



## **Equality scheme for**

### **Dungannon & South Tyrone Borough Council 2011 - 2015**

**Draft for Consultation**

**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 11 for contact  
details).**

Equality Commission for Northern Ireland Approval [Date will be inserted once  
approved].

## 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 Councils equality scheme it clearly sets out how Dungannon & South Tyrone Borough Council proposes to fulfill the Section 75 statutory duties.

Council 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.

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

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

Dungannon & South Tyrone Borough Council is fully committed to effectively fulfilling Section 75 statutory duties across all functions (including service provision, employment and procurement) through the effective implementation of Councils equality scheme.

Council realise the important role that the general public and sectors have to play to ensure the Section 75 statutory duties are effectively implemented. Councils equality scheme demonstrates determination by members to ensure there are opportunities, for people affected by Council services, to positively influence how

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

Council carries out its functions in line with Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on the part of Council, to comply with its equality scheme, can make complaints.

Dungannon & South Tyrone Borough Council is 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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*Chief Executive*

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*Date*

# Draft for Consultation

**Responsibility for delivery and monitoring of Council Equality Scheme 2011 – 2015 and S75 is with:**

Claire Linney (Corporate Strategy & Policy)  
Dungannon & South Tyrone Borough Council  
Council Offices  
Circular Road  
Dungannon  
BT71 6DT

Telephone No: 028 877 20319

Textphone No: 028 8772 0332

E-mail: [Claire.linney@dungannon.gov.uk](mailto:Claire.linney@dungannon.gov.uk)

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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 Dungannon & South Tyrone Borough Council to comply with two statutory duties:

#### Section 75 (1)

In carrying out 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 its functions in relation to Northern Ireland Council is 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 employment and procurement functions.

Please see below under “Who Council is and what Council does” for a detailed explanation of Council functions.

### **How Council propose to fulfill the Section 75 duties in relation to the relevant functions of Dungannon & South Tyrone Borough Council**

1.2 Schedule 9 4. (1) of the Act requires Dungannon & South Tyrone 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

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

of Council arrangements for fulfilling the Section 75 statutory duties and plan for implementation.

1.3 Council is committed to the discharge of its Section 75 obligations in all parts of the organisation and 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 the equality scheme can be implemented effectively.

## Who Council is and what Council does

The roles and functions of councils, established in the Local Government Act 1972 and in other legislation, fall into three types:

- **Direct** - councils are responsible for the provision and management of services
- **Representative** - council nominees sit on statutory bodies
- **Consultative** - councils reflect community views in the operation of range of statutory bodies, community concerns or give views on proposed admin decisions

Dungannon & South Tyrone Borough Council is currently responsible for:

**Direct Delivery:** Council is currently responsible for the following delivery services:

Refuse Collection and Disposal	Recycling & Waste Management
Civic Amenity Provision	Grounds Maintenance
Street Cleansing	Cemeteries
Public Conveniences	Environmental Improvement
Food Safety	Health & Safety
Environmental Protection	Pollution
Dog control	Enforcement Byelaws, Litter etc.
Licensing	
Building Control Regulation	Road Naming
Sports and Leisure Services	Sports and Recreational Facilities
Parks, Open Spaces, Playgrounds	Community Centres
Arts, Heritage & Culture	Registration Birth/Death/Marriage
Good Relations	

**Development Role Delivery** : The Council also has a role in the range of services listed below, however it is important to note that it is not the main responsible agency, this is held under central government.

- Economic Development
- Community Development
- Community Safety
- Sports Development
- Arts Development
- Tourism
- Sustainable Development and Biodiversity
- Cultural & Heritage Development
- Regeneration
- District Policing
- Health and Wellbeing

**Consultative Role:** Council also undertakes a consultative role on many areas that are important to people these include: planning, transport, housing, health, education, water, waste, IT infrastructure etc. As stated Council does not have a direct function in delivery of these areas but does seek to influence through consultative and advocacy role.

## **Chapter 2 Council arrangements for assessing compliance with the section 75 duties**

(Schedule 9 4. (2) (a))

2.1 Arrangements for assessing compliance with the Section 75 statutory duties are outlined in other relevant parts of this equality scheme (see paragraphs 4.1, 4.3, 5.3, 5.6, 6.8, 6.9, 10.1 and 10.2 below).

In addition Council has the following arrangements in place for assessing compliance:

### **Responsibilities and reporting**

The management structure put in place to enable the Council to carry out its statutory responsibilities and to conduct its business are illustrated at Appendix 1.

### **Management Structure**

(a) Elected Members form the statutory body responsible for all the activities of the Council. The Chief Executive discharges the implementