

EDUCATION AND LIBRARY BOARDS

STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS



Equality

Consultation Guidelines

for Education & Library Boards'

/Staff Commission Officers



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EDUCATION AND LIBRARY BOARDS STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS

CONSULTATION GUIDELINES

FORWARD

The Education and Library Boards/Commission are fully committed to the fulfilment of our obligations under Section 75 of the Northern Ireland Act 1998 through the effective implementation of our Equality Schemes.

The Equality Schemes provide that "specific consideration should be given to how best to communicate information to young people and people with learning difficulties".

This document sets out the broad guidelines which will be used by officers to facilitate such consultation. The guidelines were developed by the Education and Library Boards/Commission with contributions from the Council for Catholic Maintained Schools, the Department of Education and the Equality Commission.


The inter-Board/Commission Working Group, membership of which is detailed at Appendix A, identified a number of target audiences for whom it was considered necessary to develop specific guidelines to ensure that their views and opinions are included in consultation exercises.

As an initial step, and to assist in developing these guidelines, a range of professionals working with various groups was invited to a conference on 12th 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 such individuals and groups.


Thanks are due to these professionals, and it is hoped that the guidelines contained in the remainder of this document adequately reflect their input, making it much easier for everyone, but especially those with particular circumstances or needs, to participate fully in assisting the Boards/Commission in the development of our services as we enter the 21st Century.

We commend these guidelines to you and seek your assistance in ensuring that they are fully implemented.

David Cargo
Chief Executive, BELB



Helen McClenaghan
Chief Executive, SELB



Gordon Topping
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Joseph Martin
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Jackie B Fitzsimons
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Patricia Weir
Chief Executive, SCELB



The new duties on public authorities to promote equality of opportunity and good relations, as set out in the Northern Ireland Act 1998, grew out of an earlier attempt to make the non-statutory initiative, Policy Appraisal and Fair Treatment, more effective, more transparent and more accountable.

The Act requires public bodies to engage in consultation with those affected by their policies in order to improve the decision-making process. This approach is often referred to as "mainstreaming". Under Section 75 of the Act, the Boards/Commission are required to have due regard to the need to promote equality of opportunity:

- between persons of different religious beliefs, political opinions, racial groups, age, marital status or sexual orientation;

- between men and women generally;
- between persons with a disability and those without a disability; and
- between persons with dependants and those without dependants.

The Boards/Commission are also required to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinions or racial origin.

The duty is designed to ensure that equality considerations are made central to the process of policy development. An essential element of the new equality duties is the requirement to consult on the impact of policies.

Consultation is vitally important as it:

- provides an important means of enabling those who may be adversely affected by the Boards'/Commission's policies to participate in the policy-making process;
- helps the Boards/Commission to become aware of issues and problems which policies may pose for various groups which had not previously been identified;
- enables those who are affected by policy decisions or the design and delivery of the Boards'/Commission's services to have an input;
- assists the Boards/Commission to plan and design services which are responsive to the needs of the public.

The legislation requires that the Boards'/Commission's Equality Schemes set out their arrangements for consultation. In

accordance with the Equality Schemes, the Boards/Commission
will ensure that:

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- consultation commences as soon as possible to allow adequate time for groups to consult among themselves (at least two months);
- the process is timely, open and inclusive;
- consideration is given to the most appropriate method of consulting (normally, consultations will be initiated through the publication of written proposals);
- specific consideration is given to the:
 - time of day when meetings are held;
 - appropriateness of the venue;
 - accessibility of the language;
 - format of information and the necessity for an interpreter;
 - provision of childcare;
 - running of the meeting;
 - transport/travel arrangements: and
 - personal care/chaperone and/or facilitation support;
- there are no barriers to the consultation process.
Information will be made available, on request, in appropriate formats and in minority languages, to meet the needs of those who are not fluent in English;

- information is made available to facilitate meaningful consultation.

The Equality Schemes also contain a commitment that an inter-board Working Group be established to provide guidance on how best to consult with young people and people with learning disabilities.

