

**OFMDFM
ANNUAL REPORT TO
EQUALITY COMMISSION
2006/07**

on

**Implementation of the equality and
good relations duties
under Section 75 of the
Northern Ireland Act 1998**

**For submission to the Equality Commission
by 31 August 2007**

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority Annual Progress Report 2006 - 2007

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2006 to 31 March 2007**. Please enter information at the relevant part of each section and ensure that it is submitted 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 to the Commission by **31 August 2007**.

Name of public authority (Enter details below)

Office of the First Minister & Deputy First Minister (OFMDFM)

Equality Officer (Enter name and contact details below)

Ms Bernie Duffy

Tel: 028 90 523143

Email: bernie.duffy@ofmdfmi.gov.uk

Executive Summary

- What were the key policy/service developments made by the authority during this reporting period to better promote equality of opportunity and good relations? **All of our equality legislation and strategies published during the period – further detail provided in main body.**
- What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of opportunity and good relations for individuals from the nine categories covered by Section 75? **We will continue to mainstream equality into policy development generally, but specifically we will deliver a programme of legislation and policy aimed at tackling discrimination and inequalities, and promoting the social inclusion of groups and individuals experiencing disadvantage and inequality. Subject to the Equality Commission's final report on the Review of the Effectiveness of Section 75 and Governments response to that (and the timing of that) we will revise the content of the Department's Equality Scheme.**

Section 1: Strategic Implementation of the Section 75 Duties

Outline evidence of progress made in developing and meeting equality and good relations objectives, performance indicators and targets in corporate and annual operating plans during 2006-07.

The Department's overarching aim is "a cohesive, inclusive and just society administered through effective government". This aim reflects the role the Department plays in the good government of Northern Ireland and its central position in supporting the institutions of Government.

In support of its overarching aim, the Department has determined the following four objectives for 2006-07:

- A. to assist government in making and implementing well-informed decisions and improving public services;
- B. to promote equality of opportunity, human rights and good relations, tackle poverty and social disadvantage, and meet the needs of victims and survivors;
- C. to continue to develop OFMDFM as an organisation; and
- D. to serve our customers.

The Department's Business Plan for 2006 – 2007 can be viewed in full on the website at <http://www.ofmdfmni.gov.uk/businessplan0607-3.pdf>

Public Service Agreements (PSA) identify the planned outcomes that the department is seeking to deliver for the citizen, focusing on improvements that will be made to public services, linked to transparency and accountability. They are supported by departmental business plans, which set out in greater detail the actions that the department intends to take to ensure delivery of the targets contained in the PSA.

Under Objective B ("to promote equality of opportunity, human rights and good relations, tackle poverty and social disadvantage, and meet the needs of victims and survivors") there are several PSA targets which have direct relevance to equality and good relations – these are detailed below.

Within these targets there are a number of specific departmental actions and performance targets that relate to individual policies and strategies – **the detail of which have not been documented here** but can be viewed

in the Business Plan and the associated outturn report (which are available to view on the website as detailed above). A brief summary of progress is included here.

- Advance equality of opportunity, reduce discrimination and barriers to participation by:
 - improving legislation;
 - supporting the Equality Commission for Northern Ireland; and
 - promoting effective implementation of Section 75 of the Northern Ireland Act 1998 across Northern Ireland departments.

Legislation made during the period 2006/07

Title of Legislation	Date made	Commencement date
The Equality Act (Sexual Orientation) Regulations (Northern Ireland) 2006	8 Nov 2006	1 Jan 2007
The Equality Act (Sexual Orientation) (Amendment) Regulations (Northern Ireland) 2006	22 Nov 2006	1 Jan 2007
The Equality Act (Sexual Orientation) (Amendment No. 2) Regulations (Northern Ireland) 2006	30 Apr 2007	1 June 2007
The Employment Equality (Age) Regulations (Northern Ireland) 2006	13 June 2006	1 Oct 2006*
The Industrial Tribunals (Interest in Awards in Age Discrimination Cases) Regulations (Northern Ireland) 2006	13 June 2006	1 Oct 2006
The Disability Discrimination (2006 Order) (Commencement No. 1) Order (Northern Ireland) 2006	30 June 2006	3 July 2006
The Employment Equality (Age) (Amendment) Regulations (Northern Ireland) 2006	28 Sept 2006	30 Sept 2006
The Employment Equality (Age) (Consequential Amendments) Regulations (Northern Ireland) 2007	29 Mar 2007	6 April 2007
Victims and Survivors (Northern Ireland) Order 2006	14 Nov 2006	29 Nov 2006 & 15 Feb 2007**

The Disability Discrimination (2006 Order) (Commencement No. 2) Order (Northern Ireland) 2006	23 Nov 2006	1 Jan 2007
Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2006	6 Dec 2006	1 Jan 2007

* with the exception of Regs 2, 37, 38 and 39 – which came into effect on 14 June 2006

** Articles 1-3 commenced on 29th Nov. 2006 and Articles 4-10 commenced on 15 Feb. 2007

Support is provided to the Equality Commission on an ongoing basis, including approval of their corporate and business plans, annual reports, and allocation and monitoring of financial resources against the budget allocation from the Department.

