

**OFMDFM
ANNUAL REPORT TO
EQUALITY COMMISSION
2004/05**

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 2005**

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority Progress Report 2004 - 2005

Template to assist Public Authorities to report on implementation of the equality and good relations duties under Section 75 of the NI Act 1998

The information required from public authorities will be based on the period from 1 April 2004 to 31 March 2005. Please ensure that it is submitted to the Commission by 31 August 2005, 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.

This year's progress report template builds upon earlier guidance, for purposes of consistency and comparison. It is important that the authority reports on what it views as being relevant in terms of progress made on the implementation of the statutory duties from April 2004 to March 2005. However, if no further progress has been made under a particular heading you may state 'Progress previously reported' indicating the year e.g. 2002/03, and provide the information from the relevant earlier progress report.

Please enter information at the end of each Section in the template.

Name of public authority (Enter details below)

[Office of the First Minister and Deputy First Minister \(OFMDFM\)](#)

Equality Officer name and contact details (Enter details below)

[Ms Bernie Duffy](#)

[Tel: 90 523143](#)

[Email: bernie.duffy@ofmdfmi.gov.uk](mailto:bernie.duffy@ofmdfmi.gov.uk)

A dedicated Equality and Human Rights Unit (E&HRU) was established in the Department to monitor the delivery of the equality scheme, and provide equality advice, support, guidance and challenge to colleagues throughout the Department and across the other Departments. The Unit is currently staffed with 1 Grade 7, 2 DPs, 1 SO (recently filled vacancy) and 1 EO2. A wider pool of Divisional administrative support is also available to the Unit as and when required.

In all of the Department's policy and legislative programmes, section 75 is mainstreamed into the policy and decision-making processes. Consultation, whether as part of section 75 requirements or not, incurs direct costs to the Department. Most recent figures (for the period 2003/04) showed that the Department spent a total to £46k on 7 separate consultations. These costs exclude staff time, and are related to the design, printing and distribution of the consultation document. Costs relating to staff participation in meetings, focus groups, events, seminars and workshops, etc are not included but are mainstreamed into the core work of the Department.

Section 3: Screening & Equality Impact Assessment (EQIA)

- 3a) If a Screening Report has not yet been submitted to the Commission please advise us on the current position with regard to producing this report and forwarding to the Commission.**
- 3b) If a Screening Report and EQIA Timetable has previously been submitted to the Commission please provide an update (using the matrices in Appendix A) detailing:**
- i) those policies that were subject to EQIA during 2004-05;**
 - ii) new/proposed/revised policies screened during 2004-05;**
 - iii) ongoing EQIA monitoring activities during 2004-05; and**
 - iv) timetable for Equality Impact Assessments in 2005-06.**

Section 4: Training

- **Indicate your organisation's progress on the delivery of Section 75 related training and development during 2004-05. Please state if the training is provided within a 5-year Training Plan.**
- **Outline details of staff and Management Board/Committee training associated with the Section 75 duties/Equality Scheme requirements. Provide details of types of training provision (e.g. general awareness raising, specialist training on EQIA, Screening and Consultation) and who this training was provided for.**
- **Provide details of training on awareness raising for new staff and refresher training for existing staff.**
- **Provide details of how affected groups have been involved in the development and/or delivery of training.**
- **Provide a summary of any training evaluations and comments on the benefits of such training.**
- **Provide details of arrangements to review training needs as a result of staff recruitment, promotion or reorganisation.**

As reported in Annual Report 2003/04, the Department's overall approach is to provide general awareness training to all staff new to the Department through its Corporate Induction Programme or the Direct Entrant Staff Officer Induction Programme.

To date, 448 staff in the Department have received training on Section 75 obligations, of whom 312 were at EO2 grade and above.

As recorded in last year's report, the Department's Training and Development Services (TDS) continue to arrange consultation and EQIA training on demand. To date, 39 members of staff have received consultation and other equality training, whilst 69 have received EQIA training – provided through an NICS agreed list of providers. Discussions have taken place with TDS with a view to reviewing and refreshing training for staff within the Department in the coming year.

The training available in relation to Section 75 obligations and the Equality Scheme continues to be communicated to staff via Training and Development Services annually.

- Information is available on the Department's website – www.ofmdfmi.gov.uk/equality
- In terms of internal communications, some examples include: the Departmental training programme; providing input into training run by other parts of the Division or in other Departments; providing update reports to ESNSG/the Departmental Board; the forum of the Equality Practitioners Group; seminars; internal briefings; use of staff magazines; the "Policylink" newsletter; etc.
- In terms of external communications, some examples include:
 - the ECNI annual report on progress in implementing the statutory duties, which is published on the Departmental website;
 - putting all pertinent information, including consultations and policy documents, on the Departmental and Central Consultations websites;
 - in Press Releases and briefings, every opportunity is taken to stress HOCS' commitment to the promotion of equality of opportunity and the elimination of unfair discrimination;
 - HOCS meeting with Prof Chris McCrudden to discuss strategic issues arising out of implementation of Section 75 - October 2004;
 - keynote speech given by HOCS to launch ECNI's revised guidance - February 2005;
 - HOCS meeting with Dame Joan Harbison to discuss strategic issues and implementation of the Department's equality scheme - February 2005

In terms of communicating progress on delivery of the statutory duties, progress is reported quarterly to the Departmental Board and to Minister, and details are posted on the Departmental website for external scrutiny. In addition, the Department reports annually, and as requested, to the Equality Commission in this annual reporting template.

Section 6: Data Collection & Analysis

- **Describe any systems that have been established to supplement your available statistical and qualitative**

Racial Equality Unit

Through its work with the Northern Ireland Racial Equality Forum, the Race Equality Unit, will oversee the implementation of the Action Plan for the Racial Equality Strategy. This Forum also operates through thematic groups created to examine specific issues in more detail. Thematic groups have been established to deal with Travellers' issues, language issues, and the issue of combating racism and racial incidents.

Work on developing and finalising a Racial Equality Strategy for Northern Ireland was substantively progressed between April 2004 and March 2005. The Strategy covers the full range of policy issues which impact on the daily lives of citizens from minority ethnic communities, and also covers racial equality issues in respect of migrant workers.

Single Equality Bill

In progressing work on the SEB, the Department organized a series of regional seminars throughout NI – these were widely advertised and well attended, particularly in Belfast and Derry. A number of stakeholder groups, including Disability Action, Coalition on Sexual Orientation (CoSo) and Carers NI, were funded to facilitate seminars throughout NI – these were attended and actively participated in by the Bill Team as well.

A special meeting with the interest groups from the children & young people's sector (including Children's Law Centre, ECNI, NI Human Rights Commission, Office of the Commissioner for Children and Young People) was held in Dec 2004, chaired by the Director of Equality, to discuss how to consult meaningfully with children and young people generally, and in relation to the SEB in particular. On foot of this, the Bill Team made particular efforts to consult with children and young people. Given their expertise in this area, Playboard and YouthAction NI were funded to organize and run consultation events with children and young people and report to the Bill Team on their findings and conclusions. In addition, NI Council for Ethnic Minorities were funded to facilitate a targeted event with the minority ethnic communities.

Anti-Poverty Unit

During the initial consultation period (April-October 2004) for a Northern Ireland Anti-Poverty Strategy, in conjunction with the NI Anti-Poverty Network (NIAPN), the Anti-Poverty Unit organized, a number of widely publicized public seminars. The primary purpose of the seminars, which were attended by a wide range of people representing various groups spanning the section 75 categories, was to provide individuals and groups with an opportunity to express their views/opinions on the proposals, and promote discussion and debate on the future direction of the policy.

Disability Order in Council

As well as engaging with disability organisations and key bodies such as the All Party Working Group and ECNI, OFMDFM met directly with disabled people themselves as part of a series of public meetings on the Draft Order.

Favourable feedback has been received from ECNI:

“Such an approach not only complied with the Departments obligations under section 75, rather more importantly fulfilled the spirit of this important legislation. Feedback to Equality Commission from disabled people about this consultation exercise indicated that OFMDFM’S consultation process should form the blueprint for any future consultations.”

Section 11: The Good Relations Duty

Provide details of steps taken to implement or progress the good relations duty during the year. Examples of such steps might include: undertaking a good relations audit; developing a strategy or adopting a framework; providing training; and/or any targeted work done to promote or achieve better relations with or between one or more relevant group (e.g. Irish Travellers; groups dealing with political opinion issues etc). Please indicate any findings or expected outcomes from this work.

Single Equality Bill

The SEB consultation events with children and young people made special efforts to ensure that there was cross-community participation and representation at the events. Playboard and YouthAction NI used their contacts/relationships with playgroups and schools to enlist the participation of a broadly based group of children and young people at these events. In some instances it was the first time that playgroups from the different communities had come together for such an event/discussions.

North Belfast Community Action Unit

North Belfast currently has 27 recognised interfaces. To help defuse tensions at these interface areas and to look at ways of improving relationships both within and across the communities, the Unit has set up and chairs an Interface Steering Group comprised of all the key statutory agencies. The Steering Group decided to develop a co-ordinated action plan to address and respond to interface issues. As part of the development process the Unit approached community interface representatives for input into the plan. As a result, a joint statutory and community group has been set up to take forward the development of short, medium and long-term strategies to deal with how both the statutory agencies and communities can work together to address interface issues. A key action to be taken forward is the delivery of a co-ordinated summer intervention activities backed by the statutory agencies and delivered by the community.

