

# STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS

## Revised Equality Scheme

The Commission is 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 its revised Scheme 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 Scheme 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 the Foreword and Paragraphs 1.3; 2.1; 2.12; 2.16; 3.2.1; 3.2.3; 3.2.11; 4.10; 4.11; 4.18; 4.20; 4.24; 4.27; 4.30; 4.33; 5.3; 6.3; 6.4; 6.5; 6.6; 6.7; 6.8; 6.9; 8.1; 8.4; 9.3; 10.2; and 10.3.

### ISSUE 2

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

**Response:** The Commission has amended its initial draft to take account of responses received during the consultation period. The Scheme 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 the Chair and Commission Secretary 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 Commission's statutory duties. *(Disability Action and UNISON)*

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

## ISSUE 5

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

**Response:** The Commission believes that its Scheme adequately reflects 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 Commission is requested. *(ECNI, UNISON and NICEM)*

**Response:** Paragraphs 1.5 and 1.7 of the Scheme have been enhanced to provide more information.

## 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:** Chapter 2, paragraph 2.4, has been cross-referenced with Appendix 1 to ensure greater clarity.

## ISSUE 8

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

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

The Commission is prepared to notify consultees, as per its mail list (Appendix 2 of the Equality Scheme) of screening decisions which determine that an EQIA is not required, when the screening report is being posted on its website.

## ISSUE 9

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

**Response:** The Scheme contains clear commitments to follow the Guidance published by the ECNI.

## ISSUE 10

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

**Response:** The Commission will monitor and review its approach to consultation to ensure that it reaches 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 Commission's revised Scheme reflect the ECNI model scheme. Paragraph 3.2.7 requires that the Commission give consideration to the feasibility of allowing a longer period for consultation over the "summer or Christmas break".

## 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 Commission has a very small team of staff (4 full-time and 2 part-time) comprehensive equality training will be provided to all staff.

## ISSUE 13

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

**Response:** The Commission's revised Scheme complies 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 Commission's responsibilities. (UNISON)

**Response:** The Commission aims 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 Commission's equality obligations in relation to employment. (UNISON)

**Response:** This commitment is contained in the Foreword and at paragraph 1.2 of its Scheme.

## 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 Commission is fully aware of its legal obligations related to Section 75 of the Northern Ireland Act 1998; however, this statutory obligation cannot be regarded in isolation. The Commission 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 Commissions 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:** Included at Appendix 4.