

11 October 2018



***Maze Long Kesh Development Corporation
Equality Scheme***

Maze Long Kesh Development Corporation
94 Halftown Road
Lisburn
BT27 5RF

You can ring us on 02892 501806.

You can get in contact with us by text phone. The number is 02892 501824.

Please visit our website: <http://www.mazelongkesh.com/publications.html> for further information.

11 October 2018

***Equality scheme for
Maze Long Kesh Development Corporation (MLKDC)***

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

***This document is available in a range of formats on request. Please contact us with
your requirements (see page 9 for contact details).***

**Maze Long Kesh
Development
Corporation**
94 Halftown Road
Lisburn BT27 5RF

Approved by the Equality Commission for Northern Ireland on 13 December 2013.

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 Act¹.

In this equality scheme we set out how MLKDC proposes to fulfil 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.

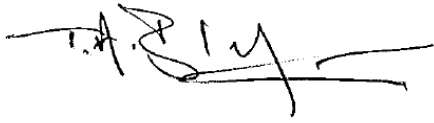
We will develop and deliver a programme of communication and training with the aim of ensuring that all our staff and board members are made fully aware of our equality scheme and understand the commitments and obligations within it. We will develop a programme of 'awareness raising' for our consultees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

We, Terence Brannigan and Bryan Gregory of MLKDC, 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. As part of this commitment there will be a number of Equality Impact Assessments conducted.

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 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 MLKDC 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.

¹ See section 1.1 of our Equality Scheme.



Terrence Brannigan
Chairman – MLKDC
Date: 25 January 2019



Bryan Gregory
Chief Executive
Date: 25 January 2019

Contents

Please note: Foreword and Appendices 3 and 4 form part of this equality scheme.

	Page
Foreword	1
Chapter 1 Introduction	5
Section 75 of the Northern Ireland Act 1998	5
How we propose to fulfil the Section 75 duties in relation to the relevant functions of MLKDC	5
Who we are and what we do	6
Chapter 2 Our arrangements for assessing our compliance with the Section 75 Duties	9
Responsibilities and reporting	9
Action plan/action measures	10
Chapter 3 Our arrangements for consulting	12
Chapter 4 Our arrangements for assessing, monitoring and publishing the impact of policies	16
Our arrangements for assessing the likely impact adopted or proposed to be adopted on the promotion of equality of opportunity of policies	16
Screening	17
Equality impact assessment	19
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	19
What we publish	19
How we publish the information	20
Where we publish the information	20
Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity	20
Our arrangements for publishing the results of our monitoring	21

Chapter 5	Staff training	23
	Commitment to staff training	23
	Training objectives	23
	Awareness raising and training arrangements	24
	Monitoring and evaluation	24
Chapter 6	Our arrangements for ensuring and assessing public access to information and services we provide	25
	Access to information	25
	Access to services	26
	Assessing public access to information and services	26
Chapter 7	Timetable for measures we propose in this equality scheme	27
Chapter 8	Our complaints procedure	28
Chapter 9	Publication of our equality scheme	29
Chapter 10	Review of our equality scheme	30
Appendix 1	Organisational chart	31
Appendix 2	Example groups relevant to the Section 75 categories for Northern Ireland purposes	32
Appendix 3	List of consultees	33
Appendix 4	Timetable for measures proposed	38
Appendix 5	Glossary of terms	40
Appendix 6	Feedback from Consultation Process	47

Chapter 1 Introduction

Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires MLKDC 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; and
- 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 authority². 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.

How we propose to fulfil the Section 75 duties in relation to the relevant functions of MLKDC.

1.2 Schedule 9 4. (1) of the Act requires MLKDC 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 MLKDC is committed to the discharge of its 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.

² Section 98 (1) of the Northern Ireland Act 1998.

