

**SECTION 75, NORTHERN IRELAND ACT 1998  
(THE EQUALITY DUTIES)**

**STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS**

**Annual Report  
1 April 2009 - 31 March 2010**

**July 2010**

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## EXECUTIVE SUMMARY

The Staff Commission for Education and Library Boards (the Staff Commission) completed a formal review of its Equality Scheme in 2006 to evaluate its effectiveness in meeting its statutory duties. Arising from this review an inter-Board/Staff Commission action plan was developed to facilitate the continued implementation of the Scheme in the period leading up to the establishment of the new Education and Skills Authority (ESA) and Northern Ireland Library Authority. The new library authority, known as 'Libraries NI' was established on 1 April 2009; the establishment of ESA was deferred by the Education Minister to 1 January 2010.

This Annual Report records the activities undertaken by the Staff Commission in furtherance of its equality obligations. It covers the period 1 April 2009 to 31 March 2010.

### Key Developments

- Equality input to the Education and Skills Authority Implementation Team (ESAIT) through the ESAIT Working Groups covering Human Resource, Terms and Conditions, Section 75 Equality Duties and Employment Equality issues. (Paragraph 11(a) refers).
- The development of a draft Equality Scheme, Corporate Equality Plan and Disability Action Plan for consideration by ESAIT. (Section 11 (a) refers).
- Completion of an on-line survey to collect information from children and young people with disabilities in mainstream schools on their experience of the school system. The survey Report and 'Children and Young People's' version was launched on 10 March 2010. Work is ongoing to obtain information on the educational experiences of children and young people in special schools. (Section 11 (c) refers).

### Main Activities Planned

- Assist ESAIT/Boards in identifying and addressing the Section 75 Equality and Employment Equality issues which emerge in the implementation of the Minister for Education's Convergence Delivery Plan
- Analyse the feedback received from mainstream schools and Disability Groups on the findings of the Disability Survey. Develop an action plan to address the issues raised in the report. Review the questionnaires in consultation with special schools; conduct a pilot exercise with KS3 pupils with Moderate Learning Difficulties (MLD) in a Special School. Based on the findings of the pilot exercise, extend the survey, as appropriate, to pupils in special schools. (Section 11 (c) refers).

### Impacts and Outcomes

The Convergence Delivery Plan published by the Education Minister states, 'whilst the Staff Commission will continue to exist in line with legislation, the executive support functions will be integrated with the Human Resources and Workforce Development area of responsibility'.

In this transition phase much of the Commission's work on embedding equality of opportunity and good relations into policies, practices and procedures will not bear fruit

until after ESA has been established. Some examples of policy changes and developments are set out below:

Policy changes:

- Review of Joint Declaration of Protection for ESA and School based staff to cover all nine equality grounds;
- Review and further development of the Code of Practice on the Employment of People with Disabilities, particular benefits for employees and job applicants with disabilities.

Policy developments:

- Agreements extended to give recognition to the rights of people in civil partnerships for all new ESA staff;
- Job Sharing Scheme extended for all new ESA staff to provide that it can also be used to 'allow current employees with short-term and long-term illness, or who develop disabilities, to keep working and provide employment opportunities for disabled people generally', benefits for existing staff who develop a disability and job applicants with disabilities;
- The voice of the child is often highlighted as being of paramount importance, the completion of an innovative survey of children with disabilities and special educational needs on their experiences of the education system. Particular issues identified on the grounds of disability, gender and age, consultations on-going with a view to an action plan being developed. The production of a 'Children and Young People's' version of the report provided a feedback mechanism to pupils who had participated in the process.
- Increased understanding of the Disability Duties in the school community through the involvement of parents, staff and pupils in the disability survey.

## INTRODUCTION

Section 75 of the Northern Ireland Act 1998 ('the Act') requires public authorities to promote equality of opportunity and good relations. The Staff Commission is fully committed to the fulfilment of the Section 75 obligations imposed by the Act and its Equality Scheme approved by the Equality Commission. This Annual Report, which records the activities undertaken by the Staff Commission in furtherance of its equality obligations, covers the period 1 April 2009 - 31 March 2010.

