

**Equality Scheme for**  
**Armagh City, Banbridge and Craigavon**  
**Borough Council**

**Proposed in accordance with Section 75 and**  
**Schedule 9 of the Northern Ireland Act 1998**



Approved by the Equality Commission on 25 March 2015

**This document is available in a range of formats on request. Please contact us with your requirements (see page 10 for contact details).**

## **Foreword**

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act<sup>1</sup>.

In our equality scheme we set out how Armagh City, Banbridge and Craigavon Borough Council proposes to fulfill the Section 75 statutory duties.

We will commit the necessary resources in terms of people, time and money to make sure that the Section 75 statutory duties are complied with and that the equality scheme is implemented effectively, and on time.

We commit to having effective internal arrangements in place for ensuring our effective compliance with the Section 75 statutory duties and for monitoring and reviewing our progress.

We will develop and deliver a programme of communication and training with the aim of ensuring that all our Councillors and staff are made fully aware of our equality scheme and understand the commitments and obligations within it. We will develop a programme of awareness raising for our consultees on the Section 75 statutory duties and our commitments in our equality scheme.

We are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

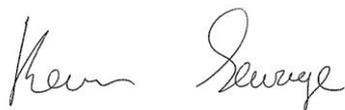
We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with our Section 75

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<sup>1</sup> See section 1.1 of our Equality Scheme.

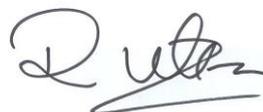
statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our equality scheme, can make complaints.

On behalf of Armagh City, Banbridge and Craigavon Borough Council and our staff we are pleased to support and endorse this equality scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.



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*Councillor Kevin Savage  
Lord Mayor*



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*Roger Wilson  
Chief Executive*

*Updated: September 2020*

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## **Chapter 1 Introduction**

### **Section 75 of the Northern Ireland Act 1998**

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires the Council to comply with two statutory duties:

#### Section 75 (1)

In carrying out our functions relating to Northern Ireland we are required to have due regard to the need to promote equality of opportunity between

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

#### Section 75 (2)

In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

“Functions” include the “powers and duties” of a public authority<sup>2</sup>. This includes our employment and procurement functions.

Please see below under “Who we are and what we do” for a detailed explanation of our functions.

### The Relationship between the two Duties

The section 75 statutory duties require that a public authority must have due regard to the need to promote equality of opportunity, while it must also have regard to the desirability of promoting good relations.

The term ‘due regard’ was intended to be, and is, stronger than ‘regard’, but in either case an authority is required by the statute to take the specified matters into account and give them the required weight when carrying out its functions relating to Northern Ireland. Recognition of the inter-dependence of equality and good relations is crucial.

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<sup>2</sup> Section 98 (1) of the Northern Ireland Act 1998.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to facilitate the promotion of equality of opportunity between the categories identified in Section 75 (1). The equality duty should not deter a public authority from taking action to address disadvantage among particular sections of society – indeed such action may be an appropriate response to addressing inequalities. There is no conflict between the Section 75 statutory duties and other affirmative action measures or positive action measures which a public authority may undertake under anti-discrimination laws.

### **How we propose to fulfil the Section 75 duties in relation to the relevant functions of the Council**

1.2 Schedule 9 4. (1) of the Act requires Armagh City, Banbridge and Craigavon Borough Council as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

1.3 We are committed to the discharge of our Section 75 obligations in all parts of our organisation and we will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our equality scheme can be implemented effectively.

### **Who we are and what we do**

The roles and functions of Local Government in Northern Ireland are set out in the Local Government Act (NI) 1972 , the Local Government Act (NI) 2014 and other Miscellaneous Acts and Regulations. As a result of Local Government Reform, the Council has acquired a range of transferring functions which includes elements of planning, off-street parking, community development, local economic development, local tourism and Armagh County Museum.

The Council also leads on a community planning process. This is done in partnership with other public service providers in order to collectively address local problems.

The Council also has a new General Power of Competence. This allows the Council to act with similar freedom to an individual, unless there is a law to prevent it from doing so. This allows the Council to act in its own interest and develop innovative approaches to addressing issues in its area.

