

**STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS  
BELFAST EDUCATION AND LIBRARY BOARD  
NORTH EASTERN EDUCATION AND LIBRARY BOARD  
SOUTH EASTERN EDUCATION AND LIBRARY BOARD  
SOUTHERN EDUCATION AND LIBRARY BOARD  
WESTERN EDUCATION AND LIBRARY BOARD**

**SECTION 75, NORTHERN IRELAND ACT 1998**

**RESULTS OF AN EQUALITY IMPACT ASSESSMENT**

**ON THE**

**CODE OF PROCEDURES FOR RECRUITMENT, SELECTION AND  
PROMOTION AND INTERNAL TRAWL PROCEDURE**

October 2003

## CONTENTS

<b>EXECUTIVE SUMMARY</b>	1 - 2
<b>1.</b> Introduction	3 - 4
<b>2.</b> Background to Policy	4 - 5
<b>3.</b> Data Collection and Consultation	5 - 9
<b>4.</b> Key Findings	9 - 15
<b>5.</b> Conclusions	15 - 20
Appendix 1 Sources of Research Information	21 - 22
Appendix 2 Consultation Events	23

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

---

## EXECUTIVE SUMMARY

This report presents the results of an Equality Impact Assessment of the Code of Procedures for Recruitment, Selection and Promotion and the Internal Trawl Procedure, hereafter referred to as the 'Code'. This Equality Impact Assessment (EQIA) has been conducted jointly by the Staff Commission for Education and Library Boards (the Staff Commission) and the five Education and Library Boards (the Boards).

The aim of the Code is to secure fair and equal consideration of applications to the Education and Library Boards by people seeking to be employed (non-teaching staff) by the Boards and fair and equal treatment of (non-teaching) staff who are so employed.

In advance of the equality impact assessment, a major review of the Code was undertaken by a Working Group comprising representatives of the Staff Commission, the Boards, the recognised trade unions and the Equality Commission for Northern Ireland.

The EQIA of the redrafted Code 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 Staff Commission/Boards proposed a range of positive measures to eliminate any adverse impact for the categories of persons covered by Section 75.

An Equality Impact Assessment report was prepared and made available for distribution to the public on 13 March 2003. A series of consultation meetings were held. Six regional meetings were held with groups representing five of the categories of persons specified in Section 75, namely persons with a disability; persons with dependants; ethnic minorities; sexual orientation and gender. Eleven written submissions were received from organisations in the voluntary, community and trade union sectors and two individual responses.

---

The issues raised during the consultation process related to:

- the internal trawl procedure;
- 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.

As a result of the findings of the consultation exercise and the policy impact, the Boards/Staff Commission have put in place actions which they believe will have a beneficial effect in terms of the issues raised in relation to the nine equality categories (Section 5 refers).

---

## INTRODUCTION

**1.1** Section 75 of the Northern Ireland Act 1998 requires the Staff Commission for Education and Library Boards and the five Education and Library Boards, when carrying out their functions, to have due regard to the need to promote equality of opportunity between nine categories of persons namely:-

- 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

and, without prejudice to the obligations above, to also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

**1.2** The Staff Commission/Boards set out in their Equality Schemes how they proposed to fulfil their statutory duties. Existing policies were screened to assess whether they impacted on the promotion of equality of opportunity or the duty to promote good relations using criteria specified in the Equality Commission's Guide to the Statutory Duties.

**1.3** The Staff Commission/Boards published a detailed report on the Screening of Policies which identified those policies which would be subject to equality impact assessments. The report concluded that the Code of Employment and Promotion Procedures and the Internal Trawl Procedure should be subject to an equality impact assessment.

**1.4** This Equality Impact Assessment has been conducted jointly by the Staff Commission/Boards. It was completed in accordance with the procedure for the Conduct of Equality Impact Assessments outlined in the Equality Commission's Guide to the Statutory Duties which sets out seven separate elements of an EQIA. These are:

- consideration of available data and research;
- assessment of impacts;
- consideration of measures which might mitigate any adverse impact - alternative policies which might better achieve the promotion of equality of opportunity;

- formal consultation;
- decision by public Authority;
- publication of results of the Equality Impact Assessment;
- monitoring for adverse impact in the future and publication of the results of such monitoring.