## CONTEXT

### **Review of Public Administration**

On 22 November 2005, following the Review of Public Administration (RPA), Government announced details for the rationalisation and modernisation of the present Local Government, Health Bodies and Education administration structures. The key proposal for Education was the formation of a new Education and Skills Authority (ESA) and a new Northern Ireland Library Authority (NILA). Initially it was planned that these bodies would be established by 1 April 2008. This was subsequently changed to 1 April 2009. The new library authority, known as 'Libraries NI' was established on 1 April 2009.

The implementation timetable for the establishment of ESA was revised to 1 January 2010. During December 2009 the Education Minister advised that, due to the delay in the progress of the first Education Bill, the ESA would not be established by 1 January 2010. In a statement to the Assembly on 1 December 2009 she emphasised that work to establish ESA would continue. In February 2010 a Convergence Delivery Plan was published covering the arrangements for achieving the Minister for Education's goals of improved educational standards, greater equality of access to, and consistency of, services, and greater efficiency in the transitional period prior to the establishment of the Education and Skills Authority. It details how services will be maintained within existing organisations whilst moving towards a regionally managed model.

The outcomes of the RPA have had a major impact on the Staff Commission's work, with its main priority being to contribute to a number of work teams which have been created to take forward the work on the establishment of ESA. A report on this work and, in particular, the equality aspects is contained at Section 11.

### **New Disability Duties**

Because of the exceptional circumstances arising as a result of RPA the Equality Commission granted an exemption to the Commission from the requirements to produce a disability action plan. The Commission is still subject to the general duty to have due regard to the need to fulfil the above duties when carrying out its functions. Under the terms of this exemption the Commission undertook to implement a programme of work and to submit to the Equality Commission a report on progress made in fulfilling these duties. The Commission's progress report on this work is contained at Appendix 1.

## SECTION 1: Strategic Implementation of the Section 75 Equality Duties

The Chief Executive has a personal responsibility to the Staff Commission, as far as practicable, to ensure that the Commission fully complies with its Equality Scheme. Each member of staff is personally responsible to the Chief Executive for ensuring, as far as practicable, that he/she fully complies with the Scheme. Operational responsibility for the implementation of the Scheme rests with the Staff Commission's Senior Principal Officer (Equality).

The following arrangements have operated during the year:

- objectives and targets relating to the statutory equality duties have been mainstreamed into strategic and business plans and performance targets for relevant staff;
- an inter-Board/Staff Commission partnership arrangement on the implementation of our Equality Schemes has continued;
- progress reports on the implementation of the equality schemes are provided to each meeting of the Commission; and
- equality is a standard item at staff meetings.

## SECTION 2: Screening

No new Commission policies were developed during this period.

The Commission drafted and issued for consultation an inter-Board Annual Supplementary Report on the screening of new policies during the period April 2008 - March 2009.

The Commission assisted ESAIT in the screening of the 'Education Sector Staff Transfer Scheme', under the Department of Education's Equality Scheme.

## SECTION 3: Equality Impact Assessment (EQIA)

The work undertaken on an inter-Board/Staff Commission basis on the following equality impact assessments will be used to inform policy, practice and procedures of the ESA.

### Job Evaluation Schemes

The remaining EQIA on the Commission's timetable is the 'Implementation of the Job Evaluation Schemes'. Last year's report indicated that consultation was on-going on this inter-Board EQIA. As a result of issues raised, in the course of this consultation process, it was concluded that the EQIA should be reviewed. The Commission, in consultation with the Boards, drafted a revised EQIA. This was issued for consultation in March 2009.

## Registration and Grant Aid Schemes

The Commission, in consultation with the five Boards, drafted and published the results of the five Board equality impact assessment on the "Registration and Grant Aid Scheme for Local Voluntary Youth Groups".

At this stage the Commission has no new EQIAs scheduled to commence during the period April 2010 - March 2011.

## SECTION 4: Training

All staff and members have been provided with training to enable their participation in the implementation of the Commission's Equality Scheme.

This year the aim was to ensure that staff remained up to date with the developing equality agenda and that awareness was raised on mainstreaming equality into a change management process. In this context staff attended courses and conferences during the year as follows:

### Patricia Weir, Chief Executive

- Certified Mediation Training Programme 21, 22 April, 30 June, 1 July and 29 September 2009
- LRA - Review of Disputes Resolution - 4 June 2009
- Equality Commission NI Conference - Reflections and Opportunities - 1 October 2009.

### Deirdre Vaughn, Senior Principal Officer

- Omagh District Council - Best Practice - 21 May 2009
- Equality Commission NI - Employability Seminar - 14 January 2010
- Equality Commission NI Conference - Review of the Effectiveness of the Disability Duties Event - 10 February 2010

### Patricia Murray, Project Officer

- Equality Commission NI - Equality and Procurement in Education - 29 May 2009
- Participation Network - Workshop on Consulting and Involving Children - 19 & 30 June 2009
- NICEM Conference - Equality Bill - Implications for NI - 25 September 2009
- Equality Commission NI Conference - Reflections and Opportunities - 1 October 2009
- Equality Commission NI - Employability Seminar - 15 October 2009
- NI Human Rights Commission - Launch of Human Rights Education and Training Network and Making Human Rights Real - Teaching Citizenship through Human Rights - 23 November 2009
- Equality Commission NI - Affirmative & Positive Action - 26 November 2009
- Children's Law Centre - Protecting Children and Young People - A Legal Overview - 10 February 2010
- Equality Commission NI Conference - Review of the Effectiveness of the Disability Duties Event - 10 February 2010
- Equality Commission for NI - Article 55 Review - 3 March 2010

## SECTION 5: Communication

### Internal

The methods used to communicate progress internally on the implementation of the Staff Commission's Equality Scheme are outlined at Section 1.

### External

A range of methods was used to communicate with trade unions, the community and voluntary sector and Section 75 groups. They included:

- progress reports to each meeting of the Joint Negotiating Council and Executive Committee on the implementation of the Boards'/Staff Commission's Equality Schemes;
- the publication and launch of the Report on the educational experiences of children and young people with disabilities/special educational needs;
- face-to-face contacts through consultation events; and
- information published on the Staff Commission's website.

The impact/success of this approach has been positive. The community/voluntary and trade union sectors have acknowledged that it has allowed them to actively participate in the implementation of our Equality Scheme.

## SECTION 6: Data Collection and Analysis

### Transfer of Employment Monitoring Data

#### Libraries NI

Employment data for library staff transferred with employees to the new authority, Libraries NI, at the end of March 2009. Employment monitoring data transferred to Libraries NI after the Education and Library Boards completed their employment monitoring returns to the Equality Commission on staff employed at 1 January 2009.

Libraries NI's first monitoring return to the Equality Commission is due for submission in May 2010.

#### Education and Skills Authority

ESA, when established, will be the largest employer in Northern Ireland. The transfer of employment monitoring data for around 30,000 staff from 12 organisations will require careful planning to enable ESA to complete its annual monitoring return.

Initial work on the development of an ESA Policy and Code of Practice on Employment Monitoring of teaching and non-teaching staff including the redesign of employment monitoring questionnaires is underway.

## **SECTION 7: Information Provision, Access to Information and Services**

The Commission has in place arrangements to ensure that information is available on request in alternative formats. A member of staff has completed the course British Sign Language Level II - Council for the Advancement of Communication with Deaf People. The recommendations arising from an accessibility audit have been fully implemented.

As a result of outreach work with disability groups, the number of people with disabilities participating in, for example the Joint Consultative Forum, has increased substantially. Requests for information in alternative formats e.g. Braille, sign translation have been met, together with other specific requests for assistance.

This year the five Education and Library Boards, the Council for Catholic Maintained Schools and Commission launched the findings of its innovative survey which has given a voice to children and young people with disabilities from within the education system. Children and young people from Rosstulla School participated in the launch. A children and young people's version of the report was also published.

## **SECTION 8: Complaints**

There were no Section 75 related complaints during the year under review.

## **SECTION 9: Consultation and Engagement**

The Boards/Commission have an agreed strategy in place to facilitate individuals and groups affected by existing or proposed policies to engage in the decision making process.

### **Disability Survey**

A full report of progress on the above survey being carried out as part of the implementation of the Commission's Disability Duties is contained at Section 11 (c).

### **Joint Consultative Forum (JCF)**

The Joint Consultative Forum, established by the Boards/Commission in partnership with NICEM, is an important lynchpin in ensuring effective engagement with the community, voluntary and trade union sectors.

During the year, at the request of the Department of Education, a special meeting of the Joint Consultative Forum was organised to obtain views on the Department of Education's Equality Impact Assessment of the Transfer 2010 Guidance. Forty members of the Forum attended. There was a very constructive engagement on the equality issues regarding Transfer 2010. The event demonstrated to the Department the uniqueness and importance of the Forum as a vehicle for a multi-dimensional approach to engagement.

## SECTION 10: The Good Relations Duty

### Joint Declaration of Protection

The Joint Declarations of Protection for both teaching and non-teaching staffs have been substantially reviewed to take account of legislative developments; the Equality Commission's most recent guidance, 'Unified Guide to Promoting Equal Opportunities in Employment'; and to, as far as possible, achieve a consistency between the policies and procedures for ESA and school based staff. At the year's end consideration was being given to a Joint Declaration of Protection for School based staff and one for ESA staff.

## SECTION 11: Additional Comments

### a) Review of Public Administration - Implementation Process

During this extensive change programme, the Commission is committed to providing professional advice and guidance to all the education partners on human resource and equality matters connected with the change process, as well as providing on-going services to the Education and Library Boards. Progress in a number of key areas is detailed below:

#### Terms and Conditions

Commission staff played a key role in collecting and analysing information on the terms and conditions of service for non-teaching staff employed in the current education authorities. On the basis of this work proposals submitted, by ESAIT, to the Education Sector Joint Forum enabled agreements to be reached on a range of terms and conditions for newly appointed staff to ESA which included:

- Time-off provisions;
- Work-Life Balance policies including the Working Week, Flexible Working Hours Scheme, Job Share Scheme and Career Break Scheme.

The following policies are currently under consideration by the Education Sector Forum:

- Equal Opportunities Policies, reviewed in consultation with the Equality Commission to take account of legislative developments and their most recent guidance, 'Unified Guide to Promoting Equal Opportunities in Employment';
- Maternity/Adoption/Paternity/Parental Leave.

#### ESAIT - Section 75 Equality Duties Group

This group was established to consider how best equality can be mainstreamed into ESAIT's project work and to assist in the development of an equality strategy for ESA; the Commission/Boards are represented on the group. Key issues considered by the Group during the reporting year included:

- The development of a draft Equality Scheme, Corporate Equality Plan and Disability Action Plan for ESA, discussions took place between ESAIT and the Equality Commission on this work;
- The establishment of a DE/ESAIT group to take forward an Audit of Inequalities, whilst some progress was made in agreeing terms of reference for the group its work was hampered pending the publication of the revised Guidance on the Implementation of Section 75.
- An input to the DE research on the roles and responsibilities of school governors including those in regard to equality of opportunity.

### **ESAIT Employment Equality Group**

The purpose of this group is to contribute to the development of an employment equality strategy for ESA. This work has involved:

- The redrafting of human resource policies and procedures;
- Initial work on the development of an ESA Policy and Code of Practice on Employment Monitoring of teaching and non-teaching staff;
- Contributing to the development of an ESA Draft Model Scheme for Recruitment and Selection of Teaching and Support Staff in Schools;
- The development of a Code of Practice on the Employment of People with Disabilities for ESA.

This work has been taken forward in consultation with the Equality Commission.

### **DE/ESAIT Joint Working Groups**

The Commission is representing ESAIT on a number of groups including:

#### **(i) Audit of Inequalities**

Arising from the Equality Commission's Review of the Effectiveness of Section 75, public authorities will be required to prepare equality action plan/measures. In preparing such plans/measures the public authorities will be required to undertake an audit of inequalities so as to identify the range of key inequalities to be addressed.

A DE/ESAIT group has been established to conduct an audit of inequalities in education and has drafted terms of reference for the project.

At the end of the year consultation is on-going with the Equality Commission to ensure that the terms of reference for the project are compatible with the soon to be published revised Guidance on the Implementation of the Section 75 Equality Duties.

#### **(ii) Research on School Governance**

The Department of Education has appointed a Steering Group to conduct research into Equality in Education Governance. The Commission is representing ESAIT on the group. Terms of reference were agreed by the

Steering Group for the research project. The Department of Education has commissioned PriceWaterhouseCooper to conduct the research. It will involve a survey of existing school governors to seek their views on a range of issues, including their level of knowledge and skills, their role and responsibilities as governors, including those in regard to equality of opportunity, and the training and support available to them. It is also expected to obtain views from representatives of those stakeholder bodies involved in the recruitment, appointment and support processes.