Local Government responsibilities fall into three main areas:

- **Direct Service Provision** – Councils provide a range of local services
- **Representation** – Council nominees sit as representatives on various statutory bodies
- **Civic Leadership** – Councils reflect the views of their community in relation to the planning and delivery of certain regional services

The Council performs five principal roles within its local area and district:

- The direct provision of a number of services and facilities,
- The promotion of the arts, tourism, community and economic development,
- The regulation and licensing of certain activities relating to environmental health, consumer protection and public safety,
- A representative role on a number of bodies and Boards including Education and Health,
- A consultative role in relation to functions conducted by other Government bodies and agencies on issues such as planning, water, roads and housing.

In the performance of the above roles the Council carries out functions in the following areas:

The provision of facilities for recreational, social and cultural activities including leisure centres, community centres, parks, open spaces, sports grounds and places of entertainment

- Street cleansing
- Waste collection and disposal

- The provision of burial grounds
- The provision of grant aid to support the Arts, community development and the promotion of tourism and economic development
- The administration and regulation of certain matters relating to the environment, public health and public safety including building control, Energy Performance of Buildings Regulations, housing unfitness, food safety, statutory nuisance, dangerous buildings, air pollution, noise pollution, dog control, consumer protection and health and safety.

## **Chapter 2      Our arrangements for assessing our compliance with the section 75 duties**(Schedule 9 4. (2) (a))

2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this equality scheme. These include

- Arrangements for consultation (Chapter 3)
- Arrangements for assessing impact of policies (Chapter 4)
- Monitoring arrangements (Chapter 4)
- Publication (Chapter 4)
- Staff Training (Chapter 5)

In addition we have the following arrangements in place for assessing our compliance:

### **Responsibilities and reporting**

2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work.

2.3 Responsibility for the effective implementation of our equality scheme lies with the Chief Executive. The Chief Executive is accountable to the Council for the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.

2.4 If you have any questions or comments regarding our equality scheme, please contact in the first instance the Officer at the address given below and we will respond to you as soon as possible:

Mary Hanna  
Policy & Diversity Officer  
Armagh City, Banbridge and  
Craigavon Borough Council  
Armagh Office  
The Palace Demesne  
Armagh City  
BT60 4EL

Tel: 028 3752 9600

E: [mary.hanna@armaghbanbridgecraigavon.gov.uk](mailto:mary.hanna@armaghbanbridgecraigavon.gov.uk)

The Equality Scheme and relevant documents will be made available as appropriate on the Council website:

[www.armaghbanbridgecraigavon.gov.uk](http://www.armaghbanbridgecraigavon.gov.uk)

2.5 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans<sup>3</sup>.

2.6 Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant. The personal performance plans are subject to appraisal in the annual performance review.

2.7 The Council will prepare an annual report on the progress we have made on implementing the arrangements set out in this equality scheme to discharge our Section 75 statutory duties (Section 75 annual progress report).

The Section 75 annual progress report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission.

Progress on the delivery of Section 75 statutory duties will also be included in our (organisational) annual report.

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<sup>3</sup> See Appendix 4 'Timetable for measures proposed' and section 2.11 of this equality scheme.

2.8 The latest Section 75 annual progress report is available on the Council website

[www.armaghbanbridgecraigavon.gov.uk](http://www.armaghbanbridgecraigavon.gov.uk)

or on request by contacting the Officer at the address given on page 10.

2.9 The Council will liaise closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

### **Action plan/action measures**

2.11 The Council has developed an action plan to promote equality of opportunity and good relations. This action plan is available on the Council website

[www.armaghbanbridgecraigavon.gov.uk](http://www.armaghbanbridgecraigavon.gov.uk)

or on request by contacting the Officer at the address given on page 10

2.12 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories<sup>4</sup> to identify the inequalities that exist for our service users and those affected by our policies<sup>5</sup>. The Audit of Inequalities will be a living document and will be revised and extended as required.

2.13 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.

2.14 We will develop any action plans for a period of between one and five years in order to align them with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

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<sup>4</sup> See section 1.1 of this equality scheme for a list of these categories.