Work is also ongoing throughout the year to promote the effective implementation of Section 75 across NI Departments.

- Working with all Departments, put in place coordinated strategic action to achieve measurable improvements across a range of indicators in:
 - gender equality; and
 - equality and social inclusion for people of different sexual orientation, disability and older people.

Strategies for the promotion of gender equality (“Gender Equality Strategy”), older people (“Ageing in an Inclusive Society”) and the promotion of social inclusion (“Lifetime Opportunities”) have already been published. Work is ongoing on taking forward the actions/targets arising from these strategies and their associated action plans (where appropriate), as detailed in later sections of this report.

A strategy for sexual orientation is currently in preparation. Work on promoting the social inclusion of people with disabilities is being taken forward by the Promoting Social Inclusion Working Group on Disability.

- Working with other Departments, put in place coordinated strategic action linked to a range of indicators to achieve measurable improvements in race relations and racial equality.
- Publish a triennial Action Plan on “A Shared Future” to include actions to achieve improvements in good relations across a range of

indicators, an enhanced Community Relations Council and a new District Council Good Relations Challenge Programme.

- Working with other Departments and agencies, put in place strategic action to tackle sectarianism, racism, homophobia and hate crime against people with disabilities.

“A Shared Future” was published in March 2005 and a Racial Equality Strategy was published in July 2005. The first triennial action plan (for 2006-0) was published in April 2006. Work is ongoing to develop good relations baseline indicators (as detailed in Section 6 below).

Work began in 2006/07 to restructure the Council of the Community Relations Council – this included an appointments process to restructure the Council to make it more broadly based and representative of civil society. The introduction of a new Challenge Programme will be in line with RPA timetables, in keeping with original commitments.

- Working with other Departments, put in place coordinated policy and action and a range of indicators to reduce the number of households and children living in poverty and improve the prospects, opportunities and living conditions of those in most disadvantaged areas – including halving the number of children in relative low income households between 1998-99 and 2010-11, on the way to eradicating child poverty by 2020.

As noted earlier, “Lifetime Opportunities” was published in November 2006. The strategy has yet to be formally considered and adopted by the Executive.

- Working with other Departments, improve support and service delivery for victims and survivors by coordinated strategic action at regional and local level including the establishment of a Commissioner for Victims and Survivors.

Legislation was made during the period which made provision for the post of Commissioner for Victims and Survivors. The principal aim of this post is to promote the interests of victims and survivors, with a range of duties and powers in support of this aim.

- Working with other Departments, put in place an over-arching, inter-departmental strategy, associated actions and indicators to uphold the rights and meet the needs of Children and Young People linked to support for the Office of the Commissioner for Children and Young People and the Minister for Children.

“Our Children and Young People – Our Pledge”, a 10 year strategy for children and young people, was published in June 2006. An associated action plan was published in March 2007. Each action will be linked to one or more of the outcomes, which the strategy seeks to deliver on. The Children and Young People’s Unit continues to support the office of the Commissioner for Children and Young People.

Section 2: Screening

Provide an update of new/proposed/revised policies screened during the year.

Nil

Section 3: Equality Impact Assessment (EQIA)

Provide an update of policies subject to EQIA during 2006/07, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2007-08.

EQIA Timetable: April 2006 - March 2007

Title of Policy EQIA	EQIA Stage at end March 07 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals, and the relevant equality & good relations categories due to be affected.
Gender Strategy*	6	The development of separate action plans for women and men.
Sexual Orientation Strategy and Action Plan	5	Issues relating to capacity building, development of community relations and social inclusion highlighted during consultation. New funding programme for sector developed to address these issues.
Policy on Advertising	6	It was decided that further consideration would be given to broader general outreach measures for communities whose first language was not English.
Sexual Orientation Goods, Facilities & Services	5	Changes were made to the legislation re. exemptions for religious organisations, powers of investigation for ECNI and inclusion of protection from harassment.
Age Regulations	6	No changes to policy as a result of EQIA or consultation. Rather the policy and decisions were developed through consultation with key stakeholders.
Anti-poverty Strategy* (Lifetime Opportunities)	6	
Strategy for Children & Young People*	6	
Single Equality legislation	Not yet started	
Next phase of Victims Strategy		
Policy of Public Appointments	On hold pending devolution	
Review of the Offices of the Ombudsman for NI and the NI Commissioner for Complaints		

* These are high level policies and a strategic level equality impact assessment was undertaken. Equality of opportunity was mainstreamed into the policy development and the EQIA process was applied to the fullest extent possible. Extensive engagement with key stakeholders was undertaken to develop all of these policies and strategies. Further equality screening and EQIA of individual policies contained within the associated action plans will be undertaken by Departments as implementation of the strategy progresses.