The first four elements in this process were addressed in a consultation document issued on 13 March 2003.

1.5 The purpose of this document is to publish the results of the Equality Impact Assessment, including the decisions made in relation to the redrafted Code of Procedures for Recruitment, Selection and Promotion and the Internal Trawl Procedure.

## 2. BACKGROUND TO POLICY

2.1 The Staff Commission, under Schedule 15(3)(b) of the Education and Libraries (NI) Order 1986 has a responsibility to recommend appointment and promotion procedures for staff (non-teaching) of the five Education and Library Boards and to establish a Code of Employment and Promotion Procedures. The aim of the Code is to secure fair and equal consideration of applications to the Education and Library Boards by people seeking to be employed<sup>1</sup> by Boards and fair and equal treatment of staff who are so employed.

### 2.2 Current Policy

The current Code was issued in October 1993. The Code of Employment and Promotion Procedures (Section 2 paragraph 2.1) states that:- "All posts at basic recruitment level and Head of Department or above will automatically be publicly advertised. All other posts will be trawled throughout the Education and Library Service<sup>2</sup> under the centralised trawling procedure". The effect of this policy is that a significant number of posts are filled using the centralised Internal Trawl Procedure.

In the period 1 January 2001 - 31 December 2001, 201 posts were trawled as follows:

<b>BELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>WELB</b>	<b>Total</b>
29	61	75	23	13	201

<sup>1</sup> employed in this context refers to non-teaching staff employed by the five Education and Library Boards

<sup>2</sup> five Education and Library Boards and the Staff Commission for Education and Library Boards

---

In the period 1 January 2002 - 31 December 2002, 209 posts were trawled as follows:

<b>BELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>WELB</b>	<b>Total</b>
44	52	44	22	47	209

### **2.3 Review of the Code of Employment and Promotion Procedures**

In January 2001 the Staff Commission established a Working Group to review the Code. The Working Group comprised representatives of the Staff Commission, the Boards, the recognised trade unions and the Equality Commission for Northern Ireland.

The Working Group redrafted the Code of Employment and Promotion Procedures. The redraft is titled "Code of Procedures for Recruitment, Selection and Promotion", hereafter referred to as the 'redrafted Code'. The redrafted Code details the general principles which must be applied by those involved in the recruitment, selection and promotion process and outlines the legislative framework applicable to that process.

The redrafted Code is 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.

## **3. DATA COLLECTION AND CONSULTATION**

### **3.1 Data Collection**

In conducting the Equality Impact Assessment the Staff Commission/Boards took fully into account data and research findings from the following sources:

**(a) Employment Data**

Data relating to gender, perceived religious belief, age and disability for non-teaching staff employed in the Education and Library Boards and data relating to gender, religious belief, marital status, race and disability for applicants for posts in the Education and Library Boards.

**(b) Results of the Census of Population and Housing carried out in Northern Ireland in 1991 and 2001.**

---

(c) Case Law

Fair Employment Tribunal's decision in McCausland -v- Dungannon District Council (58/90FET). In this case the Tribunal ruled that the trawl procedure gave rise to indirect discrimination.

Fair Employment Tribunal's decision in Baird -v- Cookstown District Council (161/91FET). In this case the Tribunal concluded "particular problems can be caused for local government bodies if selection is operated through elected representatives". It stated "The employer is liable for the actions of all participants even though the voting on selection reflects party lines. Employment selection panels, howsoever composed, should approach selection without regard to political opinions or religious beliefs, including their own opinions and beliefs".

(d) Review of the Internal Trawl Procedure (1995)

An analysis of a random sample of posts which had been trawled throughout the Education and Library Service was conducted in an effort to determine whether there was adverse impact on community background when posts were trawled throughout the Service.

