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STAFF COMMISSION FOR  
EDUCATION AND LIBRARY BOARDS

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FIVE YEAR REVIEW  
OF OUR EQUALITY SCHEME

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15 February 2006

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## ACKNOWLEDGEMENTS

The Staff Commission wish to thank most sincerely individuals and groups from the nine equality categories, the community and voluntary sectors and the Trade Unions who worked with us over the past five years. The collaborative approach to working with the five Education and Library Boards has enabled us to make considerably more progress than perhaps initially anticipated and to develop our thinking about diversity. The influence of others with diverse perspectives and views has enabled us to develop more challenging and innovative programmes of work. This has enabled us to implement the commitments contained in our Equality Scheme, namely to promote equality of opportunity and good relations.



**Prof. B Cullen, Chairman  
Staff Commission for  
Education & Library Boards**



**Mrs P Weir, Chief Executive  
Staff Commission for  
Education & Library Boards**

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# FIVE YEAR REVIEW OF THE STAFF COMMISSION'S EQUALITY SCHEME

## EXECUTIVE SUMMARY

### **Five Year Review:**

The Staff Commission for Education and Library Boards (the Commission), set out in its Equality Scheme a clear commitment to the fulfilment of its obligations under Section 75 of the Northern Ireland Act 1998.

The Commission gave a commitment to conduct a formal review of the Scheme within five years of its approval by the Equality Commission for Northern Ireland. This Review has been completed in accordance with the Equality Commission's Guidance on Five Year Review of Equality Schemes issued to public authorities in October 2005.

### **Methodology adopted:**

The Review has included both backward and forward looking elements. It has assessed:

- what has been achieved;
- what remains to be done;
- how to build on our successes to date; and
- how to meet the challenges identified.

It also considered the 'workability' of the Equality Scheme.

### **Key issues to emerge:**

- The development of an inter-Board/Staff Commission collaborative approach was of considerable benefit, it resulted in the:-
  - ▶ effective use of resources;
  - ▶ avoidance of duplication;
  - ▶ co-ordinated programmes of work;
  - ▶ sharing of expertise and learning;
  - ▶ development of good practice; and
  - ▶ greater opportunity for partnership working with the community/voluntary sector.
- The two-stage approach to screening existing and new policies reflected good practice.
- The Commission's programme of equality impact assessments was on target. Feedback from the Equality Commission, the community and voluntary and trade union sectors indicated that they had been completed to a high standard.
- A positive contribution had been made to the further development of employment monitoring systems used by the Education and Library Boards. Monitoring reports on the implementation of the results of EQIAs had been published in accordance with the requirements of the Equality Scheme.

- The collaborative approach to consultation and our willingness to work in partnership with Section 75 umbrella groups, together with our commitment to the establishment and effective working of the Joint Consultative Forum was welcomed. Consultees identified this work as a model of good practice. The Equality Commission's Report on the Implementation of Section 75 Statutory Duties (April 2002 - March 2003) states that the Commission "*displayed an excellent approach towards partnership. They were prepared to devote the necessary time to organise effective consultation meetings (not just involving umbrella groups), they actively engaged in listening and discussion and involved decision makers in meetings*".
- A training strategy had been developed and implemented. The partnership training projects between the Commission/Boards and the community and voluntary sector were commended as good practice at a workshop on 23 January 2006, Appendix 3 refers.
- A review of arrangements for providing information to the public was undertaken and arrangements were put in place to ensure information/services were accessible. An accessibility audit was conducted. Findings are fully implemented. A member of staff has completed the BIFHE "British Sign Language Stage II Course".
- The Commission had in place a complaints procedure. No complaints had been received during the period under review.
- The Commission had been pro active in promoting the good relations duty, The preparation of a draft Good Relations Strategy is at an advanced stage.
- Impacts and outcomes for the Commission and/or individuals from the nine equality categories over the past five years are summarised and reflected upon.

### **Conclusions:**

Overall, the Commission has concluded as a result of this self-assessment that the Equality Scheme has worked well. It is the Commission's view that the current Scheme should continue until the establishment of the single Education Authority.

## 1. INTRODUCTION

- 1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires the Staff Commission for Education and Library Boards ('the Commission') in carrying out all its functions, powers and duties relating to the Act to have due regard to the need to promote equality of opportunity:
- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
  - between men and women generally;
  - between persons with a disability and persons without; and
  - between persons with dependants and persons without.
- 1.2 Section 75 also requires us, without prejudice to this obligation, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 1.3 In its Equality Scheme the Commission set out its clear commitment to the fulfilment of its Section 75 obligations throughout the organisation. It stated *'the organisation will allocate the resources necessary, in terms of people, time and money, to ensure that the statutory duty is compiled with'*. The Commission also gave a commitment to conduct a formal review of the Scheme within five years of its approval by the Equality Commission. The Equality Commission's Guide to the Statutory Duties (February 2005) approved by the Secretary of State states: *"This review is a formal review of the scheme to evaluate its effectiveness in meeting the public authority's statutory duties"*.
- 1.4 This review will include both backward and forward looking elements. It will assess:-
- what has been achieved;
  - what remains to be done;
  - how to build on our successes to date and how to meet the challenges identified.

The Review will also consider the 'workability' of our scheme. The Review has been completed in accordance with the Equality Commission's Guidance on Five Year Review of Equality Schemes issued to public authorities in October 2005.

## 2. ORGANISATIONAL STRUCTURE

- 2.1 The Commission is a body corporate which was established in 1972 under the provision of Article 70 and Schedule 11 of the Education and Libraries (Northern Ireland) Order 1972, as amended. The Commission was established for the purpose of exercising general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of boards (non-teaching staff) and of making recommendations to boards on such matters.
- 2.2 The Commission has a small staff complement comprising 8 members of staff. The staffing complement is as follows:

Chief Executive/Secretary	Mrs P Weir
Deputy Secretary - Senior Principal Officer	Mr P Robinson
Senior Principal Officer, Equality*	Ms D Vaugh
Projects Officer	Mrs P Murray
Senior Executive Officer/Office Manager	Mrs G McClean
Executive Officer	Mrs S Briggs
Clerical Officer*	Mr P Brown
Domestic Assistant*	Mrs A Barron

### 2.3 POLICY FRAMEWORK

The functions of the Staff Commission are set out in Schedule 15 of the Education and Libraries (Northern Ireland) Order 1986 as follows:

- a) to make recommendations regarding the training of officers of boards;
- b) to recommend appointment and promotion procedures for officers of boards and to establish a Code of Procedure for securing fair and equal consideration of applications to boards by persons seeking to be employed as officers of boards and fair and equal treatment of persons who are so employed;
- c) to establish advisory panels for the purpose of giving advice to boards on the suitability of applicants for appointment to such offices as the Commission considers appropriate;
- d) to ensure that suitable machinery exists for negotiating the terms and conditions of employment of all officers of boards;
- e) to perform such other functions as the Department of Education may from time to time assign it.

The Commission undertook to assess, over a five year period, how each of its policies could contribute to the promotion of equality of opportunity and the promotion of good relations within the terms of Section 75 of the Act.

In fulfilling its statutory obligations the Commission declared its intention to adopt a four stage approach.

Stage 1 - Screening of Policies

Stage 2 - Timetable for setting priorities

Stage 3 - Consultation

Stage 4 - Detailed report in the Annual Report to the Equality Commission

### 2.4 REVIEW OF PUBLIC ADMINISTRATION

On 22 November 2005, the Education Minister announced, as part of the Review of Public Administration, that there will be a single Education Authority. The Education Authority will become the employing authority for all teaching and other staff employed in grant-aided schools.

The creation of the new Education Authority will mean that some of the Commission's functions will be absorbed into the new Authority, while others will no longer be required.

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\* part-time postholders

### 3. REVIEW OF KEY ELEMENTS OF THE COMMISSION'S EQUALITY SCHEME

#### 3.1 EQUALITY SCHEME

- 3.1.1** The Commission, in April 2000, issued its draft Equality Scheme for consultation. It consulted all the organisations which were listed in Annex 1 of its Draft Scheme. The Commission also placed an advertisement in the local press. Responses were received from 21 organisations. Trade Unions were consulted through the Commission's negotiating machinery.
- 3.1.2** Following the consultation process, amendments made were deemed appropriate to the draft Scheme. The Scheme was submitted to the Equality Commission for Northern Ireland ('the Equality Commission') by 30 June 2000.
- 3.1.3** An audit of the Scheme was conducted by the Equality Commission and issued to the Commission on 24 November 2000. The Commission discussed the audit with the Equality Commission on 11 December 2000 and submitted detailed amendments to the Equality Commission on 20 December 2000. Further suggested changes were incorporated into the Draft Scheme in January 2001. The Commission was advised by the Equality Commission that the Draft Scheme was approved on 15 February 2001.
- 3.1.4** The Scheme was published and distributed to consultees during April 2001. the availability of the Scheme was advertised in the Belfast Telegraph on 20 March 2001 and the Irish News and Newsletter on 22 March 2001. In addition it was placed on the Commission's website. Copies of the Scheme are available, on request, in alternative formats.

#### 3.2 ARRANGEMENTS FOR ASSESSING COMPLIANCE WITH SECTION 75

- 3.2.1** Chapter 5 of the Equality Scheme states '*The Commission will assess over a 5 year period how each of its policies can contribute to the promotion of equality of opportunity and the promotion of good relations within the terms of Section 75 of the Act.*' The actions taken to fulfil this commitment are detailed at Sections 3.3 and 3.4 of this Report. The Scheme also required that, as part of the corporate planning process, objectives and targets relating to equality would be integrated into the corporate and annual operating plans.
- 3.2.2** The Chief Executive has a responsibility to the Commission to ensure that the Commission fully complies with this Scheme.
- 3.2.3** Each member of staff is 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 Commission's Senior Principal Officer, Equality.
- 3.2.4 What has been achieved:**  
**a) Corporate approach**  
 The Commission has incorporated its strategic approach to Section 75 into its Corporate and Operational Plans. Promotion of equality of opportunity and good relations is the main thrust of the organisation's equality statement.

The promotion of equality of opportunity and good relations is one of the strategic objectives determined by the Commission. Each strategic objective has associated

objectives and performance indicators. For the period under review equality has been mainstreamed into the strategic planning process. Table 1 refers.

**Table 1**  
**Mainstreaming Equality into the Corporate Planning Process**

<b>Corporate Strategy</b>	<b>Strategic Objectives</b>	<b>Associated Objectives</b>	<b>Key Performance Indicators</b>
Corporate Plan 2000/03	25%	58%	43%
Corporate Plan 2003/06	20%	57%	40%

Progress on the implementation of the Corporate Strategy and Operational Plans is detailed in the Commission's Annual Report.

The Chief Executive has ensured that the Commission's work is underpinned by the need to ensure fairness and promote equality of opportunity and good relations. This has been achieved through a range of measures:

- monitoring the implementation of the Equality Scheme;
- ensuring provision of reports to the Commission on the implementation of the Equality Scheme;
- ensuring equality is mainstreamed into strategic and operational plans and policy formation;
- ensuring equality is a standard item of business at all staff meetings.

Since April 2000 there have been 16 meetings of the full Commission. At each of these meetings, a report was provided on the Boards' implementation of their Equality Schemes and the progress being made by the Commission in the implementation of its Scheme. Each year the Annual Review of Progress made in relation to compliance with the Scheme and the statutory duties is considered by the Commission prior to its submission to the Equality Commission. The only exception to this was the report for the period 2004-05 as the Commission was being re-constituted.

**Evidence:**

Corporate and Operational Plans  
Annual Reports  
Minutes of Commission and Staff meetings.

**b) Staff Commission/inter-Board Partnership**

At the early stages of implementing Section 75 of the Act, it became apparent that there would be considerable benefit to the Staff Commission, the Boards, consultee groups and service users if there was a collaborative approach to the implementation of our Equality Schemes. This led to the development of an inter-Board/Staff Commission Statutory Duty Co-ordinating Group. The Joint Secretaries of the Joint Negotiating Council are represented on this Group. This Group has top level

involvement and clear lines of accountability. The Staff Commission has co-ordinated work on the implementation of the Equality Schemes on an inter-Board basis.

Considerable benefit has been derived from this method of working, namely:

- effective use of resources;
- avoidance of duplication;
- co-ordinated programmes of work;
- sharing of expertise and learning;
- development of good practice; and
- greater opportunity for partnership working with the community/voluntary sector.

**Evidence:**

Minutes of Statutory Duty Co-ordinating Group

**c) Annual Direct Expenditure**

Outlined at Table 2 below is the annual **direct** expenditure of resources to facilitate the implementation of the Scheme, which amounts to approximately 20% of the Commission's budget per annum. It is important to emphasise that because of the collaborative working identified above and the mainstreaming of equality initiatives, this summary significantly understates the true costs incurred in the promotion of equality of opportunity and good relations incurred by the Commission.

**Table 2**

**Details of Direct Expenditure on Implementing the Section 75 Statutory Duties**

	Salaries & Wages	Running Costs - Advert	Running Costs - Printing	Conf. Courses & Training	Hosp-itality	Consultancy /Research	Misc.	Overall Total
2001 2002	38220	0	0	2424	0	5410	654	46708
2002 2003	44448	911	517	268	0	2686	565	49395
2003 2004	56037	691	4941	869	0	1055	941	64532
2004 2005	61787	0	1391	175	121	809	564	64848
<b>Totals</b>	<b>200492</b>	<b>1602</b>	<b>6849</b>	<b>3737</b>	<b>121</b>	<b>9960</b>	<b>2724</b>	<b>225483</b>

**Evidence:**

Commission's Annual Accounts

**3.2.5 What remains to be done?**

- On-going programme of work needs to continue.
- Consider implications of RPA proposals.

### 3.2.6 How do we build on our success?

- Partnership arrangements at (b) above have worked exceptionally well and this pioneering approach to consultation has made it easier for consultees to engage on the implementation of the Equality Scheme. Rather than receiving information in multiples of six, a single document has been used to facilitate consultation and/or keep consultees fully engaged in the process.
- Important to retain the centralised, co-ordinated approach which has also ensured the 'local' element has been addressed.
- The Commission has integrated Section 75 into corporate and business planning processes and key activities. This gives practical evidence of mainstreaming. The Commission is a very small NDPB however because of our role in the co-ordination of Section 75 work on an inter-Board basis, we have been able to drive forward the equality agenda in a much wider context.

### 3.2.7 How do we meet the challenges identified?

- A similar group to that referred to at (b) above was established on a DE/NDPB basis. This group is chaired by the Department of Education.
- The Commission prepared an inter-Board/Commission annual report reviewing the steps taken during the year to implement our statutory equality duties. Generally the Equality Commission made available its reporting template for this at an advanced stage in the process. This has presented challenges in processing such a report through the Commission. Whilst we recognise the Equality Commission has also had to develop templates, guidance etc from scratch, having now been through the experience of implementation over a five year period, we would hope that information in the future will be made available in a more timely manner.
- We need to develop a common approach to the collection of information on the direct costs of implementing each of our Equality Schemes.