This practical guidance has been developed to build on the commitments contained in the Equality Schemes and to facilitate consultation with those affected by the Boards'/Commission's policies in the policy-making process.

It is essential that consultation is consistent with the principles and guidance set out in this document. Staff should endeavour, as far as possible, to adhere to the following:

- Confidentiality
- Respect for the Individual
- Openness, Transparency and Clarity
- Equality of Opportunity
- Equity of Treatment
- Integrity
- Trust
- Responsiveness

- Partnership
- Sensitivity
- Non-judgmental Approach

The Boards/Commission recognise the important contribution which staff can make in meeting these principles and, through them will, at all times, strive to provide high quality services to the public.

PURPOSE OF THIS GUIDANCE

This document provides guidance for all staff on how they should engage in consultation and/or make information available to members of the public. It describes:

- how information will be made available to an individual/group and how it may be requested;
- how the Board/Commission will seek to involve individuals/groups in consultation exercises;
- how individuals/groups with particular needs may get help and assistance to make their views known and engage in consultation; and
- how individuals and groups may make their views known to the Boards/Commission.

The Boards/Commission, with the assistance of the range of professionals referred to previously, identified 12 broad categories of people with particular needs, for whom customised

information will be made available on request. Additionally for each of these categories, consideration has been given to the particular needs of children, young people and adults.

The 12 categories are:

- 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(n):

- moderate learning difficulty;
- severe learning difficulty;
- physical/medical condition;
- communication difficulty;
- specific learning difficulty eg. dyslexia;
- emotional/behavioural difficulty and may require education otherwise than at school (EOTAS);
- mental ill health difficulty;
- dependant(s); and a
- particular need because of their racial or ethnic origin.

MAKING INFORMATION AVAILABLE

As far as possible the Boards/Commission will endeavour to make all information available in:

- a language which is appropriate to the needs of the user.
For example, it may be appropriate to make the information available in oral, written and/or pictorial form;

- a summary format;

- alternative forms such as Braille, audiocassette, large print, electronic; video (signed / subtext);
- a form which is suitable for non-fluent English speakers; and in
- a reasonable and appropriate time frame.

CONSULTATION

When carrying out consultation, the Boards/Commission will do

so in accordance with their Equality Schemes. It is recommended that, when considering how to carry out a consultation exercise, the following questions should be addressed:

Which groups and/or individuals should the Boards/Commission involve in the development of the policy?

In addressing this question, officers should consider who within the Board/Commission should be involved? Should the approach be on an inter-board and/or Commission basis and, if so, who is the contact?

What other statutory, non-statutory or voluntary agencies might provide assistance?

How can their participation be obtained?

It is essential that the Board/Commission Consultation Coordinator is fully involved throughout the entire process.

At what stage or stages in the process of policy formulation should consultation be undertaken, and is “capacity building” a prerequisite of any, or all, consultations?

While bearing in mind the dangers of "over consulting" consideration should be given to the need to consult prior to, during, and after policy formulation. This may entail asking the potential consultees their views on how best to carry out consultation.

With whom should consultation be undertaken at each stage?

When considering this question at least two significant points should be considered. Firstly, if children are to be consulted, it must be remembered that parental consent may be required. Secondly, consideration should be given to who is likely to be affected by the policy. In particular, consider if the policy will affect children, young people, adults, pressure and interest groups and remember to take into consideration the nine categories* identified in Section 75 of the Northern Ireland Act. To assist, a list of useful contacts is provided in Appendix B.

What particular needs, if any, do these individuals and/or groups have?

To assist in the identification of the particular needs of the consultees it is suggested that a two-phased approach be adopted. Firstly, identify any general needs which may pertain to all, or a significant number of, the groups/individuals to be

consulted. Secondly, identify particular needs which relate to groups or individuals to be consulted.

*The nine equality categories provided a general framework for analysis. It is important to recognize that policy issues may be salient to mixed identities (for example, subgroups such as “married female Travellers”.)