(e) Research

Research was conducted to identify best practice in recruitment and selection to address accessibility issues and to supplement the quantitative and qualitative data available. (See Appendix 1 for details of reports utilised).

(f) Pre-consultation

During the screening of policies consultation exercise (June-October 2001), a number of issues were raised regarding the Code of Employment and Promotion Procedures and/or Internal Trawl Procedure.

Furthermore, during the course of data gathering for the EQIA, a pre-consultation questionnaire was issued to consultees listed in the Staff Commission's/Boards' Equality Schemes.

Written responses were received from:

- Al-Nisa Women's Group (BIC)
- Community Relations Council
- Council for Catholic Maintained Schools

- 
- Disability Action
  - Employers' Forum on Disability
  - Equality Commission
  - Independent Panel for Special Education Advice
  - Individual response
  - MENCAP
  - Multi-Cultural Resource Centre
  - Northern Ireland Committee of the Irish Congress of Trade Unions
  - Northern Ireland Council for Ethnic Minorities
  - Northern Ireland Public Service Alliance
  - Presbyterian Church in Ireland
  - Staff Commission member
  - Youth Service (NEELB)

Meetings were held with the Equality Commission for Northern Ireland, the Women's Support Network and youth workers from voluntary youth clubs in the Western Board area to obtain their views.

### **3.2 Consultation**

An equality impact assessment report was prepared and made available for distribution to the public on 13 March 2003. The report made clear that the Staff Commission/Boards wished to consult as widely as possible on the findings of the equality impact assessment and, with this objective in mind, the following actions were taken:

- **Advertisement**  
Advertisements were placed in the three main regional newspapers inviting the public to comment on the equality impact assessment. These advertisements indicated that the consultation report was available on the Staff Commission's website or from the Staff Commission for Education and Library Boards. The advertisements also indicated that the report could be made available in alternative formats on request.
- **Distribution of the Report**  
500 copies of the consultation report were printed and either

---

distributed directly to consultees or made readily available to the general public. The report was issued to consultees listed in the Staff Commission's Equality Scheme and in each Board's Equality Scheme, to those who attended consultation meetings and in response to individual requests. The report was distributed together with a pro forma which was intended to help and encourage the submission of responses by the public.

- Website

The consultation report and the redrafted Code of Procedures, together with the Guidelines for Selection Panel Members was posted on the World Wide Web.

- Consultation Meetings

A series of consultation meetings were held. Six regional meetings were held with groups representing five of the categories of persons specified in Section 75, namely persons with a disability, persons with dependants, ethnic minorities, sexual orientation and gender. The meetings were facilitated by umbrella groups, which invited their constituent members. See Appendix 2 for full details. These meetings have been an invaluable source of information and guidance with around 30 people representing some 19 different organisations. An agreed record of each meeting was prepared.

Support was available to consultees who attended such meetings. All requests for assistance were met, these included:

- dietary requirements;
- interpreter service;
- payment of travel expenses; and
- provision of a crèche.

- Other Meetings

Consultation meetings were also held with the Equality Commission and the Joint Secretaries of the Joint Negotiating Council.

- Written Submissions

Written submissions to the consultation document were received from organisations in the voluntary, community

---

and trade union sectors and from individuals as set out below:

- Association of Chief Librarians;
- Belfast Travellers Education and Development Group;
- Chartered Institute of Library and Information Professionals;
- Department of Education - Youth Services & Community Relations Branches;
- Equality Commission for Northern Ireland;
- Northern Ireland Committee, Irish Congress of Trade Unions;
- Northern Ireland Public Service Alliance (NIPSA);
- Office of the First and Deputy First Minister;
- U N I S O N;
- West Belfast Economic Forum;
- Youthnet.

Two individual written responses were also received.

## **4. KEY FINDINGS**

**4.1** In carrying out the EQIA the Staff Commission/Boards fully utilised quantitative data e.g. monitoring data, payroll/personnel information, census data and qualitative data e.g. information gathered from consultation with trade unions, pre-consultation exercise with Section 75 groupings as part of the EQIA process. All of the information used as part of Stages 1-4 of the EQIA is specified in the EQIA report. The aim of this section is to summarise the feedback from consultees and those issues which emerged as part of the consultation process on the EQIA report.