## 3.3 SCREENING OF EXISTING POLICIES

**3.3.1** The summary action plan included in the Commission's Equality Scheme provided that, in Year 1 (April 2001 - March 2002), the following actions would take place:

- screening of policies;
- preparation of timetable for setting priorities; and
- consultation on the screening process.

### 3.3.2 What has been achieved?

#### a) Existing Policies

In advance of approval of the Scheme, the Commission commenced the screening of policies process. Stage 1 of the process commenced in September 2000 when a comprehensive list of the Commission's policies was issued to those consultees identified in Annex 1 of the Commission's Equality Scheme. Pro forma documentation was also prepared and issued with the list of policies in order to encourage and to facilitate feedback at this stage of the screening process.

During January/February 2001 the Commission screened its policies using the criteria specified in the Equality Commission's Guide to the Statutory Duties and

taking account of the feedback received as a result of the procedure described in the paragraph above.

A draft report on the screening of policies exercise was presented to the Commission meeting on 26 March 2001. The Report concluded that the Commission's Code of Employment and Promotions Procedures and the inter-Board/Commission Internal Trawl Procedure should be subjected to an Equality Impact Assessment in Year 2 of the implementation of the Equality Scheme. In addition, the Commission agreed to co-join and/or co-operate with the Education and Library Boards on the Equality Impact Assessment and/or review of employment policies.

Stage 2 of the screening process was initiated in April 2001 with the issue of the consultation report. The availability of this report was advertised in the press and it was also circulated to all of the consultees listed in the Commission's Equality Scheme. Consultation events were organised on a Commission/inter-Board basis, with the Commission acting as consultation co-ordinator for all regional meetings. To facilitate more focused feedback in a number of key policy areas regional meetings were organised in partnership with:

- Age Sector Reference Group;
- Carers National Association Northern Ireland;
- Coalition on Sexual Orientation;
- Disability Action;
- Northern Ireland Council on Ethnic Minorities;
- Traveller Movement Northern Ireland;
- Women's Support Network;
- Youthnet.

A consultation meeting was also held with parents of children from the Chinese community who had indicated that they could have difficulty contributing at a public meeting. Translation and interpreter services were provided for this event.

Participants were advised in advance of all the consultation meetings that requests for assistance to ensure full participation, including any communication, transport or access needs, would be considered. All requests for assistance were accommodated and these included:

- provision of transport;
- translation of information;
- information being made available in an alternative format (Braille);
- dietary requirements;
- provision of a crèche;
- interpreter service; and
- signer (BSL - British Sign Language).

The Trade Unions were invited to respond to the consultation report using the established negotiating machinery. Separate meetings were held with NIPSA and UNISON.

In addition to the feedback received at the meetings written responses to the consultation report were received from:

- Association for Spina Bifida and Hydrocephalus;
- Chinese Welfare Association;
- Disability Action;
- Hospital Road Youth Club;
- MENCAP;
- Multi Cultural Resource Centre;
- NIPPA - The Early Years Organisation;
- Northern Ireland Public Service Alliance;
- Smart Attack Child Care;
- Traveller Movement Northern Ireland.

As a result of the consultation exercise some additional policies were identified for EQIA. The Commission agreed that it would co-join with the Education and Library Boards in the EQIA of 'Family Friendly Policies' (Year 3) and 'Job Evaluation' (Year 4); and to co-operate with the Department of Finance and Personnel's EQIA policy on Public Procurement and to co-operate with the Education and Library Boards' review of a number of employment policies.

**Evidence:**

Report on the Screening of Policies was launched on 14 February 2002.

**b) Proposed Policies (Year 2 - April 2002 to date)**

Since Year 2 of the implementation of our Equality Scheme the Commission in collaboration with the five Education and Library Boards has produced a Supplementary Report on the Screening of New Policies. This report identifies new policies screened, the results of the screening of such policies and any resultant proposed changes to the Commission's/Boards' co-joined approach. It was proposed that a single report be issued at the end of each financial year to all consultees for comment and all feedback considered on an inter-Board/Commission basis. Decisions taken following consideration of the issues raised in the consultation process are communicated to consultees.

**Evidence:**

Supplementary Reports on the Screening of New Policies for the periods April 2002-March 2003; April 2003- March 2004 and April 2004 - March 2005.

**3.3.3 What remains to be done?**

Continue screening new policies.

**3.3.4 How do we build on our success?**

In the early years of implementation the Commission's focus was on the development of processes which would facilitate the delivery of equality outcomes.

- The Commission adopted a two stage approach to screening existing policies. It was generally accepted that this worked particularly well. The pro forma documents and approach to screening have been utilised by other public authorities.
- For new policies, consultation is normally built into the policy development stage but in the early stages of implementation of the Scheme this was not universally applied.

- Increasingly, consultation and equality considerations are built in as an inherent part of the policy development process. This being the case it is less likely that screening will identify significant implications for the promotion of equality of opportunity. Whilst the Commission fully accepts that a screening exercise should be conducted and consulted upon, we believe it should be possible, where appropriate, to earmark certain policies for a re-screen after a period of implementation. This would ensure that a fresh look is given to such policies and would allow a more robust method of screening to emerge.
- Training was provided to officers involved in the initial screening of policies, however, given that screening is carried out less frequently the training benefits may be less effective if not regularly applied. A screening toolkit has been designed to ensure consistency of approach and the maintenance of standards.

### **3.3.5 How do we meet the challenges identified?**

There were numerous challenges, namely:

- What is a policy?
- How do you screen?
- Ambiguity in the Equality Commission's guidance on consultation on screening, particularly in regard to new policies.

There were only four screening questions and some general guidance to facilitate the screening process.

These challenges were overcome through a combination of risk management, innovative working, making assumptions/decisions based on good practice in other areas of work and consulting on the proposed way forward, namely:

- development of a screening pro forma;
- a pilot exercise to test the suitability of the document;
- providing guidance and training to all staff involved in screening;
- co-ordination of the results of screening with Boards and other public authorities as appropriate;
- maintaining a good paper trail of the process adopted;
- publicising the results of screening for consultation;
- consultation;
- provision of feedback, publication of results of screening.

The screening process as specified in the Scheme was fully met. The collaborative working arrangement with the Boards has been of considerable benefit to the Commission in the screening process. If the Commission had worked in isolation it is unlikely that it would have benefited to the same extent from the consultation surrounding the screening process. For small NDPBs our experience may provide a useful model to consider.

### 3.4 EQUALITY IMPACT ASSESSMENTS (EQIA)

3.4.1 The summary action plan included in the Commission's Equality Scheme provided that equality impact assessments be conducted over the five year period of the operation of the Scheme. Following its screening of policies, paragraph 3.3.2 refers, the Commission proceeded to implement its EQIA programme. The programme is summarised below:

**Table 3**  
**Commission's EQIA Programme**

<b>Policy</b>	<b>Timetable</b>	<b>Partner Authorities</b>
Code of Employment and Promotion Procedures and Internal Trawl Procedure	Year II (April 2002 - March 2003)	Five Education and Library Boards
Family Friendly Policies	Year III (April 2003 - March 2004)	Five Education and Library Boards
Job Evaluation	Year IV (April 2004 - March 2005)	Five Education and Library Boards

The Commission also agreed to co-operate in Year 1 (April 2001 - March 2002) with the Department of Finance and Personnel's 'Review of Public Procurement'. In September 2001, the Department of Finance and Personnel issued a consultation document on its proposals. The Commission joined with the five Boards in responding to these proposals.

#### 3.4.2 What has been achieved?

##### a) Commission's Code of Employment and Promotion Procedures and the inter-Board Internal Trawl Procedure

In January 2001 the Commission established a working group to review this Code. The working group comprised representatives of the Commission, the Boards, the recognised trade unions and the Equality Commission. The working group's redraft of these procedures is titled 'Code of Procedures for Recruitment, Selection and Promotion', hereafter referred to as 'the redrafted Code'. The redrafted Code was accompanied by practical guidance on the recruitment and selection process. To pave the way for the EQIA pre-consultation took place on the redrafted Code. The redrafted Code was issued with a briefing paper and pre consultation response pro forma to 253 consultees. Sixteen written responses were received and three consultation meetings were held.

An assessment of the impact of the redrafted Code and the Internal Trawl was then conducted on the duty to promote equality of opportunity in respect of the categories of persons identified in Section 75 of the Act. This exercise identified the following issues:

- the potential barrier to the promotion of equality of opportunity of the internal trawl procedure (race; disability; gender; religion and dependants);
- the potential adverse impact on a number of Section 75 categories, namely gender, disability and dependants, of the use of a minimum service requirement when applying for promotion posts;

- the need to consider more specific guidance on job requirements, eligibility criteria and assessment arrangements.

The Commission/Boards proposed a range of positive measures which will, they believe, eliminate any adverse impact for the categories of persons covered by Section 75. These measures included:

- a significant reduction in the number of posts advertised through the Internal Trawl Procedure;
- removal of the eligibility requirement that staff with less than 6 months' continuous service in a permanent capacity cannot apply for promotion to a higher graded post;
- removal of the eligibility barrier in relation to internal trawls for staff on temporary, fixed term contracts and/or Employment Support Scheme;
- incorporation of a number of substantive changes to further develop good practice and thereby promote equality of opportunity; and
- provision of comprehensive training to panel members.

On 18 March 2003, a report of the EQIA was published for consultation. Its availability was advertised in the Belfast Telegraph, Irish News and Newsletter. It was distributed to consultees specified in the Commission's/Boards' Equality Schemes.

Six regional meetings were held with groups representing five of the Section 75 categories, namely disability, dependants, ethnic minorities, sexual orientation and gender. In addition eleven written submissions were received from organisations in the voluntary, community and trade union sectors and from two individuals.

The issues raised during the consultation process related to:

- the existing internal trawl procedure used to fill specified posts;
- advertising;
- the recruitment and selection process;
- application of the Code and its associated Guidelines;
- employee/job applicant monitoring;
- industrial relations; and
- affirmative/positive action measures.

The Commission and the Boards carefully considered the points raised during the consultation process and agreed the following actions:

- from June 2004 all permanent substantive vacant posts will normally be publicly advertised;
- job vacancies will be advertised on each Board's website with links to the websites of CoSO, Disability Action, MENCAP and NICEM;
- a joint seminar will be organised with Disability Action/MENCAP to address issues of accessibility and reasonable adjustment in the recruitment and selection process;
- links will be developed with minority ethnic groups, including young travellers and special schools/disability groups to facilitate work placement opportunities for young people;

- an inter-Board group will be established to review qualifications, equivalencies and age criterion used in the recruitment and selection process;
- a new employment monitoring system will be piloted to collect monitoring data from employees/job applicants across all nine equality categories;
- removal of the service eligibility requirement for promotion posts; and
- removal of the eligibility barrier for temporary, fixed term and employment support contract postholders.

The final report on the outcomes of this EQIA was published in October 2003, its availability was advertised in the press. It was also posted on the Commission's website. Progress on the implementation of the results of this EQIA is detailed at Section 3.52(b) of this report. The redrafted Code of Procedures on Recruitment and Selection was launched in May 2004 and came into effect from June 2004.

### **b) Family Friendly Policies**

Following the publication of the Commission/Boards' consultation paper in 2001, on the screening of policies, several consultees raised concerns regarding the decision to 'screen out' policies related to flexible working arrangements. They suggested this decision should be reviewed and those policies titled 'flexible working arrangements' be re-classified as 'family friendly policies'. This was accepted by the Commission and the Boards.

The National Joint Council for Local Government Services (the NJC), representing employer and trade union interests in local government in Great Britain, produced a Guide 'Finding the Balance - Work-life Policies in Practice'. The aim of the Guide is to raise awareness of current best practice in various local authorities and to set out ways for a positive joint approach to working arrangements which can be linked with an improvement of services.

In Northern Ireland the Joint Secretaries of the Joint Negotiating Council (the JNC) established a Joint Working Group to compare policies and procedures in existence within the Boards with those outlined in the Guide. As part of this exercise an inter-Board survey was carried out of Headquarters and Library headquarters staff to assess the uptake of flexible working arrangements currently in place. The survey identified that 15% of staff had opted for a flexible work pattern and that *'uptake across the Boards was highest amongst the lower grades of staff, namely Clerical and Senior Clerical Officer. Uptake by staff above Senior Executive Officer grade is low. However, posts above the grade of Assistant Principal Officer indicate a substantial uptake by staff in the Education Psychology Service'*.

An audit of current policy and practice shows that information can be classified into three main categories as follows:

- flexible working patterns currently available in Boards which are contained in the NJC Guide;
- current provisions regarding statutory, discretionary and other leave arrangements; and
- policies and practices utilised by local authorities in GB, and referred to in the NJC guide, but which are not currently available in Boards.

The Joint Working Group then reviewed the policies at the first two categories above to establish what, if any, changes may be required to ensure they promote equality of opportunity for the persons specified under Section 75.

In addition, a separate inter-Board/Commission Working Group with Trade Union representation was appointed to develop a policy on teleworking.

The terms of reference for the Group are:

- to prepare a policy in relation to teleworking (or home-based working) for acceptance by the Boards/Staff Commission;
- to suggest any necessary strategy and guidelines for the implementation of same; and
- to assist with the establishment and review of any pilot teleworking projects that would inform the above arrangements.

In March 2005 a consultation report was issued to consultees listed in the Boards' and Commission's Equality Scheme. The report summarised the review of current policy and practice and proposed changes to the following policies:

- Job Sharing Scheme;
- Career Breaks Scheme;
- Annual Leave;
- Flexible Working Hours Scheme;
- Domestic Leave; and
- Carer Leave.

The report also outlined details of the new inter-Board/Commission policy on Home-Based Working which is planned as a pilot exercise in the Southern and Western Education and Library Boards. It was distributed with a pro forma response form which was intended to help and encourage the submission of responses by the public.

Twelve written responses were received, and consultation meetings with the trade unions took place through the established negotiating machinery. The results of the consultation exercise are due to be published shortly. The key findings resulted in an action plan to:

- better publicise the availability of Work-life Balance Policies;
- amend policies and, as appropriate JNC Circulars; and
- conduct a review of the pilot exercise on (Home-based) teleworking;

A JNC 'Guide to Work-life Balance in the Education and Library Boards' has been drafted and will also be launched shortly.

### **c) Job Evaluation**

This EQIA, listed for EQIA in Year IV (April 2004 - March 2005) is being conducted jointly by the five Boards/Commission. A project team has been appointed, EQIA training for the team was provided on 22 March 2005. The EQIA is at Stage 1 of the process.