1.4 Who we are and what we do -

OBJECT, MISSION, VISION AND VALUES

1.4.1 Statutory Object

MLKDC is a Statutory Body under the Strategic Investment and Regeneration of Sites (NI) Order 2003, hereafter referred to as the SIRS Order. Legislation establishing the Corporation was made on 1 June 2011 and the Corporation became operational on the appointment of a Chairman and a Board on 10 September 2012. MLKDC functions as an executive NDPB, sponsored by The Executive Office (TEO). The Statutory Object of the Corporation, as defined in the SIRS Order, under Article 16 is:

'To secure the regeneration of the site'

This is to be achieved by the following means:

- bringing land and buildings into effective use;
- encouraging public and private investment and the development of industry and commerce; and
- creating an attractive environment.

Ensuring social, recreational, and cultural and community facilities are available.

Following the establishment of MLKDC early activities and achievements included:

- publication of a Spatial Framework to aid future development;
- ground remediation to address legacy ground contamination issues; and
- relocation of the Balmoral Show to Maze Long Kesh, with the development of 55 acres as a show grounds facility by the RUAS.

However, since August 2013, with the lack of Ministerial agreement on the future of the site, the activities of MLKDC have been guided by the parameters set by TEO. These have largely limited activities to essential maintenance and Health & Safety works, to maintain the site in fulfilment of our statutory responsibilities, as landowner and landlord. This has also impacted on the structure of the organisation, with resources being limited to a skeletal structure of a temporary or part time nature. In these circumstances, the requirement for a Corporate Plan has been suspended. MLKDC activities have therefore been formulated on the basis of an annual Business Plan and supporting Action Plan.

1.4.2 **Our Mission**

***We are committed to the transformation of Maze Long Kesh
by creating an environment for investment
that leads to significant economic and social development.***

1.4.3 **Our Vision**

The Vision of the Maze Long Kesh Development Corporation was launched in May 2013.

In summary, the Corporation's Vision is to see the 347 site transformed into a landmark development of local, regional and international significance, delivering unprecedented social and economic value whilst providing a platform for prosperity for future generations and creating an exemplar model for societies emerging from conflict. The Corporation has encapsulated this vision in its 'From Peace to Prosperity' strap line.

1.4.4 **Our Values**

Our values reflect the character of the organisation and are what we aspire to in terms of how we go about our work, how we seek to relate to each other in the workplace and to others with whom we engage through the course of our business.

We seek to set best practice in regeneration and as a delivery focused organisation aim to 'do the best/quickest.'

1.4.5 **Strategic Objectives**

The Business Plan objectives for 2018/19 have been set to enable MLKDC to fulfil its current remit, as defined by TEO. They seek to contribute to the draft outcomes-based Programme for Government (PfG), as far as is practicable and achievable within the current constrained framework within which MLKDC has to operate. For the period of this scheme it is assumed that TEO will be content for MLKDC to operate in line with these Business Plan Objectives, as has been in the practice in previous years, in the absence of agreement on the way forward. MLKDC will continue to operate on that basis, unless otherwise instructed by TEO. These objectives are as follows:

- To identify and explore possible options that could help to maximize the economic, historical and reconciliation potential of the site and inform the development of a regeneration strategy, with the aim of securing agreement on the way forward for MLK.
- To fulfil MLKDC's statutory and landowner responsibilities in relation to health and safety, estate management and the protection of the listed and retained buildings and scheduled monuments, taking account of requirements relating to public access.
- To honour MLKDC's agreements with its tenants and occupiers, supporting and facilitating them, as appropriate, in their activities and future planning.
- To ensure MLKDC fulfils its corporate responsibilities with good governance, propriety and regularity.

In addition to essential maintenance and Health & Safety works, MLKDC continues to support RUAS in the phased development of their show grounds (now known as Balmoral Park), as provided for under the Development Agreement between the parties. This has seen increased use of the EIKON exhibition and event centre and construction commenced on the covered exhibition space to be known as FE Logan Hall during 2017-18.

In addition, Air Ambulance Northern Ireland (AANI) commenced operations for their Helicopter Emergency Medical Service (HEMS) on the site in July 2017. This has provided a fast response doctor led service responding to medical emergencies. By March 2018 AANI has attended over 270 medical emergencies.

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:

- Monitoring arrangements – section 4.27.
- Assessment of impact of policies arrangements – section 4.1.
- Consultation – chapter 3.

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 Board of the MLKDC 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. The Chief Executive is supported and assisted in this by the Director of Finance and Corporate Services and the Equality and HR Representative.