### **4.2 Issues affecting more than one Category**

#### **4.2.1 Internal Trawl Procedure**

The equality impact assessment proposed a significant reduction in the number of posts advertised through the Internal Trawl Procedure. However groups and individuals have questioned the need to retain any post in the Internal Trawl Procedure given the requirement on public authorities to promote equality of opportunity and to ensure procedures are fair, equal and robust.

---

The following specific points were made:

- internal trawl is not the best tool for the promotion of equality of opportunity;
- any career development opportunity for internal candidates did not outweigh the scope to better promote equality of opportunity by its withdrawal;
- caution that the use of internal trawls does not maintain or indeed add to any prevailing workforce imbalance;
- pleased to see a reduction in the use of the internal trawl procedure;
- an under-representation in the pool of applicants would consequently be reflected in those applying for promotion posts;
- during consultations with Women's Groups, whilst it was acknowledged that the Internal Trawl Procedure provided a career path for staff and, given the large numbers of women at SOC Group 4, it could be argued to be advantageous in the promotion of equality for women, it was unanimously the view of the groups represented that the trawl should be abandoned with all posts being publicly advertised;
- given the under-representation of ethnic minority staff at senior levels, the bar (internal trawl) should be removed so that access by ethnic minorities is not inhibited;
- concerns on the exclusion from the proposal (regardless of mitigating evidence against adverse impact) of the occupations within the NJC grades, namely: Senior Executive Officer; Administrative Officer, Senior Administrative Officer; and Assistant Principal Officer.

(Race, Disability, Carers, Political Opinion Sectors and Women's Groups)

The trade unions and staff associations raised a range of diverse views in regard to this matter. These were:

- all posts should be advertised publicly and that the Internal Trawl Procedure should be abandoned to assist with the widest possible opportunity for all to apply for posts in the Boards; (Association of Chief Librarians)
- concerns that, with the high preponderance of females in the Boards' Library Services, the Trawl could have had and continue to have an adverse effect on those females who

---

have left the service for family/carer reasons. Those seeking to return to work in the Boards' Library Services have had and would continue to have, in the main, only the option to apply for posts at basic entry levels. Only then, if successful, could they seek promotion opportunities to higher grades for which their experience and qualifications may have already fitted them. (Association of Chief Librarians)

- on the grounds of equal opportunity to have access to employment for all, question the need to retain any post in the 'Trawl' process. The current procedures, as identified by the review, do appear to work against this outcome and we (the organisation) are concerned that, with the continuation of posts in the Trawl, service delivery will suffer as a result; (Chartered Institute of Library & Information Professionals)
- welcomed the decision to reduce the number of posts that will be internally trawled in future and the decision to monitor and review the position over the next 2 to 3 years. However, are concerned that there is still an under-representation of women at senior managerial levels; (NIC-ICTU)
- welcomed the retention, in part, of the internal trawl system whilst acknowledging the necessity to introduce some limitation for sound reasons of equality protection and improvement; (NIPSA)
- the clear and overwhelming consensus from consultation with the equality constituencies is that the trawl should be abolished in its entirety. In our view the mitigation proposed is insufficient and equality in all the relevant dimensions is best promoted by the total abolition of the trawl procedure; (UNISON).

Two individual responses were received and raised the following issues pertaining to the internal trawl procedure:

- internal trawls should only be permitted in very exceptional circumstances. Almost all internal trawls are vulnerable to challenge as not providing 'equality of opportunity' (to apply) to all and by moving towards a restriction on their use the Commission/Boards are to be commended;
- any employment practice which seeks to ensure that promotion opportunities are open (only or in the main) to existing internal candidates is inherently unfair;
- the potential disadvantage suffered/disincentive to return to work at all if you cannot compete for posts at senior levels,

---

given that it is mainly women who have breaks in service they are most likely to be disadvantaged in this regard.