TO HELP IN THE IDENTIFICATION OF THE GENERAL NEEDS, OFFICERS MAY WISH TO CONSIDER THE FOLLOWING:

What is/are the most appropriate method(s) to use?

It may be useful to seek the views of individuals/groups on the best method(s) to use during consultation, for example, public meetings, individual interviews, focus groups, e-mail, questionnaires, peer mediation, advocacy groups and sampling. It is important that a record is kept of all meetings undertaken as part of the consultation process.

Who should undertake the consultation?

Consultation will normally be led by Board Officers and may involve voluntary/non-statutory organisations as appropriate. Staff may require specialist training. They will need to be fully aware of the potential issues. A knowledge of the group to be consulted is desirable.

What is/am the best location(s) for the consultation(s)?

To determine the most suitable location(s)/setting(s) officers may wish to give consideration to the following:

- Is access available for those people with disabilities and/or particular needs?
- Will transport be required?
- Should a childcare facility be provided?

- Is the environment appropriate?
- Are the lighting, acoustics, room layout, signage and other facilities appropriate for the needs of those with disabilities?

- Is it more appropriate to meet the consultees at a venue familiar to them?
- Is the venue perceived to be welcoming?
- Are there any specific health and safety issues which should be addressed?
- In complex buildings, is there a service for those who may require a chaperone?
- Can the venue accommodate large and small discussion groups?
- Is car parking adequate?

How will you advertise accessibility?

A clear description of access and facilities should be provided and publicised to encourage those with particular needs to attend.

What are the language requirements?

Consideration should be given to the language(s) and formats in which information is to be made available:

- Braille should be viewed as a language;
- Plain language devoid of jargon should be used;
- The need for translators and/or interpreters and/or support personnel should be considered;
- Information should be in summary form;
- When information is provided in written form, the type size, font, the contrast between paper and print colour,

and the appropriate mode of presentation should be considered.

When should consultation be undertaken?

Officers may wish to consider the following:

- At what time of day should meetings be held?
- Are meetings more appropriate at the weekend?
- How long should meetings last?
- Should there be a published agenda with set time limits?
- When are the people undertaking the consultation available?
- Is it appropriate to offer a range of alternative times for the consultative meetings?

There should be an agreed and clearly stated time (at least 2 months) within which responses to the consultation should be returned.

People with disabilities are traditionally described according to the name of their impairment. Whilst recognizing that such descriptions are stereotypical and cannot be a substitute for direct and focused contact with the individual, the guidance below has been developed to give a broad indication to staff involved in consultation events on some of the issues which need to be considered when consulting with specific individuals/groups. It is important to recognize that it is rare that you will consult with someone who has one specific impairment. It is, therefore imperative that a holistic approach to consultation is adopted and that the specific points made below are read in conjunction with the earlier general guidance.

Pupils in Mainstream Education

Parental permission may be required prior to engaging children/young people in consultation exercises.

Ensure that sufficient time is allowed to work at the pace and understanding of the children or young people.

Reassure them that their views and opinions will be valued.

Take into account the fact that the presence of adults may influence the views of a young person. Consider how to ameliorate this.

Children and young people may not be used to being consulted and there may be a degree of apprehension or suspicion. Take time to introduce and explain the reasons for consultation and the process to be employed.

Accept the views of the young people without being judgmental. Take every opportunity to build their self-esteem.

Consider the appropriateness of the language used and tailor it to the age range of those involved.

Consider personal presentation. Informal dress may be more conducive to participation and free expression of views.

Try to be aware of small cliques and peer group pressures.

The use of technology may be a positive stimulus for response.

Set limits to participation as the children and young people may be deterred by having to make an open-ended commitment.

People who are Deaf or have a Hearing Impairment

Choose a suitable location which ensures that background noise is kept to a minimum. For example, hold the meeting in a carpeted room, well away from the noise of traffic.

Have qualified sign language interpreters present. This will require advance booking.

Establish if there is a need for a loop system.

Conduct conversation with the person, not the interpreter.

Clarify whether British or Irish Sign Language should be used.

Make sure that all oral presentations are available in written format.

Use presenters who are aware of the difficulties associated with hearing impairment.

Use appropriate technology, for example, speech-to-text reporter, electronic notetaker, etc.

Recognise that hearing impaired people cannot hear fire alarms and make appropriate alternative arrangements.

Poor lighting can make lip-reading difficult. Speakers should
face

the light and not stand in front of a bright window or a wall with brightly patterned wallpaper.

Face the audience and ensure that you have their attention before speaking. Do not shout as this distorts lip and voice patterns.

Never mask your face. Speak more slowly than usual and remember that sentences and phrases are easier to lip-read than single words.

Lip-reading and listening can be very tiring, so allow plenty of time for breaks.¹⁷

People who are Blind or have a Visual Impairment

Make sure that information is available in appropriate formats including Braille, audiotape and large print. Issue information in advance of the consultation meeting for those who intend to be present.

Make it clear that Guide Dogs are welcome.

Ensure arrangements have been made to deal with emergencies.

When welcoming a person who is blind to the meeting, give a brief description of the geography (shape, size, windows) and contents (furniture and people) of the room.

Consider the use of a facilitator, such as a parent or teacher of the visually impaired.

Special consideration should be given to the travel arrangements by which the consultees will access the event.

Bear in mind that those with visual impairments are not able to pick up information from visual clues, such as facial expressions. Clear and precise information is essential.

People With Moderate Learning Difficulties

With capacity building it will generally be possible to consult with children, including young children with a moderate learning difficulty. However, consideration may be given to the use of a parent, teacher or other interested adult to act as an advocate for the child.

Many people with a moderate learning difficulty will not be attached to any particular group, (this is especially true of adults). Consequently, special attention should be paid to the identification of the target group.

It may be necessary to have a series of pre-meeting/training events to empower the client groups with the skills and confidence to participate.

Do not be embarrassed if a person with a learning difficulty does not appear to understand. Questions should neither be complicated nor require lengthy responses.

The facilitator will need to be well-briefed on the issue(s) under discussion and on the difficulty that people with a moderate learning difficulty may have in participating in consultation and decision making.

Due to the range of learning abilities in any potential audience, a multisensory approach to the provision of information should be

adopted. This might include providing information in a variety of print sizes and attractive visual forms:

- practical activities;
- games;
- tapes;
- colourful and bold overhead transparencies;
- ICT;
- videos and role-play.

Avoid information overload while at the same time providing sufficient information to enable the consultees to respond in a meaningful manner.

Do not treat adults with learning difficulties as children.

If the consultation entails reading or writing, ensure that personnel are on hand to assist non-readers and to record information.

People With Severe Learning Difficulties

Given the nature of many severe learning difficulties, the use of advocacy may be particularly relevant to this group.

The facilitator must be aware of the difficulties faced by the consultees and have the skills to communicate with them in an appropriate form e.g. Makaton, Picture Exchange Communication System (PECS).

Information should be broken down into small, meaningful and realistic units.

Many people with severe learning difficulties tire easily, so consideration should be given to the duration of meetings and their structure. Allow plenty of time for breaks.

Mobility is an issue for many people, so consideration should be given to transport needs.

It may be appropriate to hold consultation meetings in a familiar environment.

Ensure that any buildings, in which meetings are planned, are suitable to the needs of the participants.

People With Physical and/or Medical Difficulties

Never assume that because a person has a physical/medical condition he/she also has a learning difficulty.

Ensure that any venues to be used for consultation can fully cater for, and meet the needs of, the consultees.

Only a small percentage of people with a mobility difficulty are wheelchair users; others may use walking aids. The floor surfaces should, therefore, be non-slip and loose mats should be removed.

The person may prefer a chair with arms to assist in rising from a sitting position. A straight-backed chair will also help posture.

For this group it may be particularly useful to examine how technology can assist them to participate.

Ascertain as much as possible about the consultees beforehand, including their dietary requirements.

The consultees in this group may tire easily. The timing and programme for any meetings should take account of this.

Ascertain if a note-taker service is required.

Mobility is an issue for many people with physical and/or medical difficulties so consideration should be given to their transport needs.

People With Communication Difficulties

For some groups in this category the use of advocacy should be considered.

Seek advice from those engaged with the target group as to the particular arrangements that need to be made. If consulting with those who have an autistic spectrum disorder, the exercise may need to be highly structured and on a one-to-one basis.

All information should be provided in a range of formats that take account of the diverse needs of this client group.

Make sure that the facilitator is fully conversant with the particular needs of the consultees.

Identify appropriate venues for consultation, giving special consideration to access, noise levels, room and group size and the existence of external distractions.

People With Specific Learning Difficulties

For many in this group it may be necessary to overcome antipathy and lack of engagement because of a negative perception of school.

Consideration might be given to fronting the consultation with a familiar adult and/or an appropriate personality, especially if that person is dyslexic.

Bearing in mind that the client group may have significant difficulties with the written word, consideration should be given to presenting information using a multisensory and differentiated approach, using practical activities such as scenarios, games, tapes, videos, drama and role play.

With young people it will be necessary to obtain their personal perspective free from parental influence and/or peer pressure.

People with dyslexia often have a level of intelligence higher than that normally suggested by their reading ability.

Consequently, when information is presented in the written form it must be sensitively matched to the reading age of the group but also have a content which acknowledges their higher level of intelligence.

People With Emotional and Behavioural Difficulties

Many young people with emotional and/or behavioural difficulties have irregular attendance at school. This presents particular difficulties that need to be considered when planning to consult this group. Many of these young people have suffered significantly. Great care needs to be exercised prior to consultation, so that it does not involve any issue that may cause distress to the consultees.

All consultation must be handled with sensitivity and the need for confidentiality must remain a constant concern.

Be aware that the majority of young people with Emotional and Behavioural Difficulties (EBD) are male.

For these young people the use of Circle Time as a means of consultation may prove particularly appropriate.

Many of these young people may not see the relevance of consultation, especially as they may have been excluded from formal education for some time. It may be necessary to prepare these young people for the consultation process.

Facilitators will need to have a portfolio of skills if these young people are to be successfully engaged in the process of consultation. In particular, they must be able to deal with any

hostility and not be judgmental. They should demonstrate

respect for the views of the consultees. Given their experiences of school, it is recommended that consultative meetings should not be held in schools or other institutional settings. Community and/or drop-in centres may be more appropriate.

People with Mental Ill Health Difficulties

Mental ill health can range from temporary reactions to stress, to those consistent with severe and persistent conditions.

Many people with mental health conditions will have a temporary, short-term condition from which they will recover.

Alleviate distressing situations by being calm, supportive and understanding.

Provide a relaxing atmosphere. Reduce factors that create excessive noise or stress. Give the person your whole attention.

People with mental health difficulties can sometimes lack confidence. Giving clear, concise information will help them in decision-making situations.

Encourage the consultees to express their views. In some cases, it may be necessary to invite advocates to support individuals.

Consider whether small groups or one-to-one situations would be most appropriate.

Consulting/Communicating with Carers

Use carers' groups/representatives to initiate consultation and develop links/partnerships.

Be aware of the need for sensitivity and confidentiality when dealing with carers.

It may be appropriate to bring together groups with similar issues e.g. young carers.

In conjunction with colleagues in Health and Social Services, it may be appropriate to set-up and fund respite care so that carers can attend.

Recognise that respite time is precious; seek to agree in advance of the meeting the start/finish times.

Given the pressures on carers who look after ill relatives or those with disabilities, be prepared to go into the community to meet the carer groups rather than expecting them to come to you.

Minority Ethnic Groups

Ensure that arrangements are in place to facilitate requests for translation where the consultee is not fluent in English. This should be provided in a timely fashion.

Develop partnerships with minority ethnic groups to help facilitate consultation e.g. Northern Ireland Council for Ethnic Minorities, Traveller Movement (N.I.).