**d) Other EQIA Programmes**

In addition to work on its own EQIA timetable considerable assistance has been provided by the Commission to the five Boards and the Department of Education in relation to the following EQIAs: (see paragraph 3.4.4 of the Boards' reports)

<b>Policy</b>	<b>Role</b>	<b>Public Authorities</b>
Electronic Libraries for NI (ELFNI)	Member of EQIA Project Team	Five Education and Library Boards/ DCAL
To Promote, through the Youth Service, the Personal and Social Development of Young People	Assistance and guidance provided	Department of Education/ Five Education and Library Boards/Youth Council for NI
English as an Additional Language	Pre Consultation Briefing Paper and Pro Forma documents drafted in consultation with the Boards/DE	Department of Education/ Five Education and Library Boards
Instrumental Music Service	Member of EQIA Project Team	Five Education and Library Boards
Criteria for Making Statutory Assessment of Special Education Needs	Member of EQIA Management Board	Five Education and Library Boards

**e) Inter-Board/Staff Commission Reviews**

A number of inter-Board/Commission policy reviews were conducted aimed at ensuring that employment policies had been equality proofed:

- redrafted Equal Opportunities Policy issued as Joint Negotiating Council Circular 102;
- redrafted Policy and Code of Practice on the Employment of People with Disabilities issued as JNC Circular 103;
- review and re-issue of JNC Circular No. 77 'A Statement of Policy and Code of Practice on Measures to Combat Harassment in the Workplace for Non-teaching Staff in Controlled Schools and Non-teaching Staff in Maintained Schools (Revised)' and JNC Circular No. 78 'A Statement of Policy and Code of Practice on Measures to Combat Harassment in the Workplace for Staff in Board Locations other than Schools (Revised)';
- review and re-issue of JNC Council Circulars:
  - No. 117 - Maternity Leave Provisions;
  - No. 118 - Paternity Leave;
  - No. 119 - Leave for Adoptive Parents; and
  - No. 120 - Parental Leave.

**3.4.3 What remains to be done?**

- Of the three EQIAs scheduled to be completed on an inter-Board/Staff Commission basis, two have been completed and the other is on-going (paragraph 3.4.2 refers). Seven policy reviews have also been completed

resulting in the issue of revised policies and/or Joint Negotiating Council circulars.

#### **3.4.4 How do we build on our success?**

The first EQIA conducted by the Boards/Commission was on the new inter-Board policy "Electronic Libraries for Northern Ireland". Following the completion of this impact assessment, an evaluation exercise was conducted to review the process and identify any learning points for future equality impact assessments. An outcome from this was the publication in June 2002 of a workbook 'A Recommended Approach to Conducting Equality Impact Assessments' which aims to complement the Practical Guidance issued by the Equality Commission. This workbook has been prepared as an aide-memoire to those involved in carrying out an EQIA and is not intended as a substitute for formal training in the process, nor as a replacement for the Equality Commission's 'Practical Guidance'. The workbook summarises the key steps in the EQIA process and poses questions that need to be considered along the way. It has proved to be a useful resource in ensuring that project teams adopt a consistent approach to the completion of EQIAs as all critical areas of the process are addressed. There has been a significant demand for copies of the publication from other public service organisations.

#### **3.4.5 How do we meet the challenges presented by this process?**

- To ensure the effective implementation of the legislative provisions, it is important to have guidance. The Commission is pleased to have had the opportunity to participate in the development of the Equality Commission's 'Practical Guidance on Equality Impact Assessment'. We believe, however that it is important that opportunities are grasped to enhance the process by adopting a more pragmatic and/or innovative approach. For example, a full blown EQIA was not conducted in regard to Work-life Balance policies however meaningful consultation took place throughout the process and mitigation measures were clearly specified and consulted upon. In the EQIA of the Code, paragraph d) above refers, the Equality Commission's Guidance was further developed to provide a more coherent approach to the EQIA process.
- In regard to EQIAs consultees have warmly welcomed the fact that there was evidence that their views expressed at pre-consultation stages had actually informed the process.

### **3.5 MONITORING**

**3.5.1** The summary action plan included in the Commission's Equality Scheme provided that, in Year 1 (April 2001 - March 2002) a review of monitoring arrangements would be conducted.

The Commission had anticipated that guidance would be published by the Equality Commission in this regard. In July 2002 the Equality Commission published its draft consultation document "Equality Monitoring". The Commission/Boards met with the Equality Commission to provide feedback on the document and submitted a written response. In our submission, whilst we welcomed the development of draft guidance in this complex and sensitive area, we suggested that greater clarity should be provided on the legal obligation to monitor and the status of the guidance. It was also suggested that the guidance should not be prescriptive, instead it should be comprehensive in outlining the options available and recognise that different systems/techniques may be required depending on particular circumstances. It was suggested that the use of pilot programmes should be explored and fully evaluated to

test their suitability and possible scope for use in other monitoring situations. The Commission emphasised in its representations to the Equality Commission on this matter that the scope for a holistic public service approach to Section 75 monitoring needed to be explored. It is noteworthy that the Equality Commission and OFMDFM commenced a research project in 2004/05, aimed at informing the development of monitoring guidance. The Commission has contributed to this research which, in addition to assessing the extent of Section 75 monitoring, is considering a number of case-studies to effectively inform the development of guidance for public authorities and others in relation to Section 75 monitoring.

The Commission's initial customer base is the five Education and Library Boards. Its main information source therefore is the Boards' employment monitoring data. In conducting screening and EQIAs, the Commission has used current internal and external data sources. These are documented in screening and EQIA reports. This quantitative data has in many cases been supplemented with qualitative data available from consultation events, research, etc.

### **3.5.2 What has been achieved?**

#### **a) Employment Monitoring**

The employment monitoring data collected by the Boards did not cover all of the categories specified at Section 75 of the Act. Initially there was a lack of clarity as to whether it was appropriate to extend employment monitoring to cover all of the groups of people specified at Section 75.

In October 2001 an inter-Board/Commission Working Group was established to review the collection of monitoring data to facilitate the review and/or EQIA of employment policies. The five Boards/Commission currently collect data relating to gender, community background, age and disability for non-teaching staff and data relating to gender, community background, marital status, race and disability for applicants for non-teaching posts. The Boards collect similar data for applicants for teaching posts with the exception of community background.

The Working Group concluded that a more comprehensive and uniform approach should be adopted to employment monitoring.

This recommendation was accepted by the Association of Chief Administrative Officers and work was undertaken on an inter-Board/Commission basis on the development of a revised monitoring form. Given the Boards' commitment to develop a system which sought to collect quantitative data across all of the nine equality categories specified in Section 75. It was agreed that the form should cover all of these grounds. Advice was sought from the Equality Commission and a number of other groups on the sensitivities around the extension of data collection to cover grounds such as political opinion and sexual orientation.

The Belfast Board agreed to act as the lead board in piloting the new employment monitoring system.

In 2003 the Belfast Board issued a monitoring questionnaire to 5,615 non-teaching staff of which 4,450 were returned, representing a 79% response rate. This exercise has provided valuable information on equality categories not previously monitored.

An inter-Board/Staff Commission review was carried out on the outcome of the pilot employment monitoring exercise conducted in the Belfast Board in 2003. As part of this review a meeting was held with the Equality Commission to review the approach adopted by BELB, the responses of staff to the employment monitoring questionnaire and to consider how best to move the initiative forward. The Equality Commission acknowledged that the overall response rate at 79% was excellent and, whilst the collection of data in some of the equality groups was problematic in the short-term, the adoption of such an approach would be beneficial in the longer term. It is accepted by the Boards that the adoption of an employment monitoring system which covers all of the nine equality categories specified under Section 75 will assist in the mainstreaming of equality by:

- collecting important data that will help inform equality impact assessments; and
- facilitate the measurement of the promotion of equality of opportunity in employment across the Boards.

The wording of the questions at two of the equality categories, namely disability and dependants was reviewed. The Equality Commission has been invited to provide feedback on the revised form. Following completion of the questionnaire the employment monitoring system will be extended to all nine categories in conjunction with the introduction of the new human resources payroll system.

The Boards' existing payroll system is some 20 years old, and although operationally robust, it is effectively obsolete when judged against modern standards in terms of user-interfaces, functionality and reporting capabilities. The Boards have contracted to introduce a new Human Resources/Payroll system over a three year period commencing in April 2004 that includes the following modules: Recruitment, Payroll, Human Resources, Equal Opportunities, Training, Attendance Management, and Travel and Subsistence. The system will be required to produce the Fair Employment Annual Monitoring Returns and the Triennial Article 55 Reviews, both of which are submitted to the Equality Commission.

**Evidence:**

Evaluation Report of the Pilot Monitoring Exercise, June 2004.

**b) Monitoring of the Actions as a Result of EQIA on the Code of Employment and Promotion Procedures and the Internal Trawl Procedure**

The Commission and the Boards have put in place an action plan to ensure the implementation of the results of the EQIA.

The monitoring systems in place include:

- redrafted Code will be kept under review by the Staff Commission with a substantive review following a period of three years;
- a training plan will be developed to ensure training is available to all panel members;
- a pilot employment monitoring exercise will be conducted;
- advertisement sources will be tracked for the first 12 months, evaluation will be conducted on the benefit of an internal notification procedure;
- as part of the five yearly review of the Equality Schemes, a review will be conducted of completed EQIAs;

- positive/affirmative action measures contained in the redrafted Code and accompanying Guidelines will be monitored and reviewed.

Information on the implementation of these actions is published in the Commission's Annual Reports.

**Evidence:**

Annual Reports to the Equality Commission

**3.5.3 What remains to be done?**

A comprehensive monitoring strategy needs to be developed in the context of a holistic public service approach to Section 75 monitoring.

**3.5.4 How do we build on our success?**

- The development of an employment monitoring system which facilitates the collection of information on all of the grounds specified in Section 75 is being rolled out on an inter-Board basis in conjunction with the instalment of a new human resources payroll system. The experience of the pilot exercise, the development and review of templates has helped inform our overall approach to monitoring. There is now considerable interest from other public authorities in the approach adopted and the documentation developed.
- Monitoring the actions as a result of EQIAs has ensured that the benefits of the EQIA are not eroded at the implementation stage.

**3.5.5 How do we meet the challenges identified?**

The main challenge has been the lack of guidance in this area and the significant costs of establishing systems which may prove to be inadequate. This has been overcome through the piloting of each project.

The Commission is a very small organisation and therefore is heavily reliant on external data sources. Through collaborative working with the Boards it has been able to gain from its success in this regard.

**3.6 CONSULTATION**

The summary action plan included in the Commission's Equality Scheme provided that, in Year 1 (April 2001- 2002) there would be:

- consultation on the screening process; and

in Year 5 (April 2005 - March 2006) there would be:

- consultation on the effectiveness of the Equality Scheme.

The Commission at paragraph 3.3 of its Scheme also gave a commitment that 'specific consideration will be given on how best to communicate with young people and those with learning disabilities'.

### 3.6.1 What was achieved?

#### a) Consultation Strategy

The Commission and the Boards as a first step agreed a consultation strategy to facilitate individuals and groups affected by existing or proposed policies to engage in the decision-making process. Consultees have warmly welcomed this approach and the strategy provides for:

- the circulation of consultation documents together with response pro formas to facilitate written feedback;
- the publication of consultation documents on websites;
- the organisation, as appropriate, of meetings with staggered start times to maximise attendance by the public;
- the organisation of regional meetings in partnership with key interest groups.

The Commission publishes details of all public and regional events and the individuals/groups who participated.

Consultees are advised in advance of all regional meetings that requests for assistance to optimise participation will be considered, including any communication, transport or access needs. All requests for assistance under this Scheme were met and included:

- provision of transport;
- translation of information;
- interpreter service;
- information made available in alternative formats (Braille, tape);
- dietary requirements; and
- crèche facilities.

In addition the Commission/Boards have developed a Travel Assistance Scheme - all claims were met.

All feedback, written and verbal, at local and/or regional levels was shared and taken into account by each Board and the Commission.

Feedback was provided to consultees on decisions made by the Commission/Boards at the conclusion of each consultation process.

#### b) Equality Consultation Guidelines for Board/Commission staff

In its Equality Scheme the Commission gave a commitment to consider how best to communicate information to young people and those with learning difficulties with a view to engaging them in the consultative process. In February 2001 an inter-Board/Commission Working Group was established to prepare guidance in this area. The purpose of the Group was to ensure that those who are affected by policy decisions and/or the delivery of services can contribute effectively to the decision making process.

As an initial step and to assist in developing the guidance, a range of professionals working with various groups was invited to a conference on 12 June 2001 at which they submitted their views on how to engage specific individuals and groups in consultation exercises and on how information should be made available to

individuals and groups. As a result of this the Working Group has identified and addressed communication, consultation and participation needs for:

- pupils in mainstream education and their parents;
- people who are deaf or have a hearing impairment; and
- people who are blind or have a visual impairment;
- those who have a:
  - moderate learning difficulty;
  - severe learning difficulty;
  - physical/medical condition;
  - communication difficulty;
  - specific learning difficulty e.g. Dyslexia;
- emotional/behavioural difficulty and may require education otherwise than at school (EOTAS);
- mental ill health difficulties;
- dependants;
- particular need because of their racial or ethnic origin.

The Guidelines provide practical advice for all staff on how they should engage in consultation and/or make information available to members of the public. The guidance points out that people with disabilities are traditionally described according to the name of their impairment. Whilst recognising that such descriptions are stereotypical and cannot be a substitute for direct and focussed contact with the individual, the Guidance has been developed to give a broad indication to staff of some of the issues which need to be considered when consulting with specific groups.

The draft Guidelines were issued for public consultation on 25 July 2002. The comprehensive nature of the guidelines was welcomed by consultees. Written responses were received from:

- Irish Congress of Trade Unions;
- Invest Northern Ireland;
- Northern Ireland Council on Ethnic Minorities;
- The British Council;
- Equality 2000; and
- Disability Action.

As a result of the written responses and informal feedback received from a number of groups, the Guidelines were further refined.

The Guidelines were launched by the Chief Executives of the Boards/Commission on 10 April 2003 at Disability Action. An associated training package was developed in partnership with Disability Action (paragraph 3.7.2. e) refers).

**Evidence:**

Equality Consultation Guidelines for Education and Library Boards/Staff Commission officers

### c) Joint Consultative Forum (JCF)

Using the experience gained of managing and co-ordinating consultation events and an action planning outcome from the EU transnational project 'Anti Discrimination and Diversity' (paragraph 3.2.7 h) refers), the Commission and Boards in partnership with NICEM considered ways to improve and better mainstream our consultation methods.

Contacts within the community and voluntary sectors and other public authorities in the education sector confirmed that there was widespread support for the establishment of a Joint Consultative Forum. As a first step focus group meetings were held involving the Department of Education, the Education and Library Boards, Council for Catholic Maintained Schools, Youth Council and Northern Ireland Council for Integrated Education and with the community and voluntary sector. These meetings were used to discuss experiences of consultation to date and to establish the level of support for a Consultative Forum. They were also used to consider the terms of reference and the expectations for such a forum, how to ensure the forum would be representative, how best to communicate with groups who did not attend meetings and to explore how to develop and implement a programme of work.

As a result of this preliminary work, it was agreed that a preliminary meeting of the Forum should be used to gain a better understanding of respective roles and an insight into the issues which consultees believe should form part of the 'mainstreaming' agenda. It should also be used to establish structures for the Forum and to identify agenda items for future meetings.