## **b) Mainstreaming Equality in Schools**

The Commission is contributing to the development of best practice on the promotion of equality of opportunity and good relations through its work with the Equality Commission. In this regard, the Commission is involved in the following work:-

- **Indicators of Equality of Opportunity and Good Relations in Education**

The Commission is representing ESAIT on the Equality Commission's Advisory Group established to develop a fit for purpose framework of indicators and associated measures of equality of opportunity and good relations in schools. The Equality Company has been appointed by the Equality Commission to conduct research on appropriate educational measurement frameworks or indicators.

- **Principles for Equality of Opportunity and Good Relations in Schools**

The Equality Commission has drafted a Principles document to encourage Heads, Governors and Teachers to focus on how best to promote equality and good relations in schools. They had envisaged that the document be used as a tool to assist them (schools) meet their equality and good relations obligations and commitments. The Staff Commission represented ESAIT in discussions on the Principles document and in the light of feedback from educationalists; equality specialists etc. have agreed that further work should be undertaken in tandem with the work of the Advisory Group referred to above.

## **c) Experiences of Children and Young People with Disabilities of the Education System**

In last year's report full details were provided of the work to-date on the inter-Board/CCMS/Staff Commission survey on the collection of information from children and young people with disabilities/special educational needs on their experiences of the education system. It explained that as a first step a Research Proposal was compiled which set out the aim of the survey, its objectives and the methodology to be followed.

The Working Group which was representative of the organisations which commissioned the survey drafted three questionnaires, (to be completed by KS2 primary pupils, and KS3 and KS4 post primary pupils) and information pack for schools.

A Pilot exercise was conducted to test the suitability of the questionnaires and methodology to be used; the survey covered mainstream primary and post primary schools and a special school. Feedback received indicated the following:-

- Some of the questions needed to be refined, and the disability question needed to be removed completely;
- The questionnaire was not suitable for universal use by pupils in special schools; and
- The questionnaire would be better completed on-line and at particular times of the school year.

During the year the full survey was conducted. There was a target return of 1000 completed questionnaires. Some 936 pupils from 145 primary and 36 post primary schools completed the on-line questionnaires.

The main findings are set out in Appendix 1 of this report, a full copy of the Report, including the Children and Young People's version, can be downloaded at [www.staffcom.org.uk](http://www.staffcom.org.uk)

The Report was launched by the five Boards, CCMS and Staff Commission on 10 March 2010. The launch was attended by 75 representatives of the commissioning organisation, including all of the Chief Executives, the community, voluntary and trade union sectors. The keynote address was given by the Equality Commission's Chief Commissioner Bob Collins, Professor Bernard Cullen, Chair of the Staff Commission chaired the event; speaking on behalf of the Chief Executives of the commissioning organisations, Stanton Sloan formally launched the report and Donal Flanagan provided the closing address. A musical recital was provided by pupils from Rosstulla School.

The next phase of the process is twofold. Firstly, it is to consult on the findings of the survey and thereafter develop an action plan to address the issues raised in the report. Secondly, to consider how best similar information can be collected from children and young people attending special schools.

## DISABILITY DUTIES SUMMARY PROGRESS REPORT

### INTRODUCTION

Under the Disability Discrimination Act 1995 (the Act), as amended, public authorities, when carrying out their functions must have due regard to the need to:

*promote positive attitudes towards disabled people; and  
encourage the participation of disabled people in public life.*

These legal duties also require public authorities to prepare a disability action plan showing how they propose to fulfil the disability duties in relation to their functions. The five Boards and Staff Commission have been exempted by the Equality Commission from this particular requirement because of the changes to educational administration arising from the Review of Public Administration.

The Boards/Staff Commission developed an Interim Action Plan which has allowed us to implement a programme of work in the lead up to the establishment of the Education and Skills Authority.

This interim plan complements work already underway in relation to the implementation of our Equality Schemes and includes measures agreed with the Equality Commission when the exemptions were granted.

A summary progress report outlining the steps taken to implement this programme of work is set out below.

### CONSULTATION

During the year the survey to collect information from children and young people with disabilities/special educational needs on their experiences of the education system was conducted Section 11(c) refers. Personal contact was made with schools identified in the sample to encourage them and their pupils with a Statement of Special Educational Needs to participate in the survey. Some 936 pupils from 145 primary and 36 post-primary (Controlled and Catholic Maintained) schools completed the online questionnaires. The responses received were analysed and the Survey Report and 'Children and Young People's' version were formally launched on the 10 March 2010. The Survey Report and Children and Young People's version can be downloaded at [www.staffcom.org.uk](http://www.staffcom.org.uk).