<sup>5</sup> See section 4.1 of this equality scheme for a definition of policies.

2.15 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.

2.16 We will monitor our progress on the delivery of our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work.

2.17 The Council will inform the Commission of any changes or amendments to our action plan and will also include this information in our Section 75 annual progress report to the Commission. Our Section 75 annual progress report will incorporate information on progress we have made in implementing our action plans/action measures.

2.18 Once finalised, our action plan will be available on the Council website or on request (see contact details on page 10). Please contact us if you require it in an alternative format.

## **Chapter 3 Our arrangements for consulting**

(Schedule 9 4. (2) (a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted).

(Schedule 9 4. (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.

3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*'):

3.2.1 All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.

Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our and our consultees' resources, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc.

3.2.2 Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Methods of consultation could include:

- Face-to-face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires
- Information/notification by email with an opportunity to opt in/opt out of the consultation
- Internet discussions or
- Telephone consultations.

This list is not exhaustive and we may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

3.2.3 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given as to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities. We take account of existing and developing good practice, including the Equality Commission's guidance *Let's Talk Let's Listen – Guidance for public authorities on consulting and involving children and young people (2008)*.

Information will be made available, on request, in alternative formats<sup>6</sup>, in a timely manner, usually within 20 working days. However, it is difficult to be prescriptive in terms of exact timescale as the Council outsources this service. It is committed to making the process as expeditious as possible to promote equality of opportunity.

3.2.4 Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.2.5 To ensure effective consultation with consultees<sup>7</sup> on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our equality scheme by undertaking the following:

- Provision of information materials on the Section 75 duties on the Council website including training materials for use by groups.

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<sup>6</sup> See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

<sup>7</sup> Please see Appendix 3 for a list of our consultees.

3.2.6 The consultation period will normally last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible we may shorten timescales to eight weeks or less before the policy is implemented, but a full explanation will be provided. We may continue consultation thereafter and will review the policy as part of our monitoring commitments<sup>8</sup>.

Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our authority's control, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.

3.2.7 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, we will give consideration to the feasibility of allowing a longer period for the consultation.

3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.

3.2.9 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.2.10 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.

3.2.11 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information

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<sup>8</sup> Please see below at 4.27 to 4.31 for details on monitoring.

on the policy consulted upon, a summary of consultees' comments and a summary of our consideration of and response to consultees' input. The feedback is provided in formats suitable to consultees. (Please see also 6.3)

3.3 A list of our consultees is included in this equality scheme at Appendix 3. It can also be obtained from our website or by contacting the Officer at the address given on page 10.

3.4 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the Officer at the address given on page 10 to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

## Chapter 4      **Our arrangements for assessing, monitoring and publishing the impact of policies**

(Schedule 9 4. (2) (b); Schedule 9 4. (2) (c);  
Schedule 9 4. (2) (d); Schedule 9 9. (1);  
Schedule 9 9.(2))

### **Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity** (Schedule 9 4. (2) (b))

4.1 In the context of Section 75, ‘policy’ is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this equality scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, eg, ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’.

4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.

4.3 The Council uses the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:

- the guidance on screening, including the screening template, as detailed in the Commission’s guidance ‘*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*’ and
- on undertaking an equality impact assessment as detailed in the Commission’s guidance ‘*Practical guidance on equality impact assessment (February 2005)*’.

## Screening

4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.

4.6 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. The Equality Officer will have an advisory role. Where possible we will include key stakeholders in the screening process.

4.7 The following questions are applied to all our policies as part of the screening process:

- What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
- Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
- To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)
- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

4.8 In order to answer the screening questions, we gather all relevant information and data, both qualitative and quantitative. In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality

categories. Any screening decision will be informed by this evidence.

4.9 Completion of screening, taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

1. the policy has been 'screened in' for equality impact assessment
2. the policy has been 'screened out' with mitigation<sup>9</sup> or an alternative policy proposed to be adopted
3. the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening concludes that the likely impact of a policy is 'minor' in respect of one, or more, of the equality of opportunity and/or good relations categories, we may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

Where we mitigate we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy.

This screening decision will be 'signed off' by the appropriate Head of Service.

