period. The Schemes now conforms to the ECNI model.

ISSUE 3

Comment: The consultation period was too short. (*JCF; CAJ; Disability Action; ECNI; UNISON and NICEM*)

Response: The consultation period was extended by five weeks until the 24 June 2011 with authority delegated to each Board's Chair and Chief Executive to 'sign off' the revised Scheme prior to its submission to the Equality Commission by 1 August 2011.

ISSUE 4

Comment: It is suggested that the Foreword and paragraph 1.3 contain commitments to taking 'all necessary steps' and 'the necessary resources' to ensure compliance with the Boards' statutory duties. (*Disability Action and UNISON*)

Response: The wording used complies fully with the ECNI model scheme.

ISSUE 5

Comment: The Schemes should explain the relationship between the equality and good relations duties. (*CAJ and UNISON*)

Response: The Boards believe that their Schemes adequately reflect the ECNI model. However, the references highlighted in the responses will be incorporated into staff equality awareness training and specialist training programmes, as appropriate.

ISSUE 6

Comment: More detailed information on the functions undertaken by the Boards is requested. (*ECNI, UNISON and NICEM*)

Response: Further information including a web link has been provided at Chapter 1.

ISSUE 7

Comment: Chapter 2 should be expanded to include a flowchart of the decision-making process and examples of how compliance will be assessed. (*UNISON*)

Response: Each Board's organisational structure is clearly defined at Appendix 1 of their Scheme. The Boards are satisfied that their arrangements for assessing compliance are well defined at Chapter 2.

ISSUE 8

Comment: Notification to consultees on an on-going basis of screening decisions when published on the Board's website. (*CAJ, Disability Action and UNISON*)

Response: The Schemes provide, in accordance with the model, that all policies screened over a 3 month period will be sent directly to consultees, paragraph 4.24 refers.

ISSUE 9

Comment: Ensure measures are put in place to systematically screen and equality impact assess written and unwritten policies. (*UNISON*)

Response: The Schemes contain clear commitments to follow the Guidance published by the ECNI.

ISSUE 10

Comment: Concerns highlighted regarding targeted consultation. (*Disability Action and UNISON*)

Response: The Boards will monitor and review their approach to consultation to ensure that they reach affected groups and not just their representative organisations, paragraph 3.2.1 refers.

ISSUE 11

Comment: Consultation periods should be planned to ensure that they do not take place over holiday periods. (*Disability Action*)

Response: Paragraphs 3.2.6 and 3.2.7 of the Boards' revised Schemes reflect the ECNI model scheme. Paragraph 3.2.7 requires that the Boards give consideration to the feasibility of allowing a longer period for consultation over the "summer or Christmas breaks".

ISSUE 12

Comment: Ensure the provision of both Section 75 generic awareness raising and specific training on the 9 equality grounds for policy and decision-makers and service design staff. (*Disability Action and UNISON*)

Response: The Boards will ensure comprehensive equality training is provided to all staff as appropriate. (Appendix 3 refers)

ISSUE 13

Comment: Outline how the Boards will provide support to complainants e.g. interpreter support, specialist transport costs, advocacy services. (*Disability Action*)

Response: The Boards' revised Schemes comply with the ECNI model scheme.

ISSUE 14

Comment: Welcome the commitment to integrate the action plan into the business and corporate planning processes. (NICEM)

Response: Noted

ISSUE 15

Comment: Recommended that the 'Audit of Inequalities' is a living document and both the Audit and Action Plan are consulted upon for a 3 month period. (*CAJ, Disability Action, UNISON and NICEM*)

Response: A 3 month consultation period will take place on both the Audit and Action Plan.

ISSUE 16

Comment: The need to identify and address through the Audit and Action Plan: data gaps; the proposed Autism Bill; existing imbalances and how equality of opportunity will be promoted on group-specific grounds. (*Autism NI, CAJ, UNISON and NICEM*)

Response: It is envisaged that this will be achieved through the audit, action planning and consultation processes.

ISSUE 17

Comment: To clarify in the Action Plan 'new' actions identified as a direct result of the Audit. To ensure that the targets in the Plan are Specific, Measurable, Achievable, Realistic and Time-based; and explain how it is synchronised with the corporate planning cycle. (*UNISON and NICEM*)

Response: This information will be provided through the Audit and Action Plan.

ISSUE 18

Comment: There should be a full review of the audit and action plan at the end of the first year. (*NICEM*)

Response: The Action Plan will be reviewed annually with a full report on progress contained in the Annual Report on the implementation of our Equality Scheme. It is anticipated that as part of this review process that the Audit will be reviewed and up-dated as appropriate.

ISSUE 19

Comment: The need to commit to a definition of procurement that embraces the Boards' responsibilities. (*UNISON*)

Response: The Boards aim to have in place comprehensive arrangements for the oversight and management of procurement activity which are compliant with NI Public Procurement Policy and are based on:-

- Compliance with EU Directives and other legal requirements; and
- Achieving 'Best Value for Money'.

ISSUE 20

Comment: The inclusion of a specific commitment to the discharge of the Boards' equality obligations in relation to employment. (*UNISON*)

Response: This commitment is contained in the Foreword and at paragraph 1.2 of the Schemes.

ISSUE 21

Comment: It is essential that financial considerations will not be a basis for restricting or limiting the impact of equality assessment. (*UNISON*)

Response: The Boards are fully aware of their legal obligations related to Section 75 of the Northern Ireland Act 1998; however, this statutory obligation cannot be regarded in isolation. The Boards also must take into account the constraints imposed by the levels of available funding and the need to meet the obligations imposed by various Education Orders, including the legal duty to operate within budget.

ISSUE 22

Comment: It is suggested that the Joint Consultative Forum (JCF) meets annually, prior to the submission the ECNI of the Boards'/Staff Commission's annual reports on the implementation of our Equality Schemes.

Response: These Reports are submitted annually to the ECNI by 31 August, so this may prove problematic but the principle is agreed. At the next JCF meeting a schedule will be agreed for future meetings.

ISSUE 23

Comment: The inclusion of a glossary of terms. (ECNI)

Response: This is agreed.