A preliminary meeting of the JCF was held on 1 April 2004 at the offices of the Belfast Board and an information pack was prepared to facilitate the participation of those invited to attend the meeting. 19 consultee groups were represented, involving 25 consultees and 14 representatives of public authorities. In the course of the meeting a number of issues emerged including:

- Bullying/harassment of children/pupils/young people;
- Curriculum development/teacher training/classroom support;
- Library Service - IT system 'bar' i.e. library users unable to gain access to internet sites about Lesbian, Gay, Bisexual and Transgender (LGBT) issues on computers available for public use; and
- Scope for more inter-generational work, particularly at school level.

The officers attending undertook to clarify current policy/practice in these areas and report back with a paper titled 'Agenda Setting' at the inaugural meeting of the Forum. This inaugural meeting was held on 30 September 2004. 15 consultee groups were represented with 41 participants at the meeting. The terms of reference agreed for the JCF were:

*"That the Forum will meet twice per annum (late May and September) before and after the publication of the public authorities' Annual Reports to the Equality Commission on the implementation of the Equality Schemes. Further meetings may be called to discuss specific issues. The Forum will provide a formal working link between public authorities in the education sector and the community and voluntary and trade union sectors and statutory equality authorities namely the Equality Commission for Northern Ireland, the Community Relations Council, the Human Rights Commission and the Northern Ireland Commissioner for Children and Young People".*

The officers of the Forum were appointed. They are:

Joint Chairpersons: Ms Tansy Hutchinson, Policy Officer, NICEM  
Mr John Curran, Inter-Board Services Manager, Education and Library Boards Central Management Support Unit

Secretary: Ms Deidre Vaugh, Senior Principal Officer, Equality, Staff Commission for Education and Library Boards

At the meeting it was agreed that the next important milestone was to appoint a Steering Group. Members of the Forum were agreed that a balance needed to be struck between being inclusive and being able to function effectively. It was agreed that if the Steering Group was too large, it may be less effective, therefore a small group with rotational membership and an effective feedback mechanism should be established. It was decided that the Officers would consult on the establishment and operation of the Steering Group. The Group also determined that a user-friendly leaflet should be issued after each meeting to consult/update members and their constituents on on-going programmes of work. The first meeting of the Steering Group was held on 26 January 2005. The current membership is:

### **Community & Voluntary Sector**

David McConnell	Age Concern
Helen Ferguson	Carers Northern Ireland
James Knox	CoSO
Anne-Marie O’Kane	Disability Action/Children with Disabilities Strategic Alliance
Norman Richardson	Inter-Faith Forum
Tansy Hutchinson*	NICEM (Joint Chair)
David Simpson	Save the Children
Patricia Haren*	Women’s Support Network
Mary Field	Youthnet

### **Public Authorities**

Helen Leith	Council for Catholic Maintained Schools
Ann Perry	Council for Curriculum, Examinations and Assessments
Sharon Lawlor	Department of Education
John Curran	Education & Library Boards (Joint Chair)
Terry Heron	Southern Education & Library Board (representing the 5 Boards)
Deirdre Vaugh (Secretary)	Staff Commission for Education & Library Boards
David Guilfoyle	Youth Council for Northern Ireland

### **Trade Unions**

Mike Graves	Northern Ireland Teachers’ Council
Alison Millar	Trade Union Side of the Joint Negotiating Council

### **Equality Authorities**

Peter O’Neill	N I Human Rights Commission
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\* To consult their constituent members and other interest groups in the Sector regarding membership of the Steering Group

It is intended that membership of the Steering Group will rotate within each sector on an annual basis after each autumn meeting of the Forum.

All minutes and documentation of the work of the Forum are available on the Staff Commission's website at [www.staffcom.org.uk](http://www.staffcom.org.uk).

Since the establishment of the Forum there have been:

- 3 meetings of the JCF;
- 5 meetings of the Steering Group;
- 6 update leaflets issued to Forum members;
- There are 157<sup>1</sup> individuals/organisations on the Forum's mailing list.

**Evidence:**

Minutes, leaflets, dedicated section of Commission's website.

**d) Consultation Exercises**

**i) Draft Equality Scheme published for consultation, April 2000;**

The Commission widely publicised its wish to consult on its draft Scheme with a broad range of interested bodies, through:

- public advertisement;
- direct mail shot to consultees listed in the draft scheme.

As a result of this consultation process the Commission received comments from 21 organisations.

**Evidence:** Commission's Equality Scheme, published April 2001

**ii) Screening of Existing Policies**

**Stage 1 -**

September 2000, list of all policies together with pro forma documentation to facilitate feedback was issued to consultees on each Board's Equality Scheme. The pro forma included a question on which method of consultation was preferred i.e. face to face meetings, public meetings, shared interest forum, question and answer sessions, postal/e-mail questionnaire or telephone surveys. Questions were also included to identify the most suitable times for holding meetings. This information was used to plan the consultation arrangements for Stage 2 of the process.

Screening of Policies Consultation Partnership initiative between: Belfast City Council, Northern Ireland Housing Executive, Health Board/Trusts (Belfast Area), Belfast Education and Library Board and the Staff Commission was held on 7 January 2001 at Waterfront Hall, Belfast.

Workshops were organised on a sectoral basis. Consultees attended on a rolling basis. The Education workshop was facilitated by Hazel Gordon and the rapporteur was Tim Cunningham, both from the community/voluntary sector. 146 groups were invited to the event, of these 90 attended. An evaluation report was compiled by Marie Quiry.

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<sup>1</sup> This figure is exclusive of multiple copies emailed to public authority representatives

## **Stage 2 -**

- Screening conducted during February/March 2001. The five Boards compared the outcomes of their screening exercises. Taking account of the feedback from consultees, they concluded that a co-ordinated joint Board approach should be maintained. An inter-Board report on the outcome of the screening exercise was compiled; it was published in May 2001.
- Consultation events were organised on an inter-Board/Staff Commission basis, leaflets targeting sectors were prepared to encourage constituent groups of umbrella organisations to attend these events.
- Written responses were received from ten organisations.
- **Regional Meetings:**  
12 regional meetings were held, with 52 groups represented and 97 participants attending.

## **Evidence:**

- Screening of Policies Consultation, Waterfront Hall. An Evaluation Report by Marie Quiry.
- Minutes of consultation events agreed with umbrella groups.
- Report on Screening of Policies, launched February 2002. Issued to consultees on Boards'/Commission's Equality Scheme list and any other individuals/groups who participated in the consultation exercise.

## **iii) Screening of New Policies**

Annual Report issued each year from April 2002 to all consultees on mailing list on the outcomes of the screening exercises. Feedback was provided, as appropriate. Final decisions on screening were publicised.

## **iv) Equality Impact Assessments**

### **Code of Employment and Promotion Procedures and Internal Trawl Procedure (Commission/inter-Board)**

- January 2001 Working Group established comprising representatives of the Staff Commission, the Boards, the recognised trade unions and the Equality Commission to review the existing Code of Employment.
- Pre-consultation exercise conducted, June 2002, on the redrafted Code of Procedures. Briefing paper pre-consultation response pro forma issued to 253 consultees. Sixteen written responses were received and three consultations meetings held.
- EQIA consultation report issued 13 March 2003, 500 copies were printed and either distributed directly to consultees or made readily available to the general public.
- Advertisements were placed in the three main regional newspapers.
- Placed on Commission's website.
- Series of consultation events were organised:
  - six regional meetings, with representatives of nineteen organisations;
  - three other meetings;
  - consultation meetings with recognised trade unions under established negotiating machinery;

An agreed record of each meeting was prepared.

Thirteen written responses were received.

**Evidence:** EQIA results published October 2003  
(available at [www.staffcom.org.uk](http://www.staffcom.org.uk))

**v) Finding the Balance - Work-life Policies in Practice**

- Industrial Relations Symposium.
- Survey conducted to assess uptake of flexible working arrangements in Board and Library Headquarters, autumn 2002.
- Joint Trade Union/Management Side Working Group appointed to compare best practice in Great Britain with that available in Boards. Working Group reported March 2003.
- Audit of current policy and practice undertaken to ensure Joint Negotiating Council circulars and Board policies/practices are compliant with Section 75 of the Act.
- Consultation Report issued, March 2005.
- Trade unions contributed through established negotiating machinery.
- Eleven written submissions received.
- Two informal meetings held.

**Evidence:**

Results of a consultation exercise on the Work-life Balance Policies are due to be published shortly.

Guide to Work-life Balance in the Education and Library Boards will be launched at the next Joint Negotiating Council meeting.

**vi) Equality Consultation Guidelines for Board/Commission Officers**

Group Chair: Stanton Sloan - Senior Education Officer (Curriculum)

Workshop: 12 June 2001. To inform the development of the guidelines. The workshop had four elements:

1. Barriers to communication, consultation and participation
2. Information needs
3. Mechanisms for Communication/Consultation/Participation
4. Action Planning

Seventy people participated in the workshop including representatives of the Equality Commission, Department of Education and Council for Catholic Maintained Schools. A number of workshops were chaired by School Principals.

Workshop booklet prepared to ensure feedback captured in a consistent manner.

There were four written responses. Informal meetings held with Disability Action, MENCAP and NICEM.

**Evidence:**

Equality Consultation Guidelines for Education and Library Boards/Staff Commission officers.

### viii) Five Year Review of Equality Schemes

Equality Commission guidance issued 17 October 2005. Draft Report compiled, printed and distributed on an inter-Board/Staff Commission basis. It was issued to all consultees listed in the Boards'/Staff Commission's Equality Schemes on 4 January 2006.

A workshop was organised under the auspices of the Joint Consultative Forum on 23 January 2006. Report included at Appendix 3.

#### Evidence:

Report of the Workshop.

### 3.6.2 What remains to be done?

- The Commission is of the view that a consultation strategy of itself will not ensure effective consultation. However, if it is combined with a willingness to engage in an open and transparent manner positive relationships will emerge which will facilitate sharing of information and experiences. Over the five year implementation period the Commission has sought to develop good relationships with consultee groups.
- More needs to be done to maintain the relationships developed and explore more innovative approaches to consultation which will facilitate relationship building with those people who for whatever reason cannot easily engage in the process.

### 3.6.3 How do we build on our success?

- A commitment was given by the Chief Administrative Officers of Boards and the Commission's Chief Executive that senior staff who have operational responsibility for the Equality Schemes would actively engage in the consultation process. This has been demonstrated by their involvement in consultation events over the five year period.
- We recognised that we had a lot to give but we also had a lot to learn. We approached the organisation of consultation events with the attitude "How can we make it easier for you to engage with us?" Our slogan inviting consultees to participate was "It's good to listen", this approach has allowed us to grow and develop with consultee groups. Through regular evaluation of consultation events we ensured that consultation was not just inclusive but that it was also meaningful.
- In the Equality Commission's Report on the Implementation of the Section 75 Statutory Duties 1 April 2002 - 31 March 2003, Section 6 'A Voluntary & Community Sector Perspective, paragraph 6.46 states that the Commission '*displayed an excellent approach towards partnership. They were prepared to devote the necessary time to organise effective consultation meetings (not just involving umbrella groups), they actively engaged in listening and discussion and involved decision makers in meetings*'.
- A major breakthrough in the implementation of our consultation strategy has been the establishment of the Joint Consultative Forum and its Steering Group. Whilst this is in its early stages of development because of the groundwork already done it has proven to be an effective mechanism for communication and consultation.
- Co-ordination of consultation events. Where meetings were convened we tried, where practical, to cover more than one issue.

### 3.6.4 How do we meet the challenges identified?

- The Equality Schemes require that the availability of specific reports, e.g. EQIA consultation documents, be publicly advertised. The Commission has adhered to this commitment. Our experience overall is that the advertisement and organisation of public meetings has had limited success. We believe it is important that the consultation strategy is sufficiently flexible to allow it to be tailored to suit individual circumstances.
- We have met the challenges identified by evaluating ‘what works’ and ‘what doesn’t work’ and considering whether participation is limited to a number of individuals/groups. By monitoring and reviewing our strategy we are able to introduce and test out new approaches to consultation.

## 3.7 TRAINING

3.7.1 In the first year of implementation of the Equality Scheme, a training strategy and plan was developed. All training provided was evaluated with reports being included in the annual review of our Equality Scheme.

### 3.7.2 What was achieved?

The Staff Commission has a pivotal role in the co-ordination of work on the implementation of the Equality Schemes on an inter-Board basis. For this reason its staff have participated in a wide range of diversity and equality training programmes/conference. This has enabled us to keep up to date with legislative and good practice developments. This training has been documented in each year’s annual review of progress.

#### a) Equality Awareness

The Staff Commission worked in partnership with the Boards in the development of a half-day workshop aimed at providing equality awareness training for all staff. All Commission members and staff participated in equality awareness training. Given the pivotal role of the Joint Negotiating Council in the formulation and review of employment policies, the Commission organised equality awareness training for its members. As a result of the training, the JNC developed an Equality Action Plan and made the implementation of the Commission’s/Boards’ Equality Schemes a standard item of business for all Executive Committee and JNC meetings. New Commission members and staff were trained on a rolling basis. In addition, the training materials developed were made available to a number of public authorities e.g. CCEA, British Council. The Commission facilitated equality awareness sessions in the Department of Education, Council for Catholic Maintained Schools, Youth Council for Northern Ireland and Northern Ireland Fishery Harbour Authority to enable these bodies to obtain maximum benefits from the resources developed.

#### b) Equality Awareness - Good Practice as it relates to Recruitment & Selection

The redrafted Code of Procedures on Recruitment and Selection specifies that *“All board members/officers involved in recruitment and selection must be provided with training and guidance on the provisions of the Code, the board’s policy and the legislative provisions related to the promotion of equality of opportunity, equality awareness and good practice as it relates to recruitment and selection”*.

The Staff Commission developed a training programme, the purpose of which was to provide an introduction to the redrafted Code. The objectives of the programme were to:

- ensure Panel members are aware of the changes in the Code;
- facilitate the application of the Code;
- provide Equality Awareness Training (either initial or refresher training);
- provide an opportunity to discuss implementation issues.

The training was provided to both Board members and officers involved in the recruitment and selection process with specialist sessions for human resource staff who had additional responsibilities under the procedures.

From February to April 2004 24 half day sessions were conducted on an inter and intra Board basis, attended by some 785 participants.

**Evidence:**

Training materials and evaluation report.

**c) Screening of Policies**

A series of Commission/inter-Board Workshops aimed at providing practical guidance on the screening of policies was designed. Pro forma documentation to facilitate the screening of policies was tested during the practical training sessions and through a Commission/inter-Board pilot exercise. Training provided to staff involved in the screening exercise 2001-2002. Training was provided thereafter as required. An evaluation of this pilot exercise concluded that the pro forma document was a useful aid to the screening process and it is now in standard use across the five Boards. A screening toolkit has also been developed as a result of this training and building on our experience of screening policies.

**Evidence:**

Training materials, screening pro forma, evaluation reports and screening toolkit.

**d) Equality Impact Assessment**

All Commission staff involved directly/indirectly in Equality Impact Assessments were provided with training.

The Statutory Duty Unit of OFMDFM made arrangements with the Government Purchasing Agency for a call-off contract for consultants to provide training in respect of a range of equality training including Equality Impact Assessments. Given the Department of Education's/NDPBs' decision to co-join or co-operate, as appropriate in conducting EQIAs, it was agreed that training linked to each EQIA be conducted on an integrated basis under the auspices of the Department of Education. The Commission assisted the Boards/Department of Education in the design and organisation of this training. By Year II (2002-2003), nine training courses had taken place. The Commission in conjunction with the Department of Education/Boards conducted an evaluation of this training.

Valuable lessons were learned in terms of preparing the participants for future training. The five Boards/Commission agreed that when their officers are nominated to a project team to assist in the completion of an EQIA, a meeting should be convened to brief such officers on:

- the screening process;
- the Boards'/Staff Commission's decisions on the policy e.g. to co-join with the Department of Education;
- outline their role in the EQIA process;
- discuss the EQIA process and the inter-Board/Staff Commission workbook; and
- agree how progress on the EQIA should be fed back to the Board/Staff Commission.

By providing officers with some preliminary advice in advance of the EQIA it is hoped they will obtain greater benefit from the actual training experience.

The Commission and Boards also took the view that training of project teams appointed to conduct specific EQIAs would facilitate an awareness of the process and allow the project team to gel and thereby develop a teamwork approach. In all of the EQIA training conducted by the Commission/Boards, the training is used as a mechanism to 'kick start' the process.

#### **e) Consultation Skills Training**

The Commission/Boards, in partnership with Focus Consultancy Service (Disability Action), developed a training package on "Effective Consultation". The package was developed to complement the guidelines on consultation already developed on a Commission/inter-Board basis.

The training was piloted in June 2002 and the package was launched on 10 April 2003 by the Chief Executive of Disability Action, the Commission and each of the five Boards. All Commission staff involved in public consultation exercises have participated in the programme.

#### **Evidence:**

Training package, evaluation reports.

#### **f) Positive Action Measures for People with Disabilities in the Recruitment and Selection Process**

The EQIA of the Code of Employment and Promotion Procedures (paragraph 3.4.2 a) refers), identified an under-representation of people with disabilities in employment with the Boards. This under-representation is greatest at senior levels and in the category of people with learning disabilities. As part of the EQIA process, a series of consultation exercises was conducted and these consultations, together with the findings of the EQIA resulted in:

- the redrafting of the Policy and Code of Practice on the Employment of People with Disabilities; and
- a heightened emphasis being placed through the Code of Procedures on Recruitment and Selection on the statutory requirement of the Commission/Boards to make reasonable adjustments throughout the recruitment and selection process.

In an effort to ensure that policies are translated into effective and visible practice, a working group was established by the Commission that included representatives from the Boards, Disability Action, Mencap, RNIB, Action Mental Health and the Equality Commission.

The result was a workshop with the aim “*to review and further develop good practice around reasonable adjustments for people with disabilities in the recruitment and selection process*”.

The workshop was attended by Commission staff, Boards, Chief Administrative Officers, Human Resource Managers and other staff (a total of 47 participants).

The Commission has shared these materials with other public authorities, for example at the Equality Commission’s Disability Workshop in September 2004, speaking on the theme “*Developing and Managing a Disability Employment Strategy*”.

Furthermore, in 2004 the Commission reviewed its staffing levels and, due to its increased workload, decided to create an additional part-time post at Clerical Officer level. In an effort to put our policy into practice, contact was made with the Cedar Foundation to explore the possibility of the placement of a suitably qualified person for the post. A series of meetings was held with Cedar to discuss the job purpose, requirements and the associated terms and conditions.

In October 2004, a trainee with Cedar was offered a placement at the Commission. This placement lasted approximately 8 weeks and at the end of November the person concerned was offered a permanent post which was accepted. In March 2005 the staff member nominated the Commission for the 2005 Employers’ Forum on Disability Recognition Awards in the ‘Best Participation Award’ category. The Commission received this award. All Commission staff have participated in Disability Awareness training.

**Evidence:**

A copy of the materials developed and the evaluation report.

**g) Dealing with Complaints of Harassment on the Grounds of Sexual Orientation**

In August 2005, the Coalition on Sexual orientation (CoSO) approached the Commission and the Association of Northern Ireland Colleges (ANIC) and asked for their support in the organisation of an event to mark Anti Homophobia Northern Ireland 2004.

An initial meeting was held to explore ideas. At this meeting it was agreed to consider, in conjunction with the Boards and Further Education Colleges, the possibility of a workshop designed to focus on dealing with complaints on the grounds of sexual orientation. The proposal was endorsed by the Staff Commission and the Association of Chief Administrative Officers. The materials for use in the workshop, a workbook and facilitator’s notes were developed on a partnership basis.

**Evidence:**

Training materials and evaluation report.  
Redrafted JNC Circulars No 77 and No 78.

**h) CEJI/NICEM<sup>2</sup>**

On 14 January 2002 NICEM provided a presentation to the DE/NDPB Group on the above European transnational pilot programme.

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<sup>2</sup> Centre European J’uif D’Information/Northern Ireland Council for Ethnic Minorities

The overarching aim of this anti-discrimination training project is to help create organisational cultures within public authorities that tackle discrimination and promote diversity and to:

*“Mainstream equality and diversity into policy and practice through positive community relations and participation with the aim of assisting public authorities to eliminate discrimination and provide culturally sensitive, equitable, caring and quality services.”*

*Vision Statement, October 2001*

The training programme was piloted in two European cities -Belfast (education sector public authorities) and Berlin (education and health sector public authorities). The trainers (six per city) were selected to deliver the training programme. In Northern Ireland there were four trainers from the community/voluntary sector and two from the public sector, namely Ms Deirdre Vaugh (Commission) and Mrs Linda McGowan (BELB). The training of trainers took place on 15-22 January 2003 in Belfast. A Steering Group representative of participating public authorities and NICEM was established.

The Commission played a key role in the:

- training needs analysis;
- development of the participant workbook;
- delivery and evaluation of the training.

The Commission's officer co-facilitated 6 of the 7 three-day training programmes. One of the training sessions was for staff of Non-Governmental Organisations (NGOs). The final phase of the project which operated over a two-year period included an evaluation of the entire process, the training delivered and the outcomes achieved. This report was submitted to the European Commission.

A number of lessons were drawn from the experience of undertaking the project. They are:

- to build a successful partnership between NGOs and public authorities requires mutual trust, goodwill on both sides and commitment to a common cause;
- the readiness to adopt education programmes and policies for countering discrimination and encouraging diversity varies markedly between different parts of the EU;
- the state of implementation of the Equality Directives in different countries affects the ease or difficulty of implementing the project;
- a trans-national project must be global in its thinking but local in its actions;
- a long-term approach is key to getting public authorities to incorporate equality considerations as a central element in their policies and activities;
- working to alter individual attitudes and behaviour can create momentum for bringing about organisational change;
- the international exchange of good practice is a valuable and efficient way of bringing about social change.

In the Northern Ireland context partnership arrangements were successful and much was gained from the involvement of:

- Coalition on Sexual Orientation
- Disability Action
- Age Concern
- West Belfast Economic Forum
- Women's Support Network
- Education and Library Boards
- Department of Education
- Council for Catholic Maintained Schools
- Northern Ireland Council for Integrated Education
- Youth Council for Northern Ireland
- Staff Commission for Education and Library Boards

Participants in the training were senior and middle management and represented a cross section of departments within each of the above public authorities.

**Evidence:**

Evaluation report lodged with the European Commission.

Participant Workbook and Information Pack launched 11 January 2004.

**3.7.3 What remains to be done?**

- Continue with equality awareness programmes and focused training for staff in management and roles associated with the implementation of the Schemes.

**3.7.4 How do we build on our success?**

- All training programmes were evaluated (see Section 3.7.2) and modified and/or further developed as required. Where training programmes have achieved their objectives they have still been reviewed to ensure the materials remained current.
- Equality Awareness training materials have been developed in-house using resources from a range of sources, including the community and voluntary sector. These were piloted and co-facilitated with an external trainer (John Kremer) to enable a more objective assessment to be made of the materials and to provide expert opinion and advice on the process.
- Screening and impact assessment training has generally been facilitated by external consultants, (Jones & Cassidy and John Kremer). The EQIA training was critically reviewed, Annual Report (2002 - 03) and changes were made to ensure a better linkage with the impact assessment process.
- All other training programmes were developed and delivered on a partnership basis with the community and voluntary sector. This has been hugely beneficial not only from the shared learning but also much more was gained than the development and implementation of the training materials. Policies and practices were also reviewed and the Joint Consultative Forum was established primarily as a result of one training partnership.

**3.7.5 How do we meet the challenges identified?**

- The challenges have been largely met on an on-going basis through the evaluation process.

- Whilst we recognise the evaluation of the impact of diversity training is not easy, it is important nonetheless that more work is undertaken to establish the extent to which training has contributed to emerging good practice in the mainstreaming of equality in the Commission/Boards.
- Consideration needs to be given to how the corporate knowledge pool in the Commission/Boards can be utilised in the new Education Authority.

### **3.8 PUBLIC ACCESS TO INFORMATION SERVICES**

**3.8.1** The Commission's Equality Scheme contains an action plan summarising the measures the Commission proposes to take, including a review of arrangements for providing information to the public. The Commission, in Year II of the implementation of its Scheme, conducted a review of the mechanisms available to ensure that information/services are accessible. The following arrangements are in place:

- the provision of information on computer disc;
- the provision of information in Braille;
- the provision of information on audio cassette (an inter-Board/Staff Commission agreement was reached in August 2002 with Armagh Talking Newspapers for the provision of a reader service - this was renewed for a further two years during Year IV)
- a statement advising of the Commission's Typetalk number (18001 028 9049 1461) on all publications, headed paper, etc;
- the provision of translation/interpreter services. Links have been established with the Northern Ireland Council for Ethnic Minorities (NICEM) and Newham Language Shop to ensure requests can be dealt with promptly;
- website re-designed to ensure compliance with good practice and was awarded the 'Bobby' standard. (Bobby is a web-based tool that analyses web pages for their accessibility to people with disabilities);
- a member of staff has completed the BIFHE 'British Sign Language Stage II Course'.

**3.8.2** Since these arrangements have been put in place all Commission publications have included the statement:

*'This information can also be made available, on request, in alternative formats including in large print, in Braille, by e-mail, on computer disc, on audio-cassette and in minority languages to meet the needs of those people who are not fluent in English.'*

The Commission/Boards have produced a range of publications and reports as part of the implementation of our Equality Schemes. Consultees have been complimentary about the reports/publications produced (Appendix 2 refers). Feedback has indicated that they found them comprehensive and user-friendly.

In 2003 the Staff Commission and the Boards took the decision that, rather than circulating all six annual reports to consultees, a high quality user-friendly magazine (lots of bright colours and photographs) would be used to communicate our progress in mainstreaming equality. The Commission has produced three Annual Equality Updates during the period under review.

**3.8.3** An Accessibility Audit was undertaken in July 2003 to take account of the basic requirements of all potential users of the building which the Commission has leased and to make recommendations to the landlord on access problems identified. The report was made available to the Commission in January 2004. The Audit considered the accessibility needs of users in the following categories:

- non-disabled people;
- blind or partially sighted people;
- people who are deaf or hard of hearing;
- people with respiratory or coronary problems;
- people with learning difficulties;
- people who require the use of a carer;
- people who use accessibility equipment such as manual wheelchairs, electric wheelchairs, walking frames, crutches, hoists etc.;
- people who are tall or short.

**3.8.4** The recommendations on access problems included:

- provision of designated car park or visitor spaces;
- provision of low level colour contrasted intercom systems;
- upgrade fire escape doors;
- provide new passenger lift fully compliant with DDA legislation;
- upgrade internal signage;
- provide designated W/C;
- provide visual indicators throughout building or alternative portable system to assist people with sensor impairments in the event of a fire alarm.

**3.8.5** During 2004 the Commission appointed an officer who is a wheelchair user. It was agreed with the landlord that the modifications to the building to improve access would be treated as a high priority. This included the installation of a wheelchair-accessible toilet and modifications to the lift. All the work specified above has now been completed.

**Evidence:**

Accessibility Audit of Selected Premises at Forestview offices (White, Young & Green, July 2003).

**3.8.6 What remains to be done?**

- Continue to monitor the arrangements in place. Carefully consider and respond to 'Access to Information' issues which are raised.

**3.8.7 How do we build on our success?**

- Consider the establishment, in co-operation with other education authorities and the community and voluntary sector, a consultation forum for young people. As a first step it could consider 'access' issues and explore with young people of various ages how a representative group of the equality categories could participate more in the policy and/or decision making process.

**3.8.8 How do we meet the challenges identified?**

See comments at 3.8.6 above.

### 3.9 COMPLAINTS

The Commission, in consultation with the Equality Commission, drafted a complaints procedure. The procedure encourages anyone who feels that they have been directly affected by a failure on the part of the Commission to comply with the Scheme to contact us. The complaints procedure was produced in March 2001 and was issued to all consultees specified in our Equality Scheme in April 2001.

To date no complaints have been received.

### 3.10 GOOD RELATIONS

**3.10.1** The Commission's commitment to the promotion of good relations is integrated with its commitment to the promotion of equality of opportunity, as appropriate, throughout the Equality Scheme. The scope to develop a good relations strategy, when not operating as a service provided and with a staff of seven people, is limited.

Each of the Commission's Annual Reports has detailed work undertaken to promote good relations, this is also summarised in this section.

#### 3.10.2 Draft Good Relations Policy

During 2005/06 the Southern Education and Library Board took the lead in the development of a Good Relations Policy which incorporated three important elements:

- Racial Equality;
- Community Relations;
- Social Inclusion.

This draft policy emerged from the Good Relations duty encompassed in Section 75 of the Northern Ireland Act. It was further developed by the 'Shared Future' document published in March 2005 and substantially enhanced by the 'Race Equality Strategy for Northern Ireland' published in July 2005.

The initial draft strategy prepared by the Southern Board is currently being developed on an inter-Board/Staff Commission basis. On 29 November 2005 an inter-Board/Staff Commission workshop was organised with participants from a range of functional areas, namely:

- Libraries
- Curriculum Advisory and Support Services, staff working in EAL support, with Irish Travellers and curriculum support
- Human Resource
- Equality and Human Rights
- Youth Service

Mr Billy Gamble, Head of Community Relations, OFMDFM, the keynote speaker at the workshop commended the work undertaken by the Southern Board, indicating it was the first document he had viewed that addressed all six of the shared aims. The objective is to have an inter-Board/Staff Commission Good Relations Policy operational by April 2006.

### **3.10.3 Promotion of Good Relations**

Within the context outlined at paragraph 3.10.1 above, the Commission has sought to be pro-active in promoting the good relations duty. It has:

- incorporated the good relations duty in the redrafted Code of Procedures on Recruitment and Selection;
- emphasised the good relations duty in the redrafted Equal Opportunities Policy;
- included the good relations duty in Equality Awareness Training for staff and Commission members;
- participated in and facilitated the transnational project 'Anti Discrimination and Diversity in Action', an important component of which is good relations;
- incorporated the good relations duty into the corporate planning process.