The Report and Children and Young People's version were issued to all schools who participated in the survey, the schools were asked to provide feedback on the report and its findings. A letter was also issued to all other primary and post-primary schools advising them that a Disability Survey had been conducted and that the Report and Children and Young People's version were available to download. These schools were also invited to provide feedback.

A meeting has been arranged to take place on 26 May 2010 with a number of Disability Groups to discuss the findings of the report. The Boards/CCMS/Staff Commission will also conduct an internal review of the findings. Following this an action plan will be developed to address the issues raised in the report.

## **Disability Survey - Special Schools**

As outlined earlier at Section 11(c) feedback received from the pilot exercise conducted to test the questionnaires and methodology to be used in the disability survey indicated that the questionnaire approach was not suitable for pupils in special schools. In an effort to explore possible mechanisms to engage with pupils in special schools the Working Group invited a number of Special School Principals to a Focus Group meeting in October 2009. This was a very constructive meeting and a number of issues were highlighted and discussed and it was suggested that the teachers in the special schools, over a period of time, could enable the children to provide the information.

The consensus view of the Focus Group was that a pilot exercise should be conducted initially with pupils at KS3 who have Moderate Learning Difficulties (MLD). The representatives from the Special Schools undertook to examine the three questionnaires and provide feedback. This feedback has now been received and the Working Group has reviewed the KS3 questionnaire.

Castle Tower School has agreed to pilot the survey with its KS3 pupils with MLD.

A briefing paper for Special School Principals is currently being prepared. The purpose of the briefing paper is to raise awareness of the Disability Survey conducted in mainstream schools, to encourage the involvement of Special School Principals in exploring ways to enable children and young people in special schools to participate in the survey and to advise that a pilot exercise to test the questionnaire and methodology to be used will be conducted with a specific target group of pupils in Castle Tower School.

## **INTERIM ACTION PLAN**

The key elements of the above plan and progress to date in its implementation are detailed below.

### **Action Measure 1**

*Review measures already taken and/ or proposed to promote equality of opportunity for people with disabilities.*

#### **Progress**

Review conducted, report available at [www.staffcom.org.uk](http://www.staffcom.org.uk).

#### **Main conclusions:**

- i) Screening pro forma to be amended to include specific questions on disability equality. Pro forma amended and issued May 2007.
- ii) Collect information from young people with disabilities on their experiences of the school system. Pilot exercise completed June 2008. Survey completed May 2009.

936 pupils completed the questionnaires online. Feedback analysed, Report launched March 2010.

- iii) Explore how consultations with young people could be enhanced. To be undertaken as part of the development of an equality strategy for ESA.
- iv) Examine the scope for the involvement of people with disabilities in disability awareness training for front line staff. Some such training undertaken.
- v) Consult service users on public access provisions. To be undertaken as part of an equality strategy for ESA.

### **Action Measures 2 and 3**

*Identify the current public life positions, if any, under the remit of the Boards/Staff Commission.*

*If such positions exist:-*

- i) examine how appointments are made to such public life positions;*
- ii) explore how disabled people could be encouraged to apply for such positions.*

### **Progress**

#### **Public Life Positions**

The Boards/Staff Commission are non-departmental public bodies and therefore have a very limited involvement in public life appointments.

The constitution of Boards and Boards of Governors in regard to public appointments is as follows:

#### **Boards**

The constitution of each Board is determined by article 3(4) of the Education and Libraries (Northern Ireland) Order 1986 which provides that the 'Board shall be constituted in accordance with the provision set out in Part 1 of Schedule 2 ...'. Schedule 2 provides for 1) the Department of Education to determine the number of Board members, and 2) the constitution of the Board.

The Board members are constituted from a number of prescribed categories:

- i) Council nominees which make up approximately  $\frac{2}{5}$  of the total members of the Board;
- ii) Transferor representative members of the Board;
- iii) Representatives of the Trustees of Maintained Schools;
- iv) Persons who represent the services for which the Board is responsible;
- v) Three teachers serving in grant aided schools in the Board's area; and
- vi) Three persons appearing to have an interest in the Public Library Service

The numbers which represent each of the above categories are again prescribed by the legislation. The Board itself has no control over the number of persons appointed to the Board or the categories from which representatives are drawn.

