

Equality and Social Need Steering Group Meeting

Tuesday, 21 March 2006

2pm, Room E4.02 Castle Buildings

Minutes

Present:

Gerry Mulligan	Equality and Social Need Division (Chair)
Sharon Fitchie	DARD
Victor Douglas	DCAL
John McGuinness	DEL
Irene McAllister	DETI
Sarah Lamont	DFP
Carolyn Barr	DFP
Ann Torrens	DFP
Nigel Carson	DHSSPS
Seamus Camplisson	DHSSPS
Alex Boyle	DOE
Margaret Langhammer	DRD
David Malcolm	DSD
Tom Wilson	DSD
Jim Alford	NIO
Susan Nicholson	NIO
Robert Beatty	NISRA
Stephen Donnelly	NISRA/OFMDFM Research Branch
Claire Archbold	OFMDFM – Equality & Human Rights
Linsey Farrell	OFMDFM – Central Anti-Poverty Unit
Liz McMeekin	OFMDFM – Central Anti-Poverty Unit
Colette Leeson	OFMDFM – RPA
Antoinette McKeown	ECNI
Grainia Long	ECNI

Apologies:

Rosemary Crawford	DETI
Elaine McFeeters	DE

1. Apologies & Introductions

Gerry Mulligan welcomed everyone to the meeting and requested a brief tour de table for the benefit of newcomers to the group. Gerry introduced Nigel Carson from DHSSPS who had replaced Andrew Elliott.

Apologies were received from:

Rosemary Crawford DETI
Elaine McFeeters DE

2. Minutes of 25 January 2006 & Matters Arising

- 2.1 The minutes of 25 January were approved.
- 2.2 Stephen Donnelly's presentation on Equality Indicators had been postponed until the next ESNSG meeting in June.
Action: Stephen Donnelly
- 2.3 The minutes from the meetings in June 2005 and August 2005 had been circulated.
- 2.4 There were no further matters arising.

3. Presentation on Equality Screening

Gerry welcomed Antoinette McKeown and Grainia Long from the Equality Commission (ECNI) and thanked them for taking the time to speak to members on the important issue of Equality Screening. He asked Claire Archbold to introduce the presentation.

- 3.1 Claire highlighted how important it was for departments to be aware of Equality Screening and the ongoing work in terms of the model screening form, currently being developed by departmental equality units co-ordinate by Monica Fitzpatrick. Members were also reminded that Equality Screening was at the heart of many of the complaints brought before ECNI. The whole issue of screening was one that presented both challenges and opportunities to departments for the future.
- 3.2 Grainia Long thanked members for the opportunity to speak to them. The presentation covered the definition of screening, the criteria to be applied and evidence that should be considered in carrying out equality screening. Grainia also pointed to the challenges faced by public authorities as highlighted through complaints received by ECNI and reported on various examples of good practice adopted by some organisations. Members were

reminded that ECNI was a reference resource from which departments should seek advice and guidance.

- 3.3 Gerry thanked Grainia for her presentation and invited questions from members.
- 3.4 Gerry questioned when the ultimate decision whether or not to screen in/out should be taken in instances where there was a distinct lack of evidence.
- 3.5 Antoinette McKeown emphasised that monitoring policy was vital in cases where little or no evidence existed. This helped to deepen the evidence case and facilitated screening at a later stage when a review of the policy took place.
- 3.6 Colette Leeson reported that the Review of Public Administration team had successfully adopted this approach. As the implementation of the recommendations continues, more information can be gathered to help inform the process.
- 3.7 Grainia added that public authorities should think laterally and utilise other resources apart from quantitative evidence.
- 3.8 Claire Archbold added that in certain circumstances, localised expertise within organisations could be called upon to complement or build upon other sources of evidence.
- 3.9 Claire referred to the screening criteria mentioned within ECNI's new guidance and asked if there were additional specific criteria for prioritising EQIAs, which may be useful for departments as additional filtering tools within the screening process.
- 3.10 Antoinette agreed to forward a copy of these criteria to Claire for information.

Action: Antoinette McKeown

- 3.11 Grainia suggested that public authorities should think flexibly regardless of the circumstances e.g. departments may have to implement a European directive but they should think of mitigating measures, which could be introduced to reduce the negative effect of the directive.
- 3.12 Seamus Camplisson asked at what point and how often screening should be carried out.
- 3.13 Grainia highlighted the importance of starting the screening process at as early a stage as possible. She also outlined the usefulness of continual screening at various stages of policy development and as changes are made to policy.

- 3.14 Gerry pointed out how resource intensive it could be to consult on policies that were screened out.
- 3.15 Grainia agreed that grouping policies together was more effective but such a broad-brush approach could incur criticism of lack of focus and may not effectively gather the views of the appropriate people or groups.
- 3.16 Gerry invited Antoinette to report on recent organisational changes within ECNI.
- 3.17 Antoinette agreed to forward a copy of the new divisional structure for dissemination to members. She advised that, as a result of a structural review within ECNI, the organisation had been divided into five divisions. As part of this restructure, two new directors had been appointed and policy work had been integrated with section 75 issues. This approach seemed to be working particularly well.
- 3.18 Antoinette reported on the ambitious programme of work planned for 2006/07 and specifically referred to the Reviews of Effectiveness and Equality Schemes. She agreed to give a presentation on the Review of Effectiveness at a future meeting of the ESNSG.