The Equality Commission raised a potential difficulty the Boards/Staff Commission may encounter in relation to the proposed retention of the Internal Trawl Procedure for posts at Senior Executive Officer to Assistant Principal Officer. They are:

- The Commission has consistently advised employers of the recommendations of the employment Codes of Practice in relation to avoiding procedures whereby applicants are drawn from restricted groups. (Fair Employment Code of Practice, paragraph 5.3.5: Removing Sex Bias from Recruitment and Selection, paragraph 10.2: Code of Practice for Employers for the Elimination of Racial Discrimination, paragraph 2.10)

For example, in relation to a claim of indirect sex discrimination from a male complainant, it would be reasonably simple to demonstrate that the internal trawl procedure adversely impacts on males. In these circumstances it would be a matter for the Boards to justify the use of the internal trawl procedure.

#### **4.2.2 Advertising**

- Concern was expressed that where jobs are being publicly advertised newspapers should not be the sole method. It was recommended that websites should be used, together with information being communicated internally to staff (e.g. similar arrangement to internal trawl) and links being made with external groups e.g. Disability Action, CoSO, MENCAP, NICEM, to encourage applicants from under-represented groups (Disability, Race, CoSO, Carer and Trade Union Sectors).
- The advertisement of job vacancies on the Boards' websites was accepted as an excellent complement to other methods of advertising but consideration was required on how best to bring job vacancies to the attention of applicants who would not use this media. (Race and Disability Sectors)
- The need to consider how people get into the job market was emphasised. It was noted that people with learning disabilities tended to gain access to employment via specialist agencies. The need for a strategy to reach such groups was highlighted. (Race and Disability Sectors)

---

### **4.2.3 Recruitment and Selection Process**

- The need to review the collection and use of information on an applicant's disability. (Disability and Trade Union Sectors)
- The need to examine and issue guidance to panel members on the practical issues surrounding reasonable adjustments was highlighted. (Disability Sector)
- The need to ensure arrangements are in place to make available recruitment documentation in alternative formats and ensure job applicants are aware of such provision was emphasised. (Disability Sector)
- The need to examine what career opportunities were created for under-represented groups to build on their skills and experience e.g. work placement. (Disability and Race Sectors)
- The need to re-consider voluntary work, personal experience and the qualification requirements (and equivalencies) for posts was highlighted. (Race, Age, Carer and Disability Sectors)
- The need to ensure that there was no age bias in the recruitment and selection process, information on a job applicant's age should not be made available to panels. (Trade Unions)
- The statement in the Code at paragraph 3.3 regarding composition of panels was welcomed. In circumstances where this was not possible it was recommended that an appropriate independent observer be present during the process. (Trade Unions and Political Opinion Sectors)

### **4.2.4 Application of the Code**

- The need to develop an internal mechanism to log and monitor where a Board wishes to deviate from the Code. (Disability and Race Sectors)
- The need to ensure a comprehensive programme of training for panel members. (All Sectors)
- The need to develop a system to ensure Assessors on appointment panels have been appropriately trained. (Disability Sector)

### **4.2.5 Employee/Job Applicant Monitoring**

- Clarification was requested on the steps being taken by Boards/Staff Commission to 'fill the gaps' in terms of employee/job applicant monitoring. (All Sectors)

---

#### 4.2.6 Industrial Relations

- The need for separate industrial relations consultation relating to a final redrafted procedure. (Trade Union Sector)