### **3.10.4 What remains to be done?**

- Produce and publish an inter-Board/Staff Commission Good Relations Strategy.

### **3.10.5 How do we build on our success?**

- An important aspect of the good relations strategy being developed is an audit across the Boards/Staff Commission of good relations project work to establish the extent to which the good relations promotional duty is embedded in our policies, practices and procedures.

### **3.10.6 How do we meet the challenges?**

Primarily through collaborative working.

## **3.11 IMPACTS AND OUTCOMES**

### **3.11.1 Cultural Change**

If the culture of an organisation is not conducive to mainstreaming equality it hinders progress being made. To take forward this agenda we believe strong leadership, commitment and drive is required. It is our experience that:

- senior level commitment to the implementation and management of the equality schemes has led to the development of effective internal systems within the Commission and the Boards;
- the development of equality expertise, particularly at senior managerial levels, within the Staff Commission/Boards has also increased our effectiveness in mainstreaming equality (section 3.2 refers);
- equality is firmly on the agenda at senior management and staff meetings.

### **3.11.2 Reflections**

These outcomes have been achieved as a result of training, good communication of what is being done and why and increased partnership working with the community and voluntary sector. Equality thinking is now common place. Commission members take a keen interest in the implementation of not only our own Scheme but a standard item on their agenda is progress made at the Statutory Duty Co-ordinating Group.

### 3.11.3 Processes and Procedures

The development of processes and procedures, whilst time consuming in the early stages of implementation, was seen as an essential requirement to mainstreaming. The screening process developed ensured that:

- a. all existing policies were summarised and issued to consultees inviting comments on the screening criteria specified;
- b. screening was conducted, with collaboration between the Boards/Staff Commission on the setting of the EQIA timetable;
- c. consultation;
- d. final decisions on EQIA timetable and issues raised during consultation process; and
- e. feedback was provided to consultees on decisions made.

All new policies have been screened on a rolling basis. Since 2002 consultation has taken place annually on the outcome of the screening exercise. Feedback has been provided to consultees via the Commission's Annual Report and the Annual Equality Update. An outcome from this process has been the development of:

- screening pro forma document and toolkit which is used extensively by other public authorities.

Following the first equality impact assessment the Boards/Staff Commission evaluated the process followed and concluded that a workbook should be developed to facilitate a consistent approach to this process and to complement the Equality Commission Guidance. The result of this was the publication of:

- a workbook 'A Recommended Approach to Conducting an EQIA';

Positive benefits have been achieved for all nine equality categories in the EQIAs completed to date. For example:

#### a) Equality Impact Assessment of the Code of Employment and Promotion Procedures and the Internal Trawl Procedures

More information on outcomes is contained at paragraph 3.4.4.a of this report. In summary:

##### Positive experience of partnership working

- Staff Commission and the five Boards co-joined to conduct the EQIA;
- The Staff Commission/Boards worked closely with the trade unions and the community and voluntary sectors e.g. the trade unions were members of the Working Group that redrafted the Code. Community/voluntary sector representatives were consulted at pre-consultation and formal consultation stage of the EQIA. Consultation meetings were organised in partnership with community/voluntary sector groups.
- A workshop was organised in partnership with community/voluntary sectors to consider "Positive Action Measures for People with Disabilities in the Recruitment and Selection Process".

##### Evidence of changes

- Removal of the internal trawl procedure
- A revised Policy and Code of Practice on the Employment of People with Disabilities, including a positive action programme;

- A revised Equal Opportunities Policy; and
- The development of a training strategy to ensure that panel members are fully aware of the revised Code and developments in terms of the equality agenda.

#### **b) Equality Review of Work-life Balance Policies**

Positive experience of partnership working

- The Staff Commission and the five Boards worked in partnership with the Joint Negotiating Council to conduct a staff survey and audit of policies and procedures to inform the review;
- Review conducted in consultation with Section 75 groups.

#### **Evidence of changes**

- Job Sharing Scheme extended to provide that it can also be used to “allow current employees with short-term and long-term illnesses, or who develop disabilities, to keep working and provide employment opportunities for disabled people generally”.
- Agreements extended to give recognition to the rights of people in same sex partnerships.
- Increased flexibility to work alternative work patterns;
- Pilot exercise on Teleworking.

#### **Positive benefits for all equality categories**

- Particular benefits for people with disabilities; people who are gay or lesbian, people who are carers.

#### **Reflection**

The development of clear procedures ensured that a consistent approach was achieved. It also enabled more staff in the organisation to become involved in the process. This has encouraged all staff to think about the promotional duties in terms of what they do rather than perceive equality as being the responsibility of a designated officer. By having standardised processes and procedures the actions taken are more transparent and a back-up paper trail exists in the event of a query/complaint. As the Commission has moved into the final phases of implementing its Equality Scheme there has been a greater emphasis on outcomes rather than processes.

### **3.11.4 Participation and Consultation**

As a first step a consultations strategy was developed and through partnership working the consultations process has evolved. The following outcomes are noteworthy:

- Development of a consultation strategy (paragraph 3.6.1.a) refers).
- Organisation of regional and local consultation events in partnership with the community, voluntary and trade union sectors (paragraph 3.6.1.c) refers).
- Establishment of a Joint Consultative Forum in 2003/04 (paragraph 3.6.1.c) refers).
- Provision of information in alternative formats and use of interpreters, as required.

#### **Reflections**

The Staff Commission/Boards had limited experience of consulting with the community and voluntary sector prior to the implementation of our Equality Schemes,

initially this was perceived as a challenge. Over the five year implementation period we believe that, through engagement and co-operation, we have learnt and grown together. Relationships have been forged which are based on mutual respect and trust. For the Commission this has been an important milestone in the implementation process. The Commission can also demonstrate that policy decisions have changed as a result of this dialogue, for example some policies initially 'screened out' were 'screened in', mitigation measures proposed in EQIAs were enhanced and policies were substantially reviewed. The Staff Commission/Boards recognise that there is room for improvement and are keen to develop a strategy which will enhance our ability to consult and communicate with children and young people (paragraph 3.8.7. refers).

### **3.11.5 Partnership Working**

Working in partnership with the community, voluntary and trade union sectors covered a range of areas. The Staff Commission/Boards were pleased to have the opportunity to work with community/voluntary sector organisations in the development and delivery of training packages. These included the following:

- 'Effective Consultation', partner Disability Action;
- 'Positive Action Measures for People with Disabilities in the Recruitment and Selection Process', partners - MENCAP, RNIB, Disability Action, Action Mental Health and the Equality Commission.
- 'Dealing with Complaints on the Grounds of Sexual Orientation', partners - Association of Northern Ireland Colleges and Coalition on Sexual Orientation;
- 'Anti Discrimination and Diversity', partner - NICEM/Centre European J'uif D'Information.
- Organisation of consultation events.

#### **Reflections**

The development and joint delivery of training provides not only a valuable opportunity for shared learning but sends out a very clear signal to all staff that the community and voluntary sector can and should have a greater role in the delivery of the Equality agenda. The Staff Commission/Boards wish to pay tribute to the commitment and dedication of the staff and their organisations who worked with us on these partnership projects. To be able to build in the actual experiences of those to whom we provide services into such programmes has increased awareness and is more likely to have a greater and more profound impact on all of us.

### **3.12 REFLECTIONS ON THE 'WORKABILITY' OF OUR SCHEME**

The purpose of this review has been to evaluate the effectiveness of our Equality Scheme in meeting our equality duties under Section 75. In this context it is important to reflect on the 'workability' of the Scheme. Overall, it is our experience that the Scheme has served us well. The challenges faced in areas such as screening arose not because of the commitments in the Scheme but often from a lack of clarity around definitions and processes.

The Equality Scheme places considerable emphasis on processes and procedures. Whilst these are a critical part of the implementation process it is important that they do not become the end in itself.

In implementing the Scheme we have tried to get a balance between the development of processes and procedures and outcomes through new and

innovative methods of working. This can only be achieved by open and transparent methods of working and good communications with those individuals/organisations who have a legitimate interest in our work.

Furthermore, too much emphasis on procedures may in the longer term hinder the ultimate goal of mainstreaming equality into all aspects of our business. The more successful we are in mainstreaming equality at the policy formulation stage and then through the screening processes which are both likely to include consultation, the more seamless the approach becomes.

It is our understanding that the wording of the Scheme takes on a greater significance if a complaint is made of a failure to comply. The challenge is to maintain a Scheme and ensure that its outworking is based on good practice matched with a degree of flexibility. That it is based around good working relationships which allows freedom to develop programmes of work that are taken forward in good faith and are not solely reliant on a strictly procedural approach.

## **4. WAY FORWARD**

### **4.1. EQUALITY SCHEME**

The evaluation of our existing Equality Scheme has not identified any significant workability issues. It is the Commission's view that the current Scheme should continue until the establishment of the single Education Authority.

In this interim period the on-going programme of work should continue. The Commission will also consider and consult on the actions emerging from this effectiveness review which could be addressed in the interim period and those which we believe would be better addressed by the single Education Authority.

### **4.2. REVIEW OF PUBLIC ADMINISTRATION**

The Education Minister announced in November 2005 that there will be a single Education Authority, paragraph 2.6. refers. The collaborative approach adopted by the Boards/Staff Commission will make it easier to transfer equality scheme knowledge to the single Education Authority. However, given the scale of this change it would be important that the following issues are addressed:

- (i) The need to ensure that equality considerations are used to inform decisions around new structures, service delivery locations etc.
- (ii) The importance of a seamless transition from the existing education authorities to the single Education Authority. Given the number of authorities involved work would need to commence to consider how the best practice developed across the sector could inform the development of the new Equality Scheme and its associated programme of work.

The need to ensure that mainstreaming equality remains an integral part of the Corporate and Business planning process and is built into the operations of the new body at every level, in particular at the senior management level. It is important that in implementing a change management strategy that equality is part of that change process so that the culture which emerges is one which facilitates mainstreaming. In this context adequate resources need to be made available to deliver equality outcomes which may emerge from the programmes of work pertaining to the implementation of the Equality Scheme.

## Reporting Template

### EQUALITY COMMISSION FOR NORTHERN IRELAND

#### Public Authority Five Year Review Report

This report template includes a number of self assessment questions under the twelve key elements of an equality scheme. Please enter information at the relevant part of each Section in the template and ensure that it is submitted to the Commission electronically (by completing this template) **and** in writing, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive (or equivalent).

Name of public authority (Enter details below)

Staff Commission for Education and Library Boards

Equality Officer name and contact details (Enter details below)

Deirdre Vaugh  
Staff Commission for Education and Library Boards  
Forestview  
Purdy's Lane  
Belfast BT8 7AR

#### Executive Summary

Please provide some main conclusions in terms of:

a) To what extent has your public authority's approved scheme provided a workable basis for mainstreaming the need to promote equality of opportunity and good relations into policy-making over the past five years?

**(Enter text below)**

Overall the Scheme has provided a very workable basis for mainstreaming the need to promote equality of opportunity and good relations, in both into the policy making process and other aspects of the organisation such as its promotion of diversity. The commitments within the Scheme have been easy to communicate in terms of awareness training and have also provided a form of performance indicators by which to monitor progress on mainstreaming equality awareness among staff, developing processes and expertise in screening and EQIAs as well as developing effective approaches to consultation, the main driver of the process.

b) What key lessons have been learnt over the past five years in terms of effectively implementing the approved equality scheme?

Co-operation on a five Board/Staff Commission basis and to some degree with sponsoring departments, other agencies in the Educational Sector and beyond have facilitated learning across the sector and between sectors.

Building relations with the voluntary sector has enhanced the quality of the consultation process and the development of informed policies and responsive services that address the articulated needs of marginalised groups.

Indeed, partnership working with other authorities and with the Section 75 groups has been an outcome of this relationship building process and has produced outcomes in itself in terms of training programmes and other products e.g. Policy and Code of Practice on the Employment of People with Disabilities.

c) What more needs to be done to achieve outcomes for individuals from the nine equality categories?

Building on the foundations of co-operation, relationship building and partnership initiatives it will be possible to develop outcome related initiatives and programmes to address the work that remains to be done in the next few years to the establishment of the new Education Authority.

**(Enter text below)**

(This section to be completed)

**1. A general introductory statement specifying the purpose of the scheme and the public authority's commitment to the statutory duties.**

1a) To what extent were senior management involved in ensuring scheme compliance over the 5 year period and what further steps could be undertaken to ensure effective internal arrangements?

*Prompts – Identify any changes to arrangements for managing scheme implementation, and what were the lessons learnt in terms of enablers and impediments to monitoring scheme implementation?*

**(Enter text below)**

The comments below must be considered in conjunction with the information provided at Section 3.2 of this Report.

Commission members and senior management have been fully involved in the strategic management of the implementation of this Scheme. This is demonstrated by the following examples of their involvement:

- Commission members reviewed at each meeting progress on the implementation of the Equality Scheme.
- Commission members participated in the management of the EQIA on the Code of Employment and Promotion procedures.
- Commission members participated in equality and disability awareness and diversity training sessions.
- Commission members participated in the launch of the training package 'Anti Discrimination and Diversity'.
- A member of the senior management team chairs the inter-Board/Staff Commission Statutory Duty Co-ordinating Group.
- Senior management were members of the project team appointed to conduct the EQIA of the Code of Procedures.

- Senior management facilitated and/or participated in consultations with the trade unions and community/voluntary sector.
- A member of the senior management team is Secretary to the Joint Negotiating Council and its Executive Committee. The Commission has ensured that the promotion of equality of opportunity and good relations is mainstreamed into the business of this fora.

Over the life of the current Scheme, we have found that implementation of the Scheme through commitment has made a significant difference. The stability of management and staff has also been an important enabler. This has been a significant factor, not only in terms of enhancing our ability to deliver on commitments, but also in developing and maintaining positive relationships. The Commission's willingness to take risks in order to develop innovative practice around the implementation of Section 75, working within the spirit of the legislation but sometimes taking a liberal interpretation, has allowed us to develop new methods of working which have proven beneficial in this regard.

1b) Outline annual **direct** expenditure of resources to ensure that the statutory duties were complied with, in terms of staff and money over the past 5 years, and comment on the extent that all necessary resources were allocated.

*Prompts – Identify costs related to equality unit staff, use of consultants, allocation of budgets to training/publications/ research, extent of in-year bids and/or reallocation of resources. What were the lessons learnt in terms of enablers and impediments to monitoring resourcing? What could the public authority do in future to ensure effective allocation and monitoring of necessary resources?*

**(Enter text below)**

The information on annual direct expenditure is provided at paragraph 3.2.4 c) of this report.

**Table 4**

**Summary of Training re Section 75 Equality Duties**

<b>Type of Training</b>	<b>Date</b>	<b>Participants</b>	<b>Provider</b>
Statutory Duty Awareness	18 November 1999 24 November 1999	Inter-Board/Staff Commission	Equality Commission and Jones & Cassidy Solicitors
Equality Awareness	10 December 2001	Commission Staff - 7	In-house
Section 75 Pilot Exercises	22 October 2001 30 October 2001	Inter-Board/Staff Commission	Developed in-house, co-facilitated by J Kremer, Queen's University, Belfast and Staff Commission
	3 December 2001	Joint Negotiating Council	In-house

Equality Awareness	18 February 2002	Commission Members	In-house
	24 March 2005	New entrants to - Commission - CCMS - Youth Council	In-house
	February 2004	24 sessions	Staff Commission
	April 2004	785 Panel Members	Staff Commission
Recruitment and Selection	6 November 2000	Inter-Board/Staff Commission - 50	Jones & Cassidy/Staff Commission
	7 November 2000	Inter-Board/Staff Commission - 41	Jones & Cassidy/Staff Commission
	8 December 2000	Inter-Board/Staff Commission - 48	Jones & Cassidy/Staff Commission
	15 December 2000	Staff Commission - 7	In-house
EQIA	16 Training Courses	Department of Education/NDPBs <sup>3</sup>	OFMDFM Call-off contract for consultation
	5 Training Courses	Commission/Inter-Board	J Kremer/Staff Commission
Consultation Skills	8 May 2001	Inter-Board /Staff Commission/DCAL	In-house
	19 June 2002	Inter-Board /Staff Commission	Disability Action/ Staff Commission
	5 May 2004	Inter-Board /Staff Commission	Disability Action/Staff Commission
	19 May 2004	Inter-Board /Staff Commission	Disability Action/Staff Commission

Consultants were used to assist in the development and/or facilitation of training. The Boards/Staff Commission wish to acknowledge and pay tribute to Focus Consultancy Service (Disability Action); Jones & Cassidy; John Kremer, Reader in Psychology at Queens University, Belfast and Equality Consultant, for the assistance provided in the development of training materials for use in training on consultation skills, screening and the EQIA process. Their knowledge and skills enhanced the process and encouraged us to adopt a more innovative approach. The total cost of consultancy input over the five years was £8,249. This cost was met by the Staff Commission who have within their function a requirement to assist with training and development initiatives across the five Boards.

## **2. An outline of how the public authority intends to assess its compliance with the Section 75 duties and for consulting on matters to which a duty under that section is likely to be relevant.**

<sup>3</sup> Commission staff participated in two of these courses.

2a) Outline impacts and outcomes (for the public authority and/or individuals from the nine equality categories) over the past five years and what further steps could be undertaken to build on these or address underreporting?

*Prompt – Were outcomes delivered for all of the nine equality categories? Were annual progress reports critically reviewed before or after submission to the Commission? What examples of good practice from other public authorities could be adopted?*

**(Enter text below)**

Yes, paragraph 3.11 summarises the outcomes delivered for all nine equality categories. The full report, however, needs to be considered in its entirety to obtain a sense of the overall achievements in terms of impacts and outcomes.

Annual Reports were compiled initially on a collaborative inter-Board basis which reflected our approach to implementation of the Schemes. This phase of the process was carried out by the inter-Board/Staff Commission Statutory Duty Group. The Commission then further developed the draft report to reflect work it had separately undertaken to promote equality of opportunity and good relations.

The transparency of Section 75 makes it relatively easy to reflect on emerging practice and this has been used as a constant reference for the development of our own practices. The Commission is pleased that many organisations have seen fit to use the models we have developed as examples to follow.

2b) Outline the number of equality scheme related consultation exercises undertaken by your authority over the past five years. Set out the number and percentage related to screening exercises and to EQIAs and indicate the extent that your scheme helped you to engage with external stakeholders.

*Prompt – Identify your authority's most and least successful means of consultation in relation to s75 categories. Why were some means of consultation more or less successful in relation to particular equality categories?*

**(Enter text below)**

Section 3.6 c) specifies the numbers and range of consultation events specifically related to the implementation of our Equality Scheme. It also describes the nature of the consultation exercises conducted and the extent to which the community and voluntary and trade union sectors engaged in the process.

The most successful consultation exercises in terms of measuring meaningful consultation through engagement and face to face contact has been those events organised in partnership with community and voluntary sector groups.

The least successful method has been the public advertisement and organisation of public meetings. Whilst these can be beneficial in specific circumstances in general they did not facilitate meaningful consultation. The consultation methods used were successful in relation to all of the equality categories. It is however accepted that there is scope for improvement in the consultation process at the policy development stage in respect of two categories of persons, people with disabilities and children and young people.

2c) Indicate if your list of consultees was amended during the 5 year period and what further steps could be taken to develop your level of engagement and consultation?

*Prompt - Outline the extent your authority did or did not move away from formal consultation and on what criteria was any such consultation targeted? To what extent were requests to be included and/or objections from those not included in the consultation process received and how were these addressed?*

**(Enter text below)**

The consultee list has been supplemented over the five year period. A small number of organisations have asked to be removed from the list. No organisation has been removed at the Commission's instigation. The list has been expanded to facilitate those organisations that have asked to be included in the consultation process. A list of community and voluntary and trade union groups has been developed for the Joint Consultative Forum. All public authorities in the Education Sector were automatically included. Again, this list has been supplemented by requests from individuals/groups asking for the opportunity to participate.

2d) To what extent did your authority consult directly with directly affected individuals as well as with representative groups, particularly in relation to young people and those with learning disabilities, and was this sufficient?

*Prompt – How effective was your authority at providing feedback to consultees as a result of consultation exercises? What were the lessons learnt in terms of enablers and impediments to consulting directly with affected individuals? What could your authority do in future to provide effective consultee feedback?*

**(Enter text below)**

See comments at 2 d) above. Consultation has taken place with people with disabilities on the initial screening of policies and on impact assessments.

Feedback forms an important part of the consultation process. Where consultations have been organised in partnership with groups an agreed record of the meeting is the norm. Feedback on decisions is generally in the form of a written report.

### **3. The authority's arrangements for assessing and consulting on the impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity.**

3a) Outline and discuss the number of policies your authority subject to screening over the past five years, setting out the number and percentage of 'policies screened in' on the basis of equality considerations and the percentage 'screened in' on the basis of the good relations duty.

*Prompt - What were the lessons learnt in terms of enablers and impediments to screening in terms of, screening criteria and priority factors? Are there any other criteria which could usefully be included? What lessons are there regarding responsibility for screening at regional*

*level and subsequent screening of local policy? What could your authority do in future to ensure effective screening arrangements? Set out in an appendix a list of all policies screened out during scheme implementation.*

**(Enter text below)**

In April 2001, the Commission commenced consultation on its report on the screening of policies. A summary of results of screening is set out below:-

Year 1	Consultation		Screened	
	Pre Screening	Post Screening	'in'	'out'
April 2001 - March 2002	✓	✓	2	12

The Commission employs only 7 staff. It was therefore agreed to co-join with the Boards on any EQIAs and/or reviews of employment practices.

The policies 'screened in' were the Code of Employment and Promotion Procedures and the Internal Trawl Procedure.

As a result of the consultation exercise, the Commission agreed to co-join with the Boards on the EQIAs of Family Friendly Policies re-titled 'Work-life Balance Policies' (Year 3) and Job Evaluation (year 4), to co-operate with the Department of Finance and Personnel's EQIA on the Public Procurement Policy and to co-operate with the Boards' review of a number of employment policies.

Year 2 April 2002 - March 2003	Consultation				Screened	
	Pre Screening		Post Screening		'in'	'out'
	Yes	No	Yes	No		
Publication Scheme (Freedom of Information Act 2000)		✓	✓			✓

No equality issues emerged in the consultation process on this screening decision.

Year 3 April 2003 - March 2004	Consultation				Screened	
	Pre Screening		Post Screening		'in'	'out'
	Yes	No	Yes	No		
Local Government Pension Scheme Regulations (NI) 2002 - Discretionary Policy Statement*	✓*		✓			✓
Internet and Email Usage*	✓*		✓			✓

Two responses received, one consultee group agreed with the decision made, the other made no comment on these screening decisions.

\* Trade Union Consultation

Year 4 and year 5 the Commission had no new policies screened.

3b) To what extent did your authority's consideration of the screening criteria **not** identify equal opportunity implications on any of s75 categories, but for which consultees then highlighted problems?

*Prompt – Identify the extent the collection of quantitative and qualitative data informed screening processes. Outline the extent consultations with representative groups produced data to inform the screening process which was not otherwise available to your authority. Outline any difficulties in identifying policies and equality implications using the definition of policy set out in the Guide to the Statutory Duties.*

**(Enter text below)**

See information provided at 3 a) above and at paragraph 3.3 of the report. There has tended to be a lower level of engagement on screening of new policies. The screening decision reached by the Commission in the period covered by this report took into account the screening criteria. Consultees did not raise any problems in regard to the process followed or the conclusions reached.

3c) Outline over the past five years how many EQIAs your authority commenced as a result of i) initial screening and ii) as a result of screening new/revised policies subsequently, and discuss the extent that your authority has become more effective at identifying equality of opportunity dimensions in its policies.

*Prompt – Were changes made to the screening process? Outline any examples of any changes made to policies to better promote equality of opportunity and/or good relations, rather than to address any perceived differential impact, as a result of screening policies that were 'screened out'?*

**(Enter text below)**

Table 3, paragraph 3.4.1 of the report details the EQIA timetable. The position on the implementation of this EQIA programme is as follows:

Policy	Partner Authorities	EQIA Stage
Code of Procedures on Recruitment, Selection and Promotion and Internal Trawl Procedure	Five Education and Library Boards	EQIA consultation document published February 2003. EQIA results published October 2003. (available at <a href="http://www.staffcom.org.uk">www.staffcom.org.uk</a> )
Work-life Balance Policies	Five Education and Library Boards	EQIA consultation document published March 2005. EQIA results published January 2006. (available at <a href="http://www.staffcom.org.uk">www.staffcom.org.uk</a> )
Job Evaluation	Five Education and Library Boards	Stage 1

3d) Outline over the past five year period the percentage of your authority's initial EQIA timetable that reached i) stage 6 of the EQIA process i.e. decision making, and ii) stage 7 of the EQIA process i.e. annual monitoring & publication of results, and indicate the extent that your authority has become more effective at progressing EQIAs.

*Prompt – Explain any slippage that occurred and what was done to rectify it. To what extent did you notify representative groups of this slippage and what was their reaction? What were the lessons learnt in terms of enablers and impediments to monitoring EQIAs?*

**(Enter text below)**

Progress on the implementation of the EQIA timetable is detailed above. The job evaluation EQIA is on-going. Given that it was due to commence at Year 5, the Commission is on target in its implementation of the Scheme. The Commission, in collaboration with the Boards' produces an Annual Equality Update. This, together with the Annual Report, are the mechanisms used to keep consultees apprised of progress on the EQIA timetable. The Commission has invested considerable resources in co-ordinating the programme of work associated with the implementation of the Boards' Equality Schemes (paragraph 3.4.2 d) summarises our involvement in other EQIAs). The lesson learnt is that the EQIA is really the start of a process of change. Adequate time needs to be allocated to the implementation of the results of the EQIA which in our experience can involve a considerable amount of work. The more results of EQIAs are mainstreamed, the process is more likely to become seamless and this in turn may present challenges in the future in terms of monitoring outcomes.

**4. The authority's arrangements for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.**

4a) To what extent were sufficient arrangements put in place to collect data relating to the nine equality categories to monitor the impact of policies and what could your authority do in future to develop monitoring arrangements?

*Prompt - What were the lessons learnt in terms of enablers and impediments to monitoring and developing new/additional quantitative data over the past five years? Did your authority consult its own employees or collaborate with other authorities to collect data? Did your authority engage with representative groups to develop monitoring arrangements?*

**(Enter text below)**

See information at Section 3.5 of this report.

**5. The authority's arrangements for publishing the results of equality impact assessments and of monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.**

5a) Indicate the number of reports published outlining the results of EQIAs and monitoring over the past five years, and outline what your authority could

do in future in relation to improving the publication of EQIA results and monitoring.

*Prompt – Identify the number of reports that were provided in alternative formats. What were the lessons learnt in terms of enablers and impediments to publishing the results of EQIAs and monitoring?*

**(Enter text below)**

As stated earlier two EQIAs conducted on a Staff Commission/inter-Board basis have been completed this includes the publication of the results of the EQIA. Of these Reports only one was requested in an alternative format.

A monitoring report on completed EQIAs is provided in our Annual Report, and a summary is contained in the Annual Equality Update from September 2003 onward. See also section 3.5.

**6. A commitment that in making any decision with respect to a policy adopted or proposed to be adopted by it, that the public authority shall take into account any equality impact assessment and consultation carried out in relation to the policy.**

6a) In terms of the number of EQIAs that reached stage 6 i.e. decision making to what extent were mitigation measures and alternative policies adopted?

*Prompt - Outline the extent to which your authority produced EQIAs that did **not** identify adverse impact on any of s75 categories, but which consultees then gave an indication of adverse impact of s75 category and/or proposed mitigation measures or alternative policies.*

**(Enter text below)**

All of the EQIAs completed to date (see paragraph 3.4.2 of this report and 3 c) above) identified adverse impact and mitigation measures were proposed.

In all cases mitigation measures and/or alternative policies were adopted.

6b) To what extent did consideration of EQIAs and consultations contribute to a change in policy, as opposed to policy decisions which would probably have been made in any event by your authority?

*Prompt - Set out any key examples. What were the lessons learnt in terms of enablers and impediments to making a decision and taking into account an EQIA and consultation? What could your authority do in future to ensure decision making effectively takes these issues into account?*

**(Enter text below)**

Paragraph 3a) above, paragraph 3.4.2 and Section 3.11 of the report refers.

## **7. The authority's arrangements for training staff on issues relevant to the duties.**

7a) To what extent were sufficient arrangements put in place to develop and deliver a training programme in accordance with scheme commitments?

*Prompt - Was the training programme focused on the initial period of scheme implementation or did it effectively cover all five years? To what extent were outside trainers from representative groups used in designing or delivering training? Was focused training for staff in management and roles associated with aspects of scheme implementation provided on an ongoing basis?*

### **(Enter text below)**

A training strategy was developed in accordance with the commitments made in our Equality Scheme. This provided for training to be conducted over the life of the Scheme. Section 3.7 details the extent to which outside trainers were involved. Equality awareness sessions were developed and conducted in-house. Training packages in the following areas were developed and delivered on a partnership basis with the community and voluntary sector:

- Disability Awareness;
- Consultation Skills;
- Positive Action Measures for People with Disabilities in the Recruitment and Selection Process;
- Dealing with Complaints of Harassment on the Grounds of Sexual Orientation;
- Anti Discrimination and Diversity.

7b) Have all staff received awareness training and what could your authority do in future to deliver an effective training programme?

*Prompt – Does the authority have evidence that over the past five years staff understood their role in implementing the scheme? What were the lessons learnt in terms of enablers and impediments to communication and training?*

### **(Enter text below)**

Yes, all staff and members, paragraph 3.7.2 refers.

As a result of these programmes of training staff are more aware of the importance of the promotion of equality of opportunity and good relations. This is demonstrated by their involvement in screening, impact assessments, consultations and their ability to 'think equality' in the formulation of policy.