4.11 If our screening concludes that the likely impact of a policy is 'major' in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to an equality impact assessment. This screening decision will be 'signed off' by the appropriate Head of Service.

4.12 If our screening concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, we will give details of the reasons for

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<sup>9</sup> Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and / or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

the decision taken. This screening decision will be 'signed off' by the appropriate Head of Service.

4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on our website and on request by contacting the Equality Officer at the address given on page 10.

4.14 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

4.15 Our screening reports will be published quarterly[see below at 4.20 - 4.22 and 4.23 for details].

### **Equality impact assessment**

4.16 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.

4.17 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.

4.18 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 "Our Arrangements for Consulting").

**Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity**

(Schedule 9 4. (2) (d); Schedule 9 9. (1))

4.19 We make publicly available the results of our assessments (screening and EQIA) of the likely impact of our policies on the promotion of equality of opportunity and good relations.

**What we publish**

4.20 Screening reports

These will be published quarterly. Screening reports detail:

- All policies screened by the Council over the three month period
- A statement of the aim(s) of the policy/policies to which the assessment relates
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Screening decisions, i.e:
  - whether the policy has been ‘screened in’ for equality impact assessment.
  - whether the policy has been ‘screened out’ with mitigation or an alternative policy proposed to be adopted.
  - whether the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
- Where applicable, a timetable for conducting equality impact assessments
- A link to the completed screening template(s) on our website

4.21 Screening templates

For details on the availability of our screening templates please refer to 4.13.

## 4.22 Equality impact assessments

EQIA reports are published once the impact assessment has been completed. These reports include:

- A statement of the aim of the policy assessed
- Information and data collected
- Details of the assessment of impact(s)
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity
- Consultation responses
- The decision taken
- Future monitoring plans.

### **How we publish the information**

4.23 All information we publish is accessible and can be made available in alternative formats on request. Please see 6.3 below.

### **Where we publish the information**

4.24 The results of our assessments (screening reports and completed templates, the results of equality impact assessments) are available on our website and on request by contacting the Equality Officer at the address given on page 10.

4.25 In addition to the above, screening reports (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a three month period are also sent directly to all consultees on a quarterly basis.

4.26 We will inform the general public about the availability of this material through communications such as press releases where appropriate.

## **Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity**

(Schedule 9 4. (2) (c))

4.27 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, the Council follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.28 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.29 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:

- The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories on an ongoing basis
- The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis
- An audit of existing information systems within one year of approval of this equality scheme, to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions
- Undertaking or commissioning new data if necessary.

4.30 If over a two year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy is revised to achieve better outcomes for relevant equality groups.

4.31 We review our EQIA monitoring information on an annual basis. Where possible other monitoring information will be reviewed annually.

**Our arrangements for publishing the results of our monitoring**  
(Schedule 9 4. (2) (d))

4.32 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as follows:

4.33 EQIA monitoring information is published as part of our Section 75 annual progress report [see 2.7]

4.34 Monitoring information is also published and made available on the Council's website.

4.35 All information published is accessible and can be made available in alternative formats on request. Please see below at 6.3 for details.

## **Chapter 5      Staff training**

(Schedule 9 4.(2) (e))

### **Commitment to staff training**

5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.

5.2 Our Chief Executive wishes to positively communicate the commitment of the Council to the Section 75 statutory duties, both internally and externally.

To this end we have introduced an effective communication and training programme for all staff and an awareness raising programme for all elected members. We will ensure that our commitment to the Section 75 statutory duties is made clear in all relevant publications.

### **Training objectives**

5.3 The Council will draw up a detailed training plan for its staff and elected members which will aim to achieve the following objectives:

- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff and elected members fully understand their role in implementing the scheme
- to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively
- to provide those staff who deal with complaints in relation to compliance with our equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively
- to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively
- to provide those staff involved in the implementation and monitoring of the effective implementation of the Council's equality scheme with the necessary skills and knowledge to do this work effectively.

## **Awareness raising and training arrangements**

5.4 The following arrangements are in place to ensure all our staff and elected members are aware of and understand our equality obligations.