#### 4.2.7 Affirmative/Positive Action

- The need to consider whether the use of certain procedures (e.g. competence based interviews) militate against other positive actions by focusing on experience at the expense of for example trainability/aptitude. (General public and Disability Sector)
- Section 75 groups as specified below, expressed a willingness to work with Boards on the development of Affirmative/Positive Action Programmes. (All Sectors)
- The need to consider workforce planning was raised. This included the provision of user friendly information on the role and function of the Education and Library Service and the development of contacts through schools/universities with young people as an outreach measure to encourage under-represented groups to apply for posts in the Service. (Disability, Race, Carers and Trade Union Sectors)
- Concern was expressed at the under-representation of women at senior managerial levels and of people with disabilities and people from ethnic minorities. (Trade Union, Race, Gender and Disability Sectors)
- The final paragraph of 1.7 of the Guidelines states "...applicants with a disability will be offered an interview if they meet the essential criteria". Concern was expressed that this could leave Boards vulnerable to a complaint of unlawful indirect discrimination. (Trade Union Sector)
- It was recommended that Boards develop affirmative/positive action programmes in consultation with the Equality Commission. (Trade Union Sector)
- Clarification was sought as to whether an analysis had been conducted of geographical areas, Board locations and/or the demographic spread of labour. (Political Opinion, Disability, Race and Statutory Sectors)
- The use of a clear equality statement on sexual orientation in all job advertisements was raised. (CoSO and Political Opinion Sectors)

---

#### 4.2.8 EQIA Report

It was seen as an "Open and honest examination, comprehensive user friendly report". (Age, Statutory, Carer and Trade Union Sectors)

#### 4.2.9 Other

- Review the recording of disability related leave to make a distinction between disability and sick absence leave.

### 5. CONCLUSIONS

5.1 The Staff Commission and the Boards have considered carefully the findings of the consultation exercise and the equality impact assessment. The Staff Commission and the Boards believe the following actions will have a beneficial effect in terms of the issues raised in relation to the nine equality categories.

Key Findings	Action
<p><b>1. Internal Trawl Procedure</b> The proposal of the EQIA that the internal trawl procedure be confined to the following grades: Assistant Principal Officer, Senior Administrative Officer, Administrative Officer, Senior Executive Officer, was challenged in the context of the Boards/Staff Commission's statutory duty to have due regard to the need to promote equality of opportunity and the requirement to avoid unlawful discrimination.</p> <p>Given the identified under-representations the potential for indirect discrimination to arise was highlighted.</p> <p><b>2. Advertising of Vacant Posts</b> Consultees requested, in addition to public advertisement of vacancies, the use of</p>	<p>With effect from 1 April 2004, or as soon as possible thereafter, all permanent substantive vacant posts will normally be publicly advertised. There may be times when the Boards/Staff Commission may use alternative recruitment methods for example in certain cases to cover for maternity leave, secondments, acting up or development opportunities, temporary project work, appointment under EU funded and/or government programmes or in redundancy situations.</p> <p>By 1 April 2004, or as soon as possible thereafter, job vacancies will be advertised on each Board's website.</p>

<p>websites, simultaneous trawl of promotion posts across the Boards and the development of links with key groups to encourage applications from under-represented groups.</p>	<p>Links to the websites of CoSO, Disability Action, MENCAP and NICE to increase awareness of job opportunities in the Education and Library Boards to be developed. For the first 12 months, in addition to public advertisement of vacancies, details of 'promotion'<sup>3</sup> posts will simultaneously be circulated internally to staff within all five Boards. During this period the advertisement source will be tracked. An evaluation will be conducted to establish the effectiveness of an internal notification process. Job vacancies are already circulated to the Disablement Employment Advisers at the Training and Employment Agency.</p>
<p><b>3. Recruitment and Selection Process</b></p> <p>Disability groups requested that a review be conducted on the collection and use of information on a person's disability.</p> <p>Disability groups also emphasised the need for practical guidance on 'reasonable adjustments' and the advertisement of the availability of information in alternative formats.</p> <p>Opportunities for work experience in the Education and Library Service.</p>	<p>This will be reviewed on an inter-Board basis.</p> <p>Joint seminar to be organised with Disability Action/Mencap to address issues of accessibility and reasonable adjustment in the recruitment and selection process. Current arrangements regarding the availability of information in alternative formats are under review.</p> <p>Staff Commission/Boards are to explore the development of links with minority ethnic groups, including young travellers and special schools/disability groups to facilitate work</p>

<sup>3</sup> Such posts are those which were formerly trawled under the Internal Trawl Procedure