Directors are responsible for the implementation of the Equality Scheme within their individual Departments, including the screening of policies. Due to the current situation, resources are limited to a skeletal structure of a temporary or part time nature.

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

Director of Finance and Corporate Services
Maze Long Kesh Development Corporation
94 Halftown Road
BT27 5RF

You can call us on 02892 501806 or Text phone 02892 501824.

Our email address is contact@mazelongkesh.com

2.5 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans as much as is possible, given the current situation³.

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

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 MLKDC prepares 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.

2.8 The latest Section 75 annual progress report will be available on our website:

<http://www.mazelongkesh.com/publications.html>

or by contacting:

Director of Finance and Corporate Services
MLKDC
94 Halftown Road
Lisburn
BT27 5RF

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

2.10 MLKDC developed an action plan to promote equality of opportunity and good relations as part of the 2013 equality scheme. This action plan is being re-worked due to the lack of agreement on the way forward and will go out to consultation before the end of the financial year ending 31st March 2019.

2.11 The action measures that make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of the limited information that we have available to us (in terms of visitors to the MLK site) and the limited scope of activity that we are able to conduct.

2.12 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.

2.13 Our first action plan and Equality Scheme were aligned to our Corporate and Business Planning Cycles. Implementation of the action measures will be incorporated into our business planning process. This is limited and bound by the lack of agreement regarding the way forward.

2.14 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.

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

2.16 MLKDC 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.

2.17 Once finalised, our action plan will be available:

At <http://www.mazelongkesh.com/publications.html> or on email request to contact@mazelongkesh.com.

If you require it in alternative format please contact us on the details provided above.

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)*.

We will conduct base level research and ensure that all of our potential target audience is being reached effectively. These measures (post research) may include or extend to website availability in alternative languages, options for alternative fonts or colours of print on publications should the audience not be able to access it in its current format.

Information will be made available, on request, in alternative formats⁴, in a timely manner, usually within 3-5 working days. We will ensure that such consultees have equal time to respond.

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 consultees⁵ 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:

MLKDC will consult with consultees via the following methods:

- email contacts with detail of the equality scheme and action plan and proposed timeframe for consultation;
- provision of information sessions and engagement meetings;
- staff training on issues relating to equality and Section 75 duties; and
- availability of equality scheme, action plan and related documents on MLKDC website.

We will be circulating notification of our equality scheme to all consultees. Our consultees list will be highly diverse and will draw upon people from all backgrounds, ages, genders, disabilities, religions, ethnicities and sexual orientations.

Our consultation list can be found at Appendix 3

Our information raising arrangements will be initiated by circulating our audit of inequalities, our accompanying action plan and this equality scheme to our consultees.

3.2.6 The consultation period lasts 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 (for example implementing

⁴ See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

⁵ Please see Appendix 3 for a list of our consultees.

EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments⁶.

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 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 at:

<http://www.mazelongkesh.com/publications.html>

or by contacting:

Director of Finance and Corporate Services
94 Halftown Road

⁶ Please see below at 4.27 to 4.31 for details on monitoring.

Lisburn
BT27 5RF
Email: contact@mazelongkesh.com
Telephone: 02892 501806 Text phone: 02892 501824

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 contact@mazelongkesh.com 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, e.g., '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 MLKDC 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:

- 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)*'.
- 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. Where possible we will include key stakeholders in the screening process. As permanent staff are recruited, specific training to cover policy screening will be delivered.

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 mitigation⁷ 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

⁷ 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.

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 policy lead within MLKDC.

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 policy lead within MLKDC.

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 the decision taken. This screening decision will be 'signed off' by the appropriate policy lead within MLKDC.

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:

At <http://www.mazelongkesh.com/publications.html>,

and on request from the:

Director of Finance and Corporate Services,
94 Halftown Road
Lisburn
BT27 5RF

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 are 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 are published quarterly. Screening reports detail:

- all policies screened by MLKDC 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; and
- 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; and
- 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) will be available on our website and updated on a quarterly basis.

<http://www.mazelongkesh.com/publications.html> and by contacting:

The Director of Finance and Corporate Services at the address at 2.4 above.