- We will develop a summary of this equality scheme and make it available to all staff.
- We will provide access to copies of the full equality scheme for all staff; ensure that any queries or questions of clarification from staff are addressed effectively.
- Council staff and elected members will receive a briefing on this equality scheme within six months of the approval of the Scheme.
- The Section 75 statutory duties form part of induction training for new staff.
- Focused training is provided for key staff within the Council who are directly engaged in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
- Where appropriate, training will be provided to ensure staff and elected members are aware of the issues experienced by the range of Section 75 groups.
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff and elected members are kept up to date with Section 75 developments.

5.5 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and our staff.

In order to share resources and expertise, the Council will, where possible, work closely with other bodies and agencies in the development and delivery of training.

## **Monitoring and evaluation**

5.6 Our training programme is subject to the following monitoring and evaluation arrangements:

- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
- The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.

## **Chapter 6      Our arrangements for ensuring and assessing public access to information and services we provide**

(Schedule 9 4. (2) (f))

6.1 The Council is committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.

6.2 We are aware that some groups will not have the same access to information as others. In particular:

- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
- Children and young people may not be able to fully access or understand information.

### **Access to information**

6.3 To ensure equality of opportunity in accessing information, we provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met we will ensure a reasonable alternative is provided.

Alternative formats may include Easy Read, Braille, audio formats (CD, mp3 or DAISY), large print or minority languages to meet the needs of those for whom English is not their first language.

We will respond to requests for information in alternative formats in a timely manner, usually within 20 working days. However, it is difficult to be prescriptive in terms of exact timescale as the Council outsources this service. It is committed to making the process as expeditious as possible to promote equality of opportunity.

The Council liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.

6.4 In disseminating information through the media we will seek to advertise in the press where appropriate.

6.5 The Council will also use its website, Corporate Plan, annual progress report and various Council publications in order to disseminate information.

### **Access to services**

6.6 The Council is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories. The Council also adheres to the relevant provisions of current anti-discrimination legislation.

6.7 We are committed to ensuring there is good access to our buildings and facilities. Information is available on the accessibility of venues within the Armagh City, Banbridge and Craigavon Borough. This has been developed in conjunction with AccessAble. We also translate documents and provide Interpreters on request.

### **Assessing public access to information and services**

6.8 We monitor on an ongoing basis across all our functions, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.

6.9 These include:

- Provision of interpreting/translation services – annual review
- Monitoring of complaints – ongoing
- Reasonable adjustments – ongoing
- Satisfaction Surveys – ongoing
- Article 55 Review – every three years

## **Chapter 7      Timetable for measures we propose in this equality scheme**

(Schedule 9 4. (3) (b))

- 7.1 Appendix 4 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.
- 7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.18.

## **Chapter 8      Our complaints procedure**

(Schedule 9 10.)

8.1 The Council is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme.

If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

8.3 A person wishing to make a complaint that the Council has failed to comply with its approved equality scheme can do so by email, telephone or via face to face appointment by contacting the Officer at the address given on page 10.

8.4 We will in the first instance acknowledge receipt of each complaint within 5 working days.

8.5 The Equality Officer will carry out an internal investigation of the complaint and will respond substantively to the complainant within 20 working days of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to 40 working days. In those circumstances, the complainant will be advised of the extended period within 20 working days of making the complaint.

8.6 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.

8.7 If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

Equality Commission  
Equality House  
7-9 Shaftesbury Square  
Belfast  
BT2 7DP  
[www.equalityni.org](http://www.equalityni.org)  
Telephone: 028 90 500 600  
Textphone: 028 90 500 589  
Enquiry Line: 028 90 890 890  
Fax: 028 90 248 687  
Email: [information@equalityni.org](mailto:information@equalityni.org)

8.8 In any subsequent investigation by the Equality Commission, the Council will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, the Council will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.

8.9 The Council will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

## **Chapter 9      Publication of our equality scheme**

(Schedule 9 4. (3) (c))

9.1 Our equality scheme is available free of charge in print form and alternative formats on request from:

Mary Hanna  
Policy & Diversity Officer  
Armagh City, Banbridge and  
Craigavon Borough Council  
Armagh Office  
The Palace Demesne  
Armagh City  
BT60 4EL

Tel: 028 3752 9600

E: [mary.hanna@armaghbanbridgecraigavon.gov.uk](mailto:mary.hanna@armaghbanbridgecraigavon.gov.uk)

9.2 Our Equality Scheme is also available on our website at:

[www.armaghbanbridgecraigavon.gov.uk](http://www.armaghbanbridgecraigavon.gov.uk)

9.3 The following arrangements are in place for the publication in a timely manner of our equality scheme to ensure equality of access:

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
- We will email a link to our approved equality scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. The Council will respond promptly to requests for alternative formats, usually within 20 working days when practicable. However, it is difficult to be prescriptive in terms of exact timescale as the Council outsources this service. It is committed to making the process as expeditious as possible to promote equality of opportunity.

- Our equality scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats ( CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.
- We will liaise with relevant agencies to ascertain good practice with regard to consultation with children and young people and people with disabilities.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the equality scheme, visit our website at [www.armaghbanbridgecraigavon.gov.uk](http://www.armaghbanbridgecraigavon.gov.uk) or contact the Officer at the address given on page 10.

## **Chapter 10    Review of our equality scheme**

(Schedule 9 8. (3))

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.

The review will evaluate the effectiveness of our scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.

10.2 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public at a Council meeting, sent to the Equality Commission, published on the Council's website and will be made available in alternative formats on request.

# Appendix 1 Organisational chart



## Appendix 2 Example groups relevant to the Section 75 categories for Northern Ireland purposes

*Please note, this list is for illustration purposes only, it is not exhaustive.*

Category	Example groups
Religious belief	<p>Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.</p> <p>For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment &amp; Treatment (NI) Order</i><sup>10</sup>. Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “<i>similar philosophical belief</i>”.</p>
Political opinion <sup>11</sup>	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

<sup>10</sup> See Section 98 of the Northern Ireland Act 1998, which states: “*In this Act... “political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.*”

<sup>11</sup> Ibid

### Appendix 3 List of consultees (Schedule 9 4. (2) (a))

#### Consultation List

- The following is a regional list which illustrates groups that are representative of the nine section 75 categories. The Scheme will also be issued to an extensive local list. Both lists will be reviewed as appropriate to ensure they remain relevant to the functions of the Council.

Action on Hearing Loss	Cause NI
Add-NI	Changing Attitude Northern Ireland
Age NI	Chinese Welfare Association
Age Sector Platform	Children in Northern Ireland
Alliance Party of Northern Ireland	Children's Law Centre
Amnesty International Northern Ireland	Chinese Welfare Association
Antrim & Newtownabbey Borough Council	Committee on Administration of Justice
Ards and North Down Borough Council	Community Evaluation NI (CENI)
Arthritis Care Northern Ireland	Community Foundation for NI
Arts Council for Northern Ireland	Community Relations Information Centre
Autism NI	Community Relations Unit OFMDFM
Baha'i Council for Northern Ireland	Conservatives NI
Barnardo's NI	Consumer Council
Belfast City Council	Co-Operation Ireland
Belfast Health and Social Care Trust	Council for Homeless Northern Ireland
Bryson Charitable Group	Crossfire Trust
Bryson Heart Foundation NI	Department of Agriculture, Environment and Rural Affairs (DAERA)
Bryson Intercultural	Deaf Association NI
Cara-Friend	Democratic Unionist Party HQ
Care in Northern Ireland	Department for Infrastructure