Action: Linsey to note

4. Presentation – Census Longitudinal Study and Development of Geographic Information Using Grid Squares

- 4.1 Gerry welcomed Robert Beatty to the meeting and invited him to give his presentation to the group.
- 4.2 Robert reported on the development of geographic information using grid squares and went on to inform members about the Northern Ireland Longitudinal Study, next steps in the project and possible projects for the future.
- 4.3 Robert informed members that the Information Commissioner had been involved from an early stage in the progress and had given his assurance that the approach to the project was legally acceptable.

5. Review of Public Administration

- 5.1 Gerry invited Colette Leeson to report to the group on the Review of Public Administration.
- 5.2 Colette thanked members for the opportunity to report to them and advised them that the meeting coincided with the end of the review and the launch of its final decisions.

- 5.3 Colette advised members of the history of the review and that the Phase One announcements had been made in November 2005. These announcements had mainly concerned the future of councils but phase two focused on the future of QUANGOs.
- 5.4 The report “Better Government for Northern Ireland” outlined future arrangements for health, education and housing. Many agencies would merge as a result of the review and all public appointments would be made on the basis of merit. Colette highlighted the importance of equality to the public appointment process.
- 5.5 Colette reported that steering groups had proved to be successful in testing out measures and building upon the evidence base. The process had also been facilitated by close co-operation with the Equality and Human Rights branch and the Central Anti-Poverty Unit.
- 5.6 Colette advised members that Jeff Rooker would continue to be the Minister in charge of RPA and so would have complete oversight of the process. Nigel Hamilton had been tasked with the implementation of the review and had established an RPA steering group to co-ordinate this work. Project teams had also been set up in each department.
- 5.7 In terms of priorities, a boundary commissioner would be appointed early in the summer. In addition a Public Service Commission had been established and section 75 lay at the heart of the Terms of Reference.
- 5.8 The Equality and Good Relations Steering Group had been set up to specifically look at major equality issues that would benefit from an integrated approach such as access to services for the most vulnerable, public sector employment and diversity and participation in public life.
- 5.9 Colette agreed to attend future ESNSG meetings and report on equality aspects flowing from the implementation of the review.

Action: Linsey to note

6 Section 75 Update & General Equality Issues

- 6.1 Claire Archbold reported that the Joint Declaration Operational Review of s.75 is at report writing stage with NIO. The Equality Commission’s Review of Effectiveness is beginning, but one of the main evidence sources will be public authorities’ reports on the Review of Schemes, so it will need to await completion of these.
- 6.2 Claire referred members to the paper outlining the judgement in the matter of an application by Peter Neill for Judicial Review.

Members were advised that as a result of this decision, courts are likely to define narrowly the scope for Judicial Review in cases based on a breach of s.75, seeing complaint to the Commission as the appropriate means of redress in most circumstances. The judgement gives a clear signal of judicial direction on this issue.

- 6.3 Jim Alford advised that the appellant had sought leave to go to the House of Lords. He would keep members informed of any developments as they arose.

7 Lifetime Opportunities Update

- 7.1 Gerry reported to members that the Secretary of State had reassessed the Lifetime Opportunities document and expressed a preference for a more comprehensive publication.
- 7.2 Gerry advised that he had written to Permanent Secretaries outlining the proposed approach and this had been copied to ESNSG colleagues.
- 7.3 Members would be informed of developments in terms of a launch date for Lifetime Opportunities.

8 Policy/Legislation Updates

- 8.1 Members were referred to the policy and legislation update papers that had been circulated prior to the meeting. Gerry invited questions from the group.
- 8.2 Alex Boyle queried the current position in relation to the Children and Young People's Strategy.
- 8.3 The position would be confirmed with the Children and Young People's Unit and members would be advised of the current status of the Strategy.

Action: Linsey Farrell

- 8.4 Gerry reported that the BIC report on Disability had been presented to Ministers in Edinburgh. This report would be circulated to interested departments.

Action: Linsey to circulate to DARD, DSD, DFP

- 8.5 Members were advised that Lone Parents had been agreed as the next focus for the social inclusion strand of the British Irish Council.
- 8.6 In terms of the legislation updates, Claire Archbold reported that the Single Equality Bill was to be ready in some legislative form by November 2007. Members were advised that internal stakeholder

involvement and co-operation were crucial as the Single Equality Bill had the potential to have repercussions for most departments.

- 8.7 In respect of the Disability Discrimination Order, Gerry advised that it was anticipated that the subordinate legislation would be complete within twelve months. Preparatory work for public authorities could perhaps be a future topic for ESNSG.

Action: Linsey to note

9 Departmental Updates

- 9.1 Alex Boyle reported that RPA was a major issue for DOE. However the degree of the impact was yet to be determined.

10 Any Other Business

- 10.1 Gerry advised members that 2007 had been designated as the European Year of Equality. Departments would need to think collectively about their approach to this.

- 10.2 The article on the European Year of Equality would be circulated to members for information.

Action: Linsey Farrell

- 10.3 Stephen Donnelly referred members to the paper outlining the research priorities for 2006/07. He sought agreement to take forward as many projects as possible within the resources available.

- 10.4 The group agreed that in future, contributions would be made within the June monitoring round.

- 10.5 David Malcolm advised that DSD would require further detail on the projects.

- 10.6 General consensus was reached on the research priorities, pending the provision of further detail to DSD.

- 10.7 Gerry suggested that presentations could be given to ESNSG as results emerge from the various research projects.

11 Date of Next Meeting

- 11.1 The next meeting would take place in June. Linsey would contact members to agree a suitable date.

Action: Linsey Farrell