4.25 In addition to the above, screening summary (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 3 month period are also sent directly to all consultees on a quarterly basis.

Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity (Schedule 9 4. (2) (c))

4.26 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 MLKDC follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.27 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.

4.28 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.

4.29 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.

4.30 We will review our EQIA monitoring information on an annual basis. All other monitoring information will be reviewed through our Equality Steering Group and published on our website on an annual basis. This includes Equality of Opportunity Policies, Human Resources policies and any procedures which may impact upon Section 75.

For the purposes of Section 75 monitoring, MLKDC will utilise the following as a means of data collection going forward:

- Section 75 monitoring at MLKDC engagements.
- Section 75 monitoring of MLKDC investigations.

Our arrangements for publishing the results of our monitoring

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

4.31 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:

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

4.33 Results of equality monitoring will be published and provided for consultees on the MLKDC website and will also be available on request by emailing contact@mazelongkesh.com.

4.34 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 MLKDC to the Section 75 statutory duties, both internally and externally.

To this end we will introduce an effective communication and training programme for all staff and will ensure that our commitment to the Section 75 statutory duties is made clear in all relevant publications.

Training objectives

5.3 MLKDC will draw up a detailed training plan for its staff 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 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 MLKDC'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 Board 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.
- Staff in the MLKDC will receive a briefing on this equality scheme within 4 working weeks of the approval of the scheme.
- Board members in the MLKDC will receive a briefing on this equality scheme within 3 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 MLKDC 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 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 Board 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 MLKDC 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 will be subject to the following monitoring and evaluation arrangements:

- We will 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.

Anyone responsible for project management or policy development will attend training on the following:

- raising Section 75 Awareness;
- conducting Equality Impact Awareness; and
- public Consultation and Engagement.

Chapter 6 Our arrangements for ensuring and assessing public access to information and services we provide (Schedule 9 4. (2) (f))

Please note:

Further information on producing alternative formats can be found at <http://www.officefordisability.gov.uk/iod/formats/index.php> though please note that audio tape is now not widely used in Northern Ireland and other formats such as CD, MP3 and DAISY are more appropriate.

6.1 MLKDC 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 whom English is not their first language.

MLKDC liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice. We will respond to requests for information in alternative formats in a timely manner, usually within 3-5 working days.

MLKDC will seek to communicate the importance of Equality through:

- promoting access and participation of minority ethnic communities by implementing an Inter-cultural engagement programme;
- the development and implementation of the MLKDC Disability Action Plan; and
- engagement with Young People and children.

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

6.5 MLKDC will ensure public access to the Equality Scheme through placing the scheme on the MLKDC website both through the consultation phase and post approval phase.

All information relevant to our equality commitments will be available on our website: <http://www.mazelongkesh.com/publications.html> or on request by writing to:

Director of Finance and Corporate Services
Maze Long Kesh Development Corporation
94 Halftown Road
Lisburn
BT27 5RF

Or email contact@mazelongkesh.com

Access to services

6.6 MLKDC are committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories.

MLKDC also adheres to the relevant provisions of current anti-discrimination legislation.

6.7 Arrangements for ensuring public access to MLKDC:

- MLKDC offices has full disabled access and is based on one floor.
- MLKDC will have a fully functioning website which will clearly outline the services that the organisation provides.
- MLKDC have been engaging with all sectors of the community in Northern Ireland, which will enable high levels of public access to MLKDC services.

Assessing public access to information and services

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

6.9 MLKDC aims to monitor elements of Section 75 activity through:

- equal Opportunities forms within MLKDC recruitment;
- logging details of any investigations undertaken;
- monitoring attendances at any engagement events at MLKDC; and
- logging details of any complaints received by MLKDC.

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 – 2.17.

Chapter 8 Our complaints procedure (Schedule 9 10.)

8.1 MLKDC are 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 MLKDC has failed to comply with its approved equality scheme should contact:

Director of Finance and Corporate Services,
MLKDC
94 Halftown Road
Lisburn
BT27 5RF or contact@mazelongkesh.com

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

8.5 MLKDC will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month 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 two (2) months. In those circumstances, the complainant will be advised of the extended period within one month 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 In any subsequent investigation by the Equality Commission, the MLKDC will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, MLKDC 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.