## **Boards of Governors**

Membership of the Boards of Governors is determined by the nature of the school i.e. whether it is controlled or voluntary and whether it is a primary, secondary or grammar school.

The composition of membership of the Board of Governors of controlled schools is set out in Article 10(3) of the 1986 Order. The number of members depends upon the size and type of school i.e. whether it is a controlled primary, secondary or grammar school. The Board of Governors of a controlled primary school will consist of 9, 16 or 24 voting members depending upon the size of the school. Normally where there are 9 voting members appointed to the Board of Governors, of those members:

- a. Four shall be nominated by the transferors and superseded managers of the school or schools;
- b. Two shall be elected by parents of pupils attending the school from amongst the parents of pupils attending the school;
- c. Two shall be appointed by the Area Education and Library Board responsible for the management of the school;
- d. One shall be elected by assistant teachers at the school from amongst assistant teachers employed at the school.

Where there are 16 or 24 voting members, members are appointed from the same categories but their numbers are varied as prescribed in Schedule 4.

Historically, in relation to category C, the Boards have appointed Board members.

In summary, the position is that the Boards have no power to appoint members to their own Board and their powers in respect of Boards of Governors are very limited.

The Boards/Staff Commission concluded that it is inappropriate to develop a good practice guide for consideration by ESA as such guidance already exists under the auspices of the Office of the Commissioner for Public Appointments.

## **Advisory Panels**

### **Joint Consultative Forum**

The Boards/Staff Commission established the above Forum in partnership with NICEM. Its primary purpose is to provide a formal working link between public authorities in the education sector and the community, voluntary and trade union sectors and the statutory equality authorities on the implementation of our Equality Schemes. Membership of this Forum is open to all those individuals/groups listed on the Boards'/Staff Commission's Equality Schemes.

Action - When conducting targeted consultation events in partnership with disability groups, inform consultees about the role and function of the Forum. It is anticipated that this will encourage them and their respective members to participate more fully in its work.

Outcome – This approach has resulted in a significant increase in the number of people with disabilities/specific needs participating in the work of the Joint Consultative Forum.

## **Youth Service Liaison Forum**

This is a liaison Forum with no executive powers. Its role is to share information across the youth service and debate issues and help inform DE policy. It is chaired by DE with the secretariat being provided by the Youth Council for Northern Ireland. Its membership comprises the DE, Youth Council, five Education and Library Boards and the voluntary youth sector.

## **Summary**

In relation to public life positions, the Boards/Staff Commission, because of their limited role in public appointments, have taken a wide interpretation of this term and have included groups over which they have influence or a direct relationship.

## **Action Measure 4**

*Conduct an examination of training and guidance on the promotion of equality for people with disabilities.*

## **Progress**

Addressed under measure 1.

## **Action Measure 5**

*Organise a joint seminar with Section 75 Groups to:-*

- i) explore how public life positions could be made more accessible to and inclusive of people with disabilities;*
- ii) examine how to better promote positive attitudes towards disabled people; and*
- iii) identify measures which could be considered for inclusion in the disability action plan for ESA.*

## **Participation**

The officers of the Joint Consultative Forum recommended that, in addition to the new disability duties being considered at the JCF, a separate consultation event should be held with disability groups under the auspices of Disability Action and Mencap.

Consultations on how best to implement the disability duties therefore included:

- partnership event between Boards/Staff Commission, Disability Action and Mencap, June 2007 (notes available at [www.staffcom.org.uk](http://www.staffcom.org.uk))
- written submissions from Mencap; Carers Northern Ireland; Employers' Forum on Disability; Disability Action; Lisburn Access Group
- implementation of the Disability Duties discussed at Joint Consultative Forum, February 2009 (notes available at [www.staffcom.org.uk](http://www.staffcom.org.uk))
- Inter-Board/Special Schools Focus Group meeting held to explore how the disability survey could be extended to their sector.
- Children and young people with disabilities participated in the launch of the Report on the Disability Survey, March 2010.
- Work ongoing on the development of a Disability Action Plan for ESA which takes account of feedback from consultees on the implementation of the Disability Duties, Annual Report 2008-09 refers.