Department of Communities	Irish Congress of Trades Unions NI Committee
Department of Education	Labour Relations Agency
Department of Finance	Lesbian Line
Department of Health	Lifestart NI
Department of Justice	Lisburn and Castlereagh City Council
Derry City & Strabane District Council	Mid and East Antrim District Council
Diabetes UK	Mid Ulster District Council
Disability Action	Mindwise
Disability Sports NI	Multiple Sclerosis Society NI
Downs Syndrome Association NI	Newry, Mourne and Down District Council
Early Years	Nexus Institute
Education Authority	NI Assembly Equality Unit
Employers for Childcare	NI Chest Heart & Stroke Association
Employers for Disability	NI Childminding Association NICMA
Enable NI	NI Community Relations Council
Equality Commission for Northern Ireland	NI Council for Voluntary Action NICVA
Extern Organisation	NI Dyslexia Association
Fermanagh and Omagh District Council	NI Gay Rights Association
Foras na Gaeilge	NI Public Service Alliance
Gay and Lesbian Youth NI	NIACRO
Gingerbread NI	NICCY
Guide Dogs NI	NIPSA
Habitat for Humanity	NISRA
Health and Safety Executive NI	Northern Health and Social Care Trust
Here NI	Northern Ireland Deaf Youth Association
IMTAC	Northern Ireland Deaf Youth Association
Indian Community Centre	Northern Ireland Housing Executive
Information Commissioner's Office	Northern Ireland Human Rights Commission

Northern Ireland Inter-faith Forum	Sense NI
Northern Ireland Islamic Centre	Shelter NI
Northern Ireland Office	Simon Community NI
Northern Ireland Rural Women's Network	Sinn Fein HQ
Northern Ireland Women's European Platform	Socialist Party
Playboard NI	South Lough Neagh Regeneration Association
SDLP	Southern Health and Social Care Trust
The Executive Office	Sport NI
The National Deaf Children's Society	The Arts and Disability Forum
Tourism NI	The Cedar Foundation
Ulster Supported Employment and Learning	The Consumer Council for Northern Ireland
Volunteer Now	The Green Party
Women's Aid Federation Northern Ireland	The Local Government Staff Commission for N.I
Add-NI Children's Charity	The National Deaf Children's Society
AWARE	The Rainbow Project
Council for Homeless NI - CHNI	The Religious Society of Friends
National Union of Students	Ulster Scots Community Network
Newry Mourne and Down District Council	Ulster Unionist Party
NSPCC	Unison
Pobal	Volunteer Development Agency
Polish Association NI	Volunteer Now
Potala Kadampa Buddhist Centre	West Belfast Economic Forum
Probation Board for Northern Ireland	William Keown Trust
Queer Space	Women's Aid Federation
RNIB	Women's Resources and Development Agency
Rural Community Network	Workers Party
SDLP Headquarters	

## Appendix 4 Timetable for measures proposed

(Schedule 9 4.(3) (b))

<b>Measure</b>	<b>Lead responsibility</b> (subject to change due to restructuring)	<b>Timetable</b>
<b>Annual Review</b>  Section 75 Annual Progress Report [2.7]	Policy & Diversity Officer	31 August (annually)
<b>Action Plan</b>  Finalised action plan published [2.18]  Implementation of action plan  Arrangements for monitoring progress in place [2.16]	Policy & Diversity Officer  Policy & Diversity Officer  Policy & Diversity Officer in conjunction with Service Directors	September 2020  2020-2023  Every August in line with annual progress report
<b>Consultation</b>  Consultation list reviewed and updated [3.4]	Policy & Diversity Officer	Annually
<b>Screening</b>  Screening of new and amended policies [4.5]  Publication of screening templates on website [4.13]	Relevant line manager  Policy & Diversity Officer	Ongoing  As soon as possible following sign off of screening by senior manager

Publication of screening reports [4.15]	Policy & Diversity Officer	Quarterly
<b>Monitoring</b>		
Audit of current information systems [4.29]	The Policy & Diversity Officer with assistance from the relevant departments	Within 1 year of approval of scheme and annually thereafter
EQIA Monitoring [4.31]	The Policy & Diversity Officer with assistance from the relevant departments	Annually
Publication of monitoring information [4.33]	The Policy & Diversity Officer with assistance from the relevant departments	Annually as part of the section 75 annual progress report
<b>Training</b>		
Development of summary scheme [5.4]	The Policy & Diversity Officer	Within two months of approval of scheme
Development of overall training programme [5.5 ]	Policy & Diversity Officer	Within six months of new Council
Delivery of training <ul style="list-style-type: none"> <li>• Elected members</li> <li>• Line Managers</li> <li>• Employees</li> </ul>	Policy & Diversity Officer/ Learning and Development Manager	Ongoing