8.8 MLKDC 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 MLKDC's equality scheme is available free of charge in print form and alternative formats from:

Maze Long Kesh Development Corporation

94 Halftown Road

Lisburn BT27 5RF or email: contact@mazelongkesh.com

9.2 Our equality scheme is also available on our website at:

<http://www.mazelongkesh.com/publications.html>

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 will include 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. We will respond to requests for the equality scheme in alternative formats in a timely manner, usually 30 days.
- 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 for those who are unable to access the scheme in written English.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the equality scheme, visit our:

Website at: <http://www.mazelongkesh.com/publications.html>

Email: contact@mazelongkesh.com, or

Contact: Maze Long Kesh Development Corporation
94 Halftown Road,
Lisburn
BT27 5RF

Chapter 10 Review of our equality scheme (Schedule 9 8. (3))

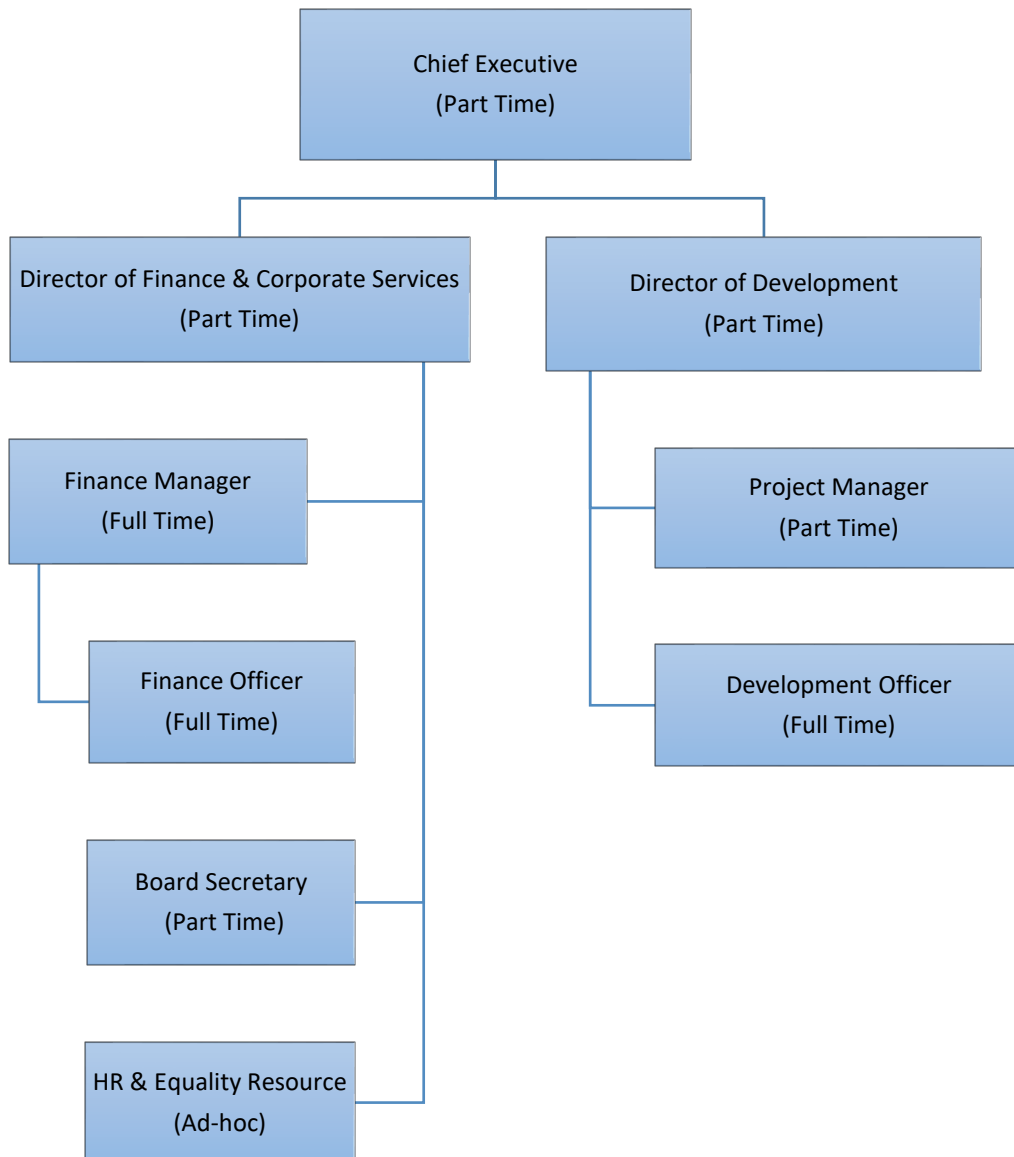
10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment 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 by publicising it on our website and sent to the Equality Commission.

Appendix 1 Organisational chart

The current staff structure for the Development Corporation is skeletal in nature given the lack of agreement on a way forward.



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	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths. For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment & Treatment (NI) Order</i> ⁸ . 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> ”.
Political opinion ⁹	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; and 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.

⁸ 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.*”

⁹ *ibid*

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

MLKDC consultee list is indicative and not exhaustive. It is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

MLKDC Equality Scheme Consultee List

Action on Hearing Loss NI (RNID)
Age NI (Age Concern NI)
Alliance Party
Arthritis Care
Unite the Union
An Eochair
An Munia Tober (Belfast Travellers)
Ards and North Down Borough Council
Arts Council NI
Aware Defeat Depression
Autism NI
Baha'i Council for Northern Ireland
Baha'i Office for Northern Ireland
Antrim and Newtownabbey Borough Council
Mid and East Antrim Borough Council
Armagh City, Banbridge and Craigavon Borough Council
Bangladesh Welfare
Barnardos NI
Barnardos, Tuar Ceatha Project
Belfast Butterfly Club
Belfast Hebrew Congregation
Belfast City Council
Belfast Islamic Centre
Belfast Jewish Community
Black & Ethnic Minority Group c/o NICEM
British Army
British Deaf Association (NI)
Northern Ireland Dyslexia Association
Broomhedge Parish Church
Bryson House
CAIN Archive
Carafriend
Carers National Association Northern Ireland
Causeway Coast and Glens Borough Council
CCEA
Children in Northern Ireland
Children's Law Centre
Chinese Welfare Association (NI) Ltd
Christian Action Research & Education (CARE)
Chrysalis Women's Centre
Churches' Community Work Alliance

Church of Ireland
Citizens Advice Belfast
CO3 Chief Officers 3rd Sector
Coalition on Sexual Orientation (CoSO)
Commissioner for Older People, Northern Ireland
Commissioner for Children and Young People, Northern Ireland
Commissioner for Victims and Survivors, Northern Ireland
Committee on the Administration of Justice
Community Foundation NI
Community Relations Council (CRC)
Community Relations Training/Learning Consortium
Confederation of British Industry
Co-operation Ireland
Council for the Homeless (Northern Ireland)
Coiste na n-iarchimi
Craigavon Traveller Support Committee
Cruse Bereavement Care (NI)
Department of Agriculture, Environment and Rural Affairs (DAERA)
Department for Communities (DfC)
Department of Education (DENI)
Department for the Economy (DfE)
Department for Infrastructure (DfI)
Department of Finance (DoF)
Democratic Unionist Party
Department of Foreign Affairs
Derry City and Strabane District Council
Disability Action
Down and Connor Council
Down's Syndrome Association
Downshire Football Club
East Belfast Community Development Agency
Eglantine Parish Church
Employers Forum on Disability
Equality 2000
Equality Commission For Northern Ireland
European Peacebuilding Liaison Office
Ex-Prisoners' Interpretative Centre
Falls Community Council
Falls Women's Centre
Family Planning Association Northern Ireland
Fermanagh and Omagh District Council
Gay and Lesbian Youth Northern Ireland
General Consumer Council for NI
Gingerbread NI
Groundwork NI
Halftown Residents Association
Hannas House