<p><b>Recruitment and Selection Process continued</b></p> <p>Consultees requested a review of voluntary work, personal experience and qualifications (and equivalencies). The removal of a job applicant's age/date of birth from application forms was requested.</p> <p>Some concerns were expressed where elected members serve on appointment panels.</p> <p><b>4. Application of the Code</b></p> <p>Consultees emphasised the need for an internal control mechanism to monitor variations from the Code, a system to ensure Assessors have been appropriately trained and the need to ensure comprehensive training for panel members.</p> <p><b>5. Employee/Job Applicant Monitoring</b></p> <p>Consultees raised the need to collect quantitative data to enable more comprehensive employment monitoring.</p>	<p>placement opportunities for young people.</p> <p>An inter-Board group to be established to review qualifications, equivalencies and age criterion etc in consultation with key groups eg Department of Education, Council for Curriculum, Examination &amp; Assessment and the Equality Commission. The assessment and weighting of specific criterion for posts must be job related and is deemed to be a matter for appointment panels.</p> <p>Current procedures will be reviewed for the appointment of Board Members to appointment panels.</p> <p>The Staff Commission will develop an internal control procedure to log and monitor, on an annual basis, all variations from the Code. It will operate in tandem with the issue of the Code. The Staff Commission in co-operation with the Boards will provide training on the redrafted Code, Guidelines and the legislative framework for panel members. Boards will ensure panel members are provided with the appropriate skills training.</p> <p>BELB is piloting a new employment monitoring system which will collect monitoring data from employees/job applicants across all nine equality categories as specified at Section 75. The pilot monitoring exercise commenced in October 2003.</p>
---	---

---

## 6. Industrial Relations

The need for separate industrial relations consultation to finalise a redrafted procedure was raised.

## 7. Affirmative/Positive Action

Some consultees raised the need for workforce planning and outreach measures to encourage under-represented groups to apply for posts in the service.

The internal trawl procedure is a practice which has operated for some time in the Education and Library Service, there is no formal agreement on same. The Staff Commission has a statutory obligation to issue recommendations to Boards for the recruitment, selection and promotion of non-teaching staff. The Staff Commission's Joint Working Group which includes trade union representatives will meet on the 21 October 2003 with a view to finalising the redrafted Code and Guidelines.

In addition to the reduction of the scope of the internal trawl, the EQIA proposed a range of affirmative/positive action measures. These involved:

- Removal of the service eligibility requirement for promotion posts;
- Removal of the eligibility barrier for temporary, fixed term and employment support contract postholders;
- Greater emphasis on the requirement of an employer to consider reasonable adjustments for a person with a disability;
- Comprehensive training for those involved in the process;
- A range of good practice measures to ensure systematic and objective recruitment.

These proposals were universally welcomed. The Boards/Staff Commission will incorporate these changes in their entirety into the redrafted Code and associated Guidelines.

<p><b>Affirmative Action continued</b></p>	<p>Boards will individually consider, over the life of the Code, in accordance with the statutory provision, what further affirmative/positive action measures are required. Such measures will be the subject of consultation with Section 75 groupings as appropriate and the Equality Commission.</p>
<p><b>8. Other</b> Recording of disability related absences</p>	<p>This practice will be reviewed on an inter-Board basis by Human Resource Managers.</p>

**5.2** A number of consultees commented favourably on the open and honest examination conducted by the Staff Commission/Boards and the comprehensive user friendly EQIA report. The Staff Commission/ Boards would wish to record their thanks and appreciation to all those individuals and groups who invested considerable time in the consultation process.