EQIA Timetable: April 2007 - March 2008

Title of EQIAs due to be commenced during April 2007 – March 2008	Existing or New policy?	Please indicate expected timescale of decision-making stage i.e. Stage 6
Sexual Orientation Strategy and Action Plan	E	End 2007
Sexual Orientation Goods, Facilities & Services	E	End 2007
Single Equality legislation	E	End 2008/09
Next phase of Victims Strategy	E	End 2007/08
Review of the Offices of the Ombudsman for NI and the NI Commissioner for Complaints	E	On hold pending restoration. Position to be reviewed.

* Following restoration, the Policy on Public Appointments (noted in 2006/07 timetable) has been reviewed and removed from the 0708 timetable, and the Equality Commission notified accordingly. Policy responsibility for implementation of this report rests with the Commissioner for Public Appointments and is intended to be good practice ideas that Departments, among others, may wish to draw upon when making public appointments.

Where the EQIA timetable for 2006/07 (as detailed in the previous annual S75 progress report to the Commission) has not been met, please provide details of the factors responsible for delay and details of the timetable for re-scheduling the EQIA/s in question.

Title of EQIA	Factors responsible for delay
Sexual Orientation Strategy and Action Plan	Original deadline Autumn 2006. Resourcing constraints within the Unit meant that other work was prioritised, including the development of a funding package for the sector. Consultation has already been undertaken. Responses are being analysed and the final strategy should be published by end of year 2007.
Sexual Orientation Goods, Facilities & Services	The legislation came into effect on 1 January 2007 but was subject to a judicial review. The outcome of this JR is expected by the end of 2007, and may impact on the final decision/EQIA.
Single Equality legislation	Work has been ongoing to determine the policy direction of the legislation. Final decisions have yet to be taken by the Executive.
Next phase of Victims Strategy	The next phase of the Victims Strategy will be decided once a new Victims Commissioner is appointed.
Policy on Public Appointments	This policy has been on hold pending restoration. Now that devolution has been restored this has been reviewed, the policy removed from the timetable and ECNI informed.
Review of the Offices of the Ombudsman for NI and the NI Commissioner for Complaints	This policy has been on hold pending restoration. Now that devolution has been restored this policy will be reviewed.

Section 4: Training

Outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision, numbers attending, and conclusions from any training evaluations.

The Department's overall approach is to provide general awareness training to all staff new to the Department through its Corporate Induction or the Graduate Entrant Staff Officer Induction Programme. The Department continues to arrange consultation, screening and EQIA training in response to demand, which is identified through the normal business planning cycle annually.

The Centre for Applied Learning (CAL) has been working on the development of a new contract for the provision of training for the entire NICS, including the Section 75 related training, with specialist advice provided by the Equality & Rights Unit and the Equality Practitioners Group (EPG). A training subgroup of the EPG are assisting CAL with the development of these courses, including testing the new training before it rolls out, to ensure it is "fit for purpose" and meets the development needs of staff and is up to date with current developments arising from the review of effectiveness.

The training provider appointed will be asked to develop an evaluation of the training undertaken.

Training undertaken during 2006/07 was as follows:

- 9 staff attended Corporate Induction;
- 1 Graduate SO attended the SO Development Programme; and
- 4 staff attended the Subordinate Legislation course (which includes a detailed module on Section 75 and its related processes, and is provided by staff in the Equality & Rights Unit).

No specialist training on EQIA, screening or consultation was requested or delivered during the period.

The Gender and Sexual Orientation Equality Unit of OFMDFM assisted Youthnet and LASI in Autumn 2006 to deliver some consultation training for young lesbian, gay and bisexual people to enable them to effectively contribute to the consultation on the Sexual Orientation Strategy. This event was well attended and consultation responses received were

extremely useful and well informed. The event focused on engaging young people and educating them about how policy works, to enable them to understand the context of their role in influencing government as key stakeholders.

Section 5: Communication

Outline how the authority communicated progress on delivery of the statutory duties during the year and evidence of the impact/success of such activities.

The Department continues to implement its current methods of communicating progress on Section 75, which it has found to be successful. These include:

- regular alerts/bulletins to the Department's Section 75 consultees – the Department sends consultees a bi-annual notification of screening exercises undertaken in the Department and forthcoming consultations;
- placing information on the Department's website for general access – www.ofmdfmi.gov.uk/equality;
- providing update reports to ESNSG, the Departmental Board, the Equality Practitioners' Group, seminars, internal team and departmental briefings, use of staff magazines, the "Policylink" newsletter;
- completing the ECNI annual report on progress in implementing the statutory duties, which is submitted to ECNI and published on the Departmental website;
- putting all pertinent information, including consultations and policy documents, on the Central Consultation website; and
- regular meetings with sponsored bodies/special working groups/policy fora to ensure that the views of stakeholders/people likely to be affected by the policy are reflected in its development and implementation (see section 9 below for more detail on these fora and working groups).