Section 12: Additional Comments on Mainstreaming

The main aim of the statutory duties is to mainstream equality of opportunity and good relations considerations into the functions of the authority, leading to better policies and service delivery. Many of the questions in the previous sections of this template relate to equality scheme commitments. Please provide any additional information/comments you think may be relevant including:

- **any factors that enhanced or impeded equality scheme implementation during 2004-05;**
- **benefits for the authority resulting from mainstreaming; and**
- **ideas for future effective mainstreaming of the duties.**

Enhancements:

- Commitment of Ministers to ensure the implementation of the duties across the NICS;
- Personal commitment of the Head of the NICS;
- specific knowledge and expertise of key officials;
- closer co-operation and networking between Departments, Equality Commission and the voluntary & community sector to ensure better targeting of consultations;
- more “joined up” approach across the NICS;
- our use of the senior level, cross-departmental Equality and Social Needs Steering Group, as a vehicle for discussing and agreeing cutting edge issues regarding equality, New TSN and good relations within the NICS;
- the cross-departmental Equality Practitioners Group as a vehicle for discussing and agreeing implementation and best practice issues regarding equality, New TSN and good relations across the NICS; and
- improving the evidence base, both statistical and research, underpinning S75 obligations.

In terms of impediments:

- the changing political environment presents particular challenges to the implementation of the Department’s programmes;
- having to screen/EQIA all policies equally, as opposed to just ‘key’ or ‘big hitters’
- the ECNI guidance in terms of the meaning of “policy” has led on occasion to disproportionate efforts being put into small policies where the equality impact was likely to be less – for eg. Technical amendments to regulations arising from primary legislation or EU Directives.
- unrealistic expectations about s75 - for example the perception among consultees that equality should be the paramount consideration in all policy decisions.
- the voluntary and community sector infrastructure presents particular challenges in ensuring fully inclusive and effective consultation – the development of “networks” of consultees

interested in particular areas of work would enhance the process and facilitate inclusive targeting.

- a focus on process in the early days and apparent continuing focus on process by ECNI has impeded a more strategic and outcome-based approach.

Section 13: Concluding Questions

This short questionnaire is included in the template to enable you to provide an overall view of the effectiveness of the statutory duties for your authority (Question A) and for the Section 75 categories (Questions B & C).

QUESTION A

Does the authority believe its work to date on implementing the statutory duties has produced positive benefits for the organisation? (Please tick) YES NO

If you answered yes to QUESTION A, please tick appropriate boxes below as to what extent the duties have:

	Very noticeably	Noticeably	No real change
Increased awareness of equality issues in policy making	X		
Increased ability to ensure policies are designed and targeted to reflect equal opportunities objectives	X		
Increased awareness of good relations issues in policy making	X		
Increased ability to ensure policies are designed and targeted to reflect good relations objectives		X	
Increased awareness of equality issues in service delivery	N/A ¹		
Increased ability to ensure services are designed and targeted to reflect Section 75 requirements	N/A 1		

¹ But we believe that the work of the Department has produced notable positive benefits in these areas for the NICS as a whole

			the strategy all departments will adjust their policy making process to ensure the participation of children and young people in matters affecting them		
12. Review of the Offices of the Ombudsman for NI and the NI Commissioner for Complaints	<i>On hold pending restoration</i>				
14. Strategic Action Plan for North Belfast*	At pre-consultation stage				
15. Older People's Strategy*	6		Nil		Yes
16. Policy on Advertising	At pre-consultation stage				

*These are high level strategies. Equality considerations have been taken into account to the fullest extent possible, but full equality screening and if necessary impact assessment will be carried out by policy-owning departments on policies implementing the strategies as implementation progresses.

ii) Ongoing Screening Activities 2004-05

Title of policy subject to screening during April 2004-March 2005	If joint policy please state partner authorities	Was initial screening decision changed following consultation? <u>Yes/No</u>	If Screening completed is policy being subject to EQIA? <u>Yes/No</u>	If EQIA planned indicate year for assessment
1.The Disability Discrimination (Questions & Replies) Order (NI) 2004		Screening decision only made following informal consultation	No	
2. The Disability discrimination (Employment Field) (Leasehold Premises) (NI) Regulations 2004		Screening decision only made following informal consultation	No	
3.Review of Advertising		Screening decision only made following informal consultation	Yes	2005/06
4.				
<u>5.</u>				

iii) Ongoing EQIA Monitoring Activities 2004-05

<p>Title of EQIA subject to Stage 7 monitoring during April 2004- March 2005</p>	<p>If joint policy please state partner authorities</p>	<p>Indicate if differential impacts previously identified have reduced or increased</p>	<p>Indicate if adverse impacts previously identified have reduced or increased</p>
<p>1. Sexual Orientation regulations 2003</p>		<p>Any potential negative impacts that might arise as a result of the regulations will be monitored via consultations with ECNI and sexual orientation groups, particularly in relation to any complaints made to ECNI.</p>	<p>The Regulations have only come into force during 2004. To date there have been no complaints notified to ECNI or the Department regarding potential negative impacts</p>
<p>2.</p>			
<p>3.</p>			
<p>4.</p>			
<p><u>5.</u></p>			