Head of Equality, Policy & Practice, University of Ulster
Healing Through Remembering
Help the Aged, Northern Ireland
Heritage Lottery Fund
INCORE
Indian Community Centre
Institute for Conflict Research
Institute of Directors (NI Division)
Intercomm
Irish School of Ecumenics
Kabosh Theatre Company
Labour Party
Lagan Canal Regeneration Trust
Lagan Enterprise Centre
Lisburn Cycling Initiative
Law Centre (NI)
Lesbian Line
Libraries all NI Libraries (166)
Library Parliament Buildings
Linen Hall Library
Lisburn BMX Cycle Club
Lisburn Prisoners Support Project
Lisburn and Castlereagh District Council
Local Government Staff Commission
Maze Presbyterian Church
Members of the Legislative Assembly (108)
MENCAP(Royal Society for Mentally Handicapped Children and Adults)
Methodist Church in Ireland
Mid Ulster District Council
Ministry of Defence
Multi-Cultural Resource Centre
National Museums Northern Ireland
Newry, Mourne and Down District Council
NIA Legislative Strengthening Trust
Newry and Mourne Women
NI Ambulance Service
NI Anti-Poverty Network
NI Assembly
NI Chamber of Commerce
NI Fire and Rescue
NI Foundation
NI Human Rights Commission (NIHRC)
NI Museums Council
NI Muslim Family Association
NI Women's Aid Federation
NIACRO

NICO
NIPSA
North West Community Network (Londonderry)
North West Forum of People with Disabilities (Derry)
Northern Ireland African Cultural Centre
Northern Ireland Association for Mental Health
Northern Ireland Committee, Irish Congress of Trade Unions(NIC/ICTU)
Northern Ireland Council for Ethnic Minorities (NICEM)
Northern Ireland Council for Voluntary Action (NICVA)
Northern Ireland Gay Rights Association (NIGRA)
Northern Ireland Prison Service
North South Ministerial Council
Northern Ireland Women's European Platform (NIWEP)
Northern Visions
NSPCC
NUS USI Northern Ireland Student Centre
Office of the Attorney General (AGNI)
Open University
Outdoor Recreation NI, Walking & Cycling Trails
Parents Advice Centre
Police Federation
Police Service of Northern Ireland
Polish Association
Positive Futures
Praxis Care
Presbyterian Church in Ireland
Press for Change
Prisoners Aid Networking Group
Prison Governors Association
Prisons Memory Archive
Prison Officers Association
Probation Board Northern Ireland
Progressive Unionist Party
Public Achievement
Public Record Office of Northern Ireland
Public Sector Support Services Forum (PSSSF)
Quaker Service
Queen's University of Belfast
Queer Space
Rainbow Project
Red Cross
Relate
Roman Catholic Church
Royal British Legion
Royal National Institute for the Blind (RNIB)
RUC George Cross Association

Rural Community Network(NI)
Rural Development Council
Save the Children
SDLP
SEUPB
Sense NI
Sikh Cultural Centre
Simon Community NI
Sinn Fein
South Eastern Regional College
South West Age Partnership (was Sperrin Lakeland Senior
Citizens' Consortium)
Springboard Opportunities
Staff Commission for Education & Library Boards
Superintendents Association
Sustrans Cycle and Walking Charity
Teach na Failte
The Blind Centre (NI)
The Cedar Foundation (Formerly NICOD)
The Guide Dogs for the Blind Association
The Women's Centre
The Workers Party
Transitional Justice Institute
Translink
UK Unionist Party
Ulster Aviation Society
Ulster Scots Heritage Council
Ulster Unionist Party
ULTACH Trust
Unison
University of Ulster
Victims and Survivors Service
Voice of Young People
West Belfast Partnership Board
Women's Forum
Women's Information Group
Women's Resource and Development Agency (WRDA)
Women's Support Network
Woodland Trust NI
Workers' Educational Association
Youth Council for NI
Youthnet

Appendix 4 Timetable for measures proposed (Schedule 9 4. (3) (b))