## **8. The authority's arrangements for ensuring and assessing public access to information and to services provided by the authority.**

8a) To what extent were sufficient arrangements put in place to ensure and assess public access to information and to services provided by the authority?

*Prompt - Was an audit of information provision undertaken? To what extent did you provide accessible formats without specific requests? What were the lessons learnt in terms of enablers and impediments to ensuring and assessing public access to information and to services? What could your authority do in future to ensure equality of opportunity in public access to information and to services?*

**(Enter text below)**

Paragraph 3.8 refers.

In Year 1 of implementing the Equality Schemes a review was conducted and consideration was given to how best to communicate information to young people and people with learning disabilities, paragraph 3.8 refers. All documentation published in relation to the Equality Scheme has a clear statement that it is available in alternative formats. A relatively small number of requests have been made for information in alternative formats. A member of staff has completed the BIFHE 'Sign Language' Stage II course. This member of staff is available at all regional/consultation events.

## **9. The authority's timetable for measures proposed in the scheme.**

9a) Outline the extent to which measures set out in the original timetable have been implemented. Any detailed information should be included as an appendix to the report.

*Prompt – Update any progress previously reported as underway or delayed. Has a mechanism been developed to report by exception i.e. on specific issues that have not been progressed?*

**(Enter text below)**

All work specified under the Equality Scheme has been progressed. The Staff Commission/Boards have invested considerable resources in the completion of EQIAs to a high standard by multi disciplinary managerial teams we note however, that many EQIAs that we have sight of are much less comprehensive and do not appear to have been conducted in a similar manner.

9b) If your authority was to be reconstituted in the next five years what would be the main scheme actions/equality considerations that an incoming authority should address? Any detailed information should be included as an appendix to the report.

*Prompt – Outline what arrangements could be put in place to transfer equality scheme knowledge.*

**(Enter text below)**

See Section 4 of this Report.

## **10. Details of how the scheme will be published.**

10a) Were scheme commitments in this section delivered and what evidence supports this view?

**(Enter text below)**

Yes, paragraph 3.1 of this report refers.

## **11. The authority's arrangements for dealing with complaints arising from a failure to comply with the scheme.**

11a) Outline the number and nature of complaints received by your authority, and what your authority could do in future to develop its complaints handling process and learn from complaints.

Prompt – Outline the nature of complaints and scheme elements e.g. screening, consultation. What effect did complaints have on the operation of your scheme?

**(Enter text below)**

No complaints received, paragraph 3.9 refers.

## **12. A commitment to conducting a review of the scheme within five years of its submission to the Equality Commission and to forwarding a report of this review to the Equality Commission.**

12a) What has been your authority's experience of conducting this review? To what extent has the Commission's guidance been useful in undertaking the review?

**(Enter text below)**

The Equality Commission guidance was received at a very late stage. This was not particularly helpful and hindered our ability to engage with consultees on the five year review. In completing the Template there is duplication and it did not easily facilitate us in addressing the guidance at paragraph 2.6. For this reason we have completed it as an appendix to our main report.

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## **Education & Library Boards/Staff Commission for Education and Library Boards – Equality Scheme: Publication List**

Electronic Libraries for Northern Ireland – An Equality Impact Assessment – *June 2001*

Electronic Libraries for Northern Ireland – Results of an Equality Impact Assessment – *November 2001*

Report on Screening of Policies – *December 2001*

Recommended Approach to Conducting an Equality Impact Assessment – *June 2002*

Code of Procedures for Recruitment, Selection and Promotion and Internal Trawl Procedure – An Equality Impact Assessment – *February 2003*

Code of Procedures for Recruitment, Selection and Promotion and Internal Trawl Procedure - Results of an Equality Impact Assessment – *October 2003*

Code of Procedures for Recruitment and Selection & Associated Guidelines for Panel Members - *June 2004*

Leaflet and Poster developed to facilitate awareness of the N I Act 1998 amongst school based staff – *March 2003*

Supplementary Report on the Screening of New Policies (*September 2003, September 2004 and September 2005*)

Equality Consultation Guidelines for Education and Library Boards/Staff Commission – *April 2003*

Annual Equality Update – *September 2003, September 2004 & October 2005*

European Roundtable for Public Authorities – Report on ‘Action Through Partnership’ – *June 2004*

Work-life Balance – Consultation Report issued March 2005

Work-life Balance - Results of Consultation Report issued January 2006

PPP project – Eleven Belfast Schools and a Public Library – An Equality Impact Assessment – (*July 2004*)

Consultation on the Five Education & Library Boards’ Draft Financial Plans for the period April 2005 – March 2006 (*May 2005*)

Report on the Screening of the Education & Library Boards’ Resource Allocation Plans 2005/06 – (*August 2005*)

Alternative Model of Library Provision in Sion Mills - An Equality Impact Assessment - (*March 2005*)

Alternative Model of Library Provision in Sion Mills - Results of an Equality Impact Assessment - (*November 2005*)

## Training Materials Developed

Equality Awareness Training Pack – *December 2001*

Recommended Approach to Conducting an Equality Impact Assessment – *June 2002*

Effective Consultation Training – developed in partnership with Focus Consultancy Service (Disability Action) – *April 2003*

Diversity and Anti-Discrimination in Action “Training Together for Change” Participant Workbook – *June 2003*

Awareness Training on the Redrafted Code of Procedures on Recruitment and Selection & Associated Guidelines for Panel Members (*Board Members & Board Officers*) – *February 2004*

Screening of Policies Toolkit – *March 2004*

Workshop on Reasonable Adjustments for People with Disabilities in the Recruitment and Selection Process:-

- Facilitator’s Notes and Participant’s Workbook ) *February 2004*
- Report of the Workshop ) *April 2004*

Awareness Training on Code of Procedures on Recruitment and Selection & Associated Guidelines for New Panel Members – *September 2004*

Workshop on Dealing with Complaints of Harassment on the Grounds of Sexual Orientation:-

- Facilitator’s Notes and Participant’s Workbook ) *December 2004*
- Report of the Workshop ) *December 2004*

Mainstreaming Equality – Information Pack for Education and Library Board Members – *October 2005*

# Quarterly Update

Joint Consultative Forum Workshop  
Ulidia Resource Centre - 23 January 2006

Joint  
Consultative  
Forum

Education Sector

## Workshop on the Education Authorities' Five Year Review of Equality Schemes

### Aim:

To provide an opportunity for affected representative groups to participate in the review process.

### Overview of the Review Process

Aubrey McCrory, Manager, Statutory Duty Unit of the Equality Commission gave a broad overview of the context of the five yearly review process, namely that there were three elements:

- i) Review of the operation of the Section 75 equality duty;
- ii) Equality Commission for Northern Ireland 'Effectiveness Review'; and
- iii) Five Year Review of Equality Schemes (self assessment by public authorities which will be used as part of the review at ii) above).

He encouraged the public authorities to be candid in their review as the information would be used constructively to inform the way forward rather than to dwell on past performance. He indicated that it was important that the process was fully utilised to identify impacts and outcomes at all levels of government. For example, if there is a lack of compliance with regard to Section 75 at Central Governmental level, what is the impact of this at Non-Departmental Public Body (NDPB) level?

In the discussion that followed a range of issues were raised including the Draft Priorities and Budgets and the extent to which equality considerations had been addressed in terms of screening and equality impact assessment and engagement with affected groups.

## Screening and Equality Impact Assessment

- Greater clarity was still required on 'What is a Policy?' The view was expressed that in some cases policies were being called procedures in an attempt to avoid the need for screening. In sensitive policy areas some consultees indicated that it was less likely that the policy was written and this had led to gaps in the screening process. One group expressed the view that the screening questions were problematic, in particular the question 'Is there any evidence of higher or lower participation or uptake by different groups?'
- In terms of the discussion under each of the Workshop headings the views of consultees were as follows:
  - i) The two tier approach adopted by the Boards/Staff Commission/Council for Catholic Maintained Schools represented good practice and had been widely utilised across the public sector.
  - ii) The Boards'/Staff Commission's collaborative working produced beneficial outcomes and made it easier for the community and voluntary sector to engage in the process.
  - iii) The screening process had worked well.

- iv) With regard to screening of new policies, it was noted that the Boards/Staff Commission consulted as part of the screening process (normally pre screening to inform the process; post screening on the decisions reached; providing feedback on the consultation process). This process was acknowledged as a good practice model but there was concern that it may not have been universally applied across the education sector. The Boards/Staff Commission indicated that increasingly consultation and equality considerations were built in as an integral part of the policy development process. This being the case it was less likely that screening would identify significant equality implications. The Boards/Staff Commission accept the need to screen and consult on the screening decision with regard to new policies. However, they believe there would be merit in building into the process the provision for a re-screen after a period of implementation. This view was supported by the consultee groups in attendance.
- v) The importance of monitoring the implementation of policy was emphasised. In this context an example was given of an excellent policy 'Transition (14+) Plan' and what appeared to be deficiencies in its implementation. The Boards indicated that this matter had been brought to their attention and an investigation was underway. A report would be provided at the next meeting of the Steering Group of the Joint Consultative Forum.
- vi) The methodology and standard of work with regard to the conduct of equality impact assessments by the Boards/Staff Commission was cited as good practice.
- vii) Concerns were expressed at the range and quality of equality impact assessments overall. It was agreed that a more effective audit mechanism was required. It was noted that the Equality Commission's effectiveness review, which included an independent research element, may provide a useful mechanism to address this issue.

## Engagement and Consultation

- There was general consensus that the Joint Consultative Forum and its Steering Group operated as a model of good practice. It was a good method of communication and its open and transparent approach to the conduct of business had resulted in the building of positive relationships based on mutual respect and trust.
- Consultees expressed the view that they felt the Boards/Staff Commission were good at communicating decisions, providing information and feedback on consultation exercises.
- Concerns were raised that the Department of Education was less effective in providing feedback on decisions.
- Consultees felt that there was scope to improve consultation arrangements around the development of new legislation. The view was expressed that consultation should take place at all the key stages of the process.
- It was the view of consultee groups that there was scope for improvement by all the education authorities in:
  - i) seeking to consult more with hard to reach groups; and
  - ii) providing more time (12 weeks) for consultation. This would enable umbrella and constituent groups more time to consult internally.
- The Boards'/Staff Commission's proposal to explore, in consultation with young people, the establishment of a representative group of the equality categories which could participate more in the policy and/or decision making process was warmly welcomed.
- Consultees suggested that the Joint Consultative Forum, because it was such a good mechanism for sharing information, could be used very effectively in the context of the Review of Public Administration. Consultees indicated that it would be extremely useful if the Department of Education would share with them its vision on the:
  - i) Review of Public Administration; and

## ii) Designation of Schools for the purpose of Section 75.

## Training

- The Training Strategy adopted by the Boards/Staff Commission was identified as a model of good practice.
- Clarity was sought on whether induction training included 'equality awareness re Section 75 and the other anti discrimination legislation'. Boards/Staff Commission and CCMS all confirmed this was standard practice.
- Partnership training projects between the Boards/Staff Commission and the community and voluntary sector were commended as good practice.
- Boards/Staff Commission were asked if they had assessed the impact of their equality training strategy. It was noted that all training was evaluated. The assessment of the impact of such training was often difficult to quantify but a number of indicators had been used. They were:
  - i) indication of cultural change, commitment to the statutory duties;
  - ii) level of awareness at all levels of the organisation;
  - iii) the extent of equality thinking which was an important component of mainstreaming.

The evidence so far had produced positive indications in all three areas.

## General Issues

### Designation of Schools

- Concern was expressed that insufficient work had been undertaken to engage with teachers working in a classroom situation, particularly with regard to the Special Educational Needs and Disability (Northern Ireland) Order 2005<sup>4</sup> and the approved Codes of Practice (January 2006).
- A concern was also expressed regarding the potential inequalities in the classroom in relation to Special Educational Needs support for teachers who were teaching pupils with special needs.
- Clarification was provided on the reason for the deferment of the equality impact assessment of the Recruitment and Selection Procedures for teaching staff.

Notwithstanding these specific points the overall view of the community and voluntary sector was that there was a 'gap' in equality provision given that Section 75 does not apply directly to schools. It was however recognised that any application of this provision required that it be proportionate, effectively resourced and that practical issues were addressed to minimise the administrative impact of these duties. It was noted that Queens University Belfast was currently conducting research on whether the duties should be extended to schools.

### Draft Priorities and Budgets

It was acknowledged that very positive work was on-going by the Boards/Staff Commission on the implementation of their Equality Schemes but to some extent it was being overshadowed by the on-going under-funding issue. Consultees indicated that one of the key challenges was how Section 75 could be factored into the high level policy-making process at Central Government level. Consultees were of the view that Central Government Departments, Ministers and Permanent Secretaries had a legal duty to apply Section 75 as part of the policy making process. Boards also had a responsibility

<sup>4</sup> Disability Discrimination Code of Practice for Schools. This Code of Practice was approved by the Department of Education and was laid before the Northern Ireland Assembly and deposited at Westminster on 5 January 2006.

for their decisions which could have serious impacts for people for whom they provide services. Consultees suggested that methods of working together to ensure that Section 75 was factored into the budgetary process should be further explored.

### Administrative

The Equality Commission commended the Boards/Staff Commission for the production and circulation of their draft report on the Five Year Review and the Joint Consultative Forum for its organisation of the Workshop to provide a forum for discussion. Consultees also acknowledged the efforts made by the Boards/Staff Commission, within a very tight timeframe, to produce and make available their draft report.

It was suggested that a glossary would be a useful addendum to the report.

### Conclusion

It was noted that impact and outcomes had emerged in the course of the earlier discussions. There was general consensus that much of the practice applied could be classified as 'good practice' and that the Boards'/Staff Commission's good work in this area should be promoted. The establishment of a forum in which constituents felt comfortable in sharing and/or further developing good practice would also be beneficial. In terms of the Workshop those present found that it had been a useful opportunity to review progress and input to the process.

### List of Participants

#### COMMUNITY & VOLUNTARY

Elaine Campbell	Youthnet
Anne Moore	NICVA
Patricia Bray	Disability Action
<b>Tansy Hutchinson</b>	<b>NICEM, Joint Chair</b>
Terry Deegan	NICEM
Kathryn Stevenson	Children's Law Centre
Brenda Liddy	Carers NI
Alan Sheeran	MENCAP
Norman Richardson	N I Inter-Faith Forum

#### EQUALITY ORGANISATIONS

Aubrey McCrory	Equality Commission
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#### TRADE UNIONS

Joanne Evans	GMB
Sandra Douglas	Association of Teachers & Lecturers
Alison Millar	NIPSA

#### PUBLIC AUTHORITIES

<b>John Curran</b>	<b>Inter-Board Services Manager, Joint Chair</b>
<b>Deirdre Vaugh</b>	<b>Staff Commission for E&amp;LB, Secretary</b>
Patricia Murray	Staff Commission for E&LB
Linda McGowan	B E L B
Alf Armstrong	N E E L B
Nicky McBride	S E E L B
Maura Murphy	S E L B
Stan McIvor	W E L B
Helen Leith	C C M S
Anne Perry	C C E A

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