**5.3** In order to ensure the effective implementation of the redrafted Code, now titled the Code of Procedures for Recruitment and Selection and the associated Guidelines for Selection Panel Members, the following arrangements have been put in place:

- The redrafted Code will take effect from 1 April 2004 and 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. Training will be evaluated and reviewed on an annual basis.
- The difficulty in obtaining quantitative data across all nine equality categories is well documented. The Belfast Board is piloting a monitoring exercise of employees and job applicants which, when evaluated, will be extended across all five Boards.
- The Boards/Staff Commission are committed to conducting a five yearly review of their Equality Schemes. As part of such a review an assessment will be conducted of completed EQIAs and the outcomes of same.
- For the first 12 months the advertisement sources will be tracked. An evaluation will be conducted to establish the

---

effectiveness of an internal notification process. A report of the analysis of such a strategy will be contained in the Boards' /Staff Commission's Annual Reviews.

- The Boards/Staff Commission will monitor the affirmative/positive action measures contained in the redrafted Code and associated Guidelines. A report of the analysis of such measures will be contained in the Boards' /Staff Commission's Annual Reviews.

## Sources of Information

Coalition on Sexual Orientation. Equality and Sexual Orientation: A Guide to Involving and Consulting the Lesbian, Gay, Bi-sexual and Transsexual Community'. CoSO. June 2001

Commission for Racial Equality for Northern Ireland (CRENI). Code of Practice for Employers for the Elimination of Racial Discrimination and the Promotion of Equality of Opportunity in Employment. CRENI. August 1999

Connolly, Paul and Keenan, Michaela. "Opportunities for All" Minority ethnic peoples' experiences of education, training and employment. University of Ulster. 2001

Connolly, Paul and Keenan, Michaela. Racial Attitudes and Prejudice in Northern Ireland. University of Ulster. 2000

Department for Employment and Learning. Labour Market Bulletin No. 16. DEL (NI) November 2002

Department of Economic Development. Fair Employment in Northern Ireland Code of Practice. December 1989

Department of Trade and Industry. Women in Northern Ireland. DETI. July 2002

Education and Library Boards/Staff Commission for Education and Library Boards. Report on Screening of Policies. ELBs/SCELBs. December 2001

---

Employers' Forum on Disability. Resource Manual (Recruitment Section)  
Equality Commission for Northern Ireland. Monitoring Report No 12: A  
Profile of the Northern Ireland Workforce: Summary of Monitoring  
Returns. 2001

Equal Opportunities Commission. Removing Sex Bias from Recruitment  
and Selection: A Code of Practice. March 1995

Fair Employment Commission for Northern Ireland, Fair Employment  
Case Law, Religious and Political Discrimination in Employment. Fourth  
Edition

Holder, Daniel. Latinoamerica Esta - A study on Latin American  
Community in Northern Ireland: Experiences with public bodies and at  
the workplace. December 2000

MENCAP. Making it Work: A Guide to Employing People with a Learning  
Disability. MENCAP. April 2002

McGill, Paul and Oliver, Quinton. A wake-up call on race: implications  
of the Macpherson report for institutional racism in Northern Ireland: A  
report for the Equality Commission for Northern Ireland. 2002

---

**CONSULTATION EVENTS**
**REGIONAL MEETINGS****GROUPS REPRESENTED****4 December 2002****Women's Support Network<sup>4</sup>**

Women's Support Network  
 Falls Women's Centre  
 Greenaway Women's Centre  
 Women Into Politics  
 Women's News  
 Windsor Women's Centre  
 Diversity Matters Project – Disability Action  
 Women's Technology & Training Enterprise

**27 March 2003****Coalition on Sexual Orientation (CoSo)**

CoSO

**29 April 2003****Disability Action**

Disability Action  
 Huntington Disease Association  
 REMAP

**20 May 2003****N I C E M**

N I C E M  
 Indian Community Centre  
 N I Pakistani Cultural Association  
 Craigavon Travellers' Support Association  
 N I Committee for Refugees and Asylum Seekers

**20 May 2003****MENCAP**

MENCAP

**21 May 2003****Carers Northern Ireland**

Carers Northern Ireland

**OTHER MEETINGS****28 April 2003**

Equality Commission

**20 May 2003**

Joint Secretaries of the Joint Negotiating Council

---

<sup>4</sup> The views provided by the Women's Support Network at the pre-consultation stage in relation to the Internal Trawl remained the same at Stage IV of the consultation process