Pay attention to the cultural aspects of the minority ethnic community. Consider issues such as values and beliefs, dress, food, etc..

As far as possible attempt not to bring too many diverse groups together at once. Be aware that there could be tensions between some groups.

Be aware of potential cultural or family sensitivities on the traveller site.

When deciding whether, and what, to translate, consult relevant groups and individuals.

Ensure that all translated documents have an English title to facilitate cataloguing.

For all meetings ensure that directions, signs etc. are translated.

Ensure that meetings are held at a venue where consultees feel comfortable.

What Use Should Be Made of the Information and Views Collected during the Consultation?

Following the consultation exercise it will be necessary to review the views and opinions of the various respondents and to take account of these in the development and/or review of the policy or procedure.

When such decisions are determined, it is suggested that a brief record is kept, detailing the rationale behind the decision.

Similarly, if after considering a particular view put forward by some of the consultees, officers decide that it would be inappropriate to adjust the policy or procedure to accommodate the views received, a record should be kept of that decision, including the reasons for it being taken.

To facilitate analysis of responses to consultation, officers may wish to provide a template or pro-forma on which responses should be made. However, given the nature of some of the specific needs associated with the groups detailed earlier in this document, the use of a pro-forma should not prevent the submission of views and opinions in other formats.

Feedback to Consultees

As part of the consultation process, consultees should be advised how the Board/Commission proposes to provide feedback on the outcomes of the consultation and the time-scale within which this will be completed. The format used to present this feedback will depend to a large degree on the particular and/or specific needs of the consultees. Generally, the feedback should be provided in a similar format to that received, for example, electronic or Braille. The guidance contained in this document, therefore, remains relevant to the feedback process.

Finally, if the finished document is to be published, consultees should be informed how, and in what format, copies may be obtained. The use of the Board/Commission web-sites may be especially helpful for this purpose.

Making Their Views Known

Individuals, organisations and other interest groups should at all times be encouraged to make their views known to the Board/Commission. Such opinions and views may be submitted to the Chief Executive of the Board/Commission in any format. In addition, the Board/Commission will seek the views and opinions of consultees on a regular basis through various methods, which may include:

- Questionnaires;

- Equality Impact Assessments;

- Public Meetings;
- Conferences;
- Parents'/Pupils' Councils; or
- Youth Fora.

Appendix A

Membership Of The Working Group

Mr Stanton Sloan	SEELB(Chairman)
Ms Irene Knox	SEELB
Miss Ruth Moore	NEELB
Mrs Anne Patience	BELB
Ms Bronagh Muldoon	WELB
Mrs Fiona Crookes	SELB
Ms Deirdre Vaugh	Staff Commission

Appendix B

Useful Addresses

Mr Seamus Lynch

**c/o Age Related Reference
Group**

Help the Aged

Leslie House

Shaftesbury Square

Belfast BT2 7DB

Tel: 028 9023 0666

Fax: 028 9024 8183

e-mail slybch@hta.org.uk

Mr Dennis Palmer

Youthnet

7 James Street South

Belfast BT2 8DN

Tel: 028 9033 1880

Fax: 028 9033 1977

Mr James Knox

Coalition on Sexual Orientation

c/o The Rainbow Project

33 Church Lane

Belfast BT1 4QN

Tel: 028 9031 9030

Fax: 028 9031 9031

**Ms Tansy
Hutchinson**

**N.I. Council for Ethnic
Minorities**

24-31 Shaftesbury Square

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Disability Action

58 Strand Road

Derry BT48 7AJ

Tel: 02871 360811

Text phone 02871372077

Fax: 028 71 360125

email derryoffice@utvinternet.com

Ms May McCann Women's Support Network

c/o Downtown Women's Building

30 Donegall Street

Belfast BT1 2GQ

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Fax: 028 9031 0307

e-mail wsn@iol.ie

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Key Board/Commission Personnel

Guidance and assistance with the consultation process and information regarding the provision of materials in alternative formats is available from the Boards'/Staff Commission's equal opportunity representatives. They are:

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Belfast Education and Library Board

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