Evaluation of training [5.6]  Review of training and identification of training needs		
<b>Information Access</b>  Assessing access to information and services [ 6.9 ]	Policy & Diversity Officer with assistance from the relevant departments	Annually
<b>Publication</b>  Communication of equality scheme [9.3]  Notification of consultees [9.3]	Policy & Diversity Officer  Policy & Diversity Officer	Within one month of approval of scheme  Within one month of approval of scheme
<b>Review of Scheme</b>  Review of equality scheme [10.1]	Policy & Diversity Officer	In line with ECNI guidelines – within five years

## **Appendix 5 Glossary of terms**

### **Action Plan**

A plan which sets out actions a public authority will take to implement its Section 75 statutory duties. It is a mechanism for the realisation of measures to achieve equality outcomes for the Section 75 equality and good relations categories.

### **Action measures and outcomes**

Specific measures to promote equality and good relations for the relevant Section 75 and good relations categories, linked to achievable outcomes, which should be realistic and timely.

### **Adverse impact**

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures and/or alternative ways of delivering the policy.

### **Article 55 Review**

Under the Fair Employment and Treatment (NI) Order 1998, all registered employers must conduct periodic reviews of the composition of their workforces and of their employment practices for the purposes of determining whether members of the Protestant and Roman Catholic communities are enjoying, and are likely to continue to enjoy, fair participation in employment in each employer's concern.

Those reviews, which are commonly known as Article 55 Reviews, must be conducted at least once every three years.

### **Audit of Inequalities**

An audit of inequalities is a systematic review and analysis of inequalities which exist for service users and those affected by a public authority's policies. An audit can be used by a public authority to inform its work in relation to the Section 75 equality and good relations duties. It can also enable public authorities to assess progress on the implementation of the section 75 duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

## **Consultation**

In the context of Section 75, consultation is the process of asking those affected by a policy (ie, service users staff, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

## **Differential impact**

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

## **Equality Impact Assessment**

The mechanism underpinning Section 75, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

## **Equality of Opportunity**

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

## **Equality Scheme**

A document which outlines a public authority's arrangements for complying with its Section 75 obligations. An equality scheme must include an outline of the public authority's arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

## **Good Relations**

Although not defined in the legislation, the Commission has agreed the following working definition of good relations: ‘the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.’

## **Mainstreaming equality**

The integration of equal opportunities principles, strategies and practices into the every day work of public authorities from the outset. In other words, mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end. Mainstreaming can help improve methods of working by increasing a public authority’s accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

## **Mitigation of adverse impact**

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

## **Monitoring**

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems.

Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

## **Northern Ireland Act**

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

## **Northern Ireland Human Rights Commission**

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

## **Northern Ireland Statistics and Research Agency (NISRA)**

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP). They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

## **OFMDFM**

The Office of the First Minister and Deputy First Minister is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

## **Policy**

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as 'a course or principle of action adopted or proposed by a government party, business or individual.' In the context of Section 75, the term policies covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

## **Positive Action**

This phrase is not defined in any statute, but the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.

Positive discrimination differs from positive action in that positive action involves the taking of lawful actions whereas positive discrimination involves the taking of unlawful actions.

Consequently, *positive action* is by definition lawful whereas *positive discrimination* is unlawful.

### **Qualitative data**

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis. Consultations are more likely to yield qualitative than quantitative data.

### **Quantitative data**

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine 'significance' either in relationships or differences in the data.

### **Screening**

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies. Screening requires a systematic review of existing and proposed policies.

### **Schedule 9**

Schedule 9 of the Northern Ireland Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an Equality Scheme.

### **Section 75**

Section 75 of the Northern Ireland Act provides that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:-

- Persons of different religious belief, political opinion, racial group, age, marital status and sexual orientation;
- Men and women generally;
- Persons with a disability and persons without; and
- Persons with dependants and persons without.

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

### **Section 75 investigation**

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved Equality Scheme.

There are two types of Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved Scheme;
2. An investigation initiated by the Commission, where it believes that a public authority may have failed to comply with its approved Equality Scheme.