Measure	Lead responsibility	Timetable / Frequency
<i>Section 75 Annual Progress Report [2.7]</i>	<i>Project Officer / Chief Executive</i>	<i>Annually</i>
<i>Action plan</i>		
<i>Consultation on draft action plan [2.15]</i>	<i>MLKDC</i>	<i>Quarter 2 2019/20</i>
<i>Finalised action plan published [2.18]</i>	<i>Equality /Chief Executive</i>	<i>Publication of final action plan by Quarter 3 2019/20</i>
<i>Arrangements for monitoring progress in place [2.16]</i>	<i>Equality Monitoring Working Group</i>	<i>Annually</i>
<i>Consultation list reviewed and updated [3.4]</i>	<i>Equality Monitoring Working Group</i>	<i>July (annually)</i>
<i>Screening Reports [4.15]</i>	<i>Equality / HR Officer</i> <i>Equality / HR Officer</i>	<i>Quarterly</i>
<i>EQIAs on future policies / projects that are screened in, as appropriate, in accordance with Equality Scheme [4.16, 4.17]</i>	<i>Project Manager</i>	<i>Ongoing</i>
<i>Monitoring</i>		
<i>Review of monitoring information [4.30]</i>	<i>Equality Monitoring Working Group</i>	<i>Annually</i>
<i>Publication of monitoring information [4.33;4.34]</i>		<i>Annually</i>

Measure	Lead responsibility	Timetable / Frequency
<i>Training</i>	<i>HR / Equality</i>	
<i>Development of summary scheme [5.4]</i>	<i>HR / Equality</i>	<i>Within 6 months of approval from ECNI</i>
<i>Development of overall training programme to include Board members [5.5]</i>	<i>Training Provider</i>	<i>Within 6 months of approval</i>
<i>Focussed training [5.4]</i>	<i>Training provider</i>	<i>Ongoing</i>
<i>Update training [5.4]</i>	<i>Equality / HR</i>	<i>Ongoing</i>
<i>Evaluation of training [5.6]</i>	<i>Equality / HR</i>	<i>Ongoing</i>
<i>Assessing access to information and services [6.9]</i>	<i>Equality Monitoring Working Group</i>	<i>Annually</i>
<i>Publication and Communication of equality scheme to:</i> <i>Staff</i> <i>Board Members [9.3]</i> <i>Consultees [9.3]</i>	<i>Director of Finance and Corporate Services / Chief Executive / Equality / HR</i>	<i>Publication of Equality Scheme as within 4 working weeks of approval from ECNI</i>
<i>Review of equality scheme [10.1]</i>	<i>Equality / HR</i>	<i>Within 5 years of submission</i>
<i>Any other measures proposed in equality scheme</i>	<i>Overseen by Equality Monitoring Working Group</i>	<i>Within 5 years of submission</i>

Appendix 5 Glossary of terms

1 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 to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.

Affirmative action

In general terms, affirmative action can be defined as being anything consistent with the legislation which is necessary to bring about positive change. It is a phrase used in the Fair Employment and Treatment Order (NI) 1998 to describe lawful action that is aimed at promoting equality of opportunity and fair participation in employment between members of the Protestant and Roman Catholic communities in Northern Ireland.

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.

These 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 statutory 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 (i.e., service users, staff, and 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.

Council of Europe

The Council of Europe, based in Strasbourg, covers virtually the entire European continent, with its 47 member countries. Founded on 5 May 1949 by 10 countries, the Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

Desk audit

An audit of a draft equality scheme to ensure that the scheme conforms with the requirements on form and content as detailed in the Commission's Guidelines (the Guide).

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.

Discrimination

The anti-discrimination laws prohibit the following forms of discrimination:

- direct discrimination;
- indirect discrimination;
- disability discrimination;
- victimisation; and
- harassment.

Brief descriptions of these above terms follow:

Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless: (a) in an age discrimination case, the decision can be objectively justified, or (b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

Indirect discrimination

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

(a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.

(b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

Victimisation

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

Harassment

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

Economic appraisal

An economic appraisal is a systematic process for examining alternative uses of resources, focusing on assessment of needs, objectives, options, costs benefits, risks, funding and affordability and other factors relevant to decisions.

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 everyday 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 & 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.

TEO

The Executive Office 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 equality 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.

Appendix Six – Feedback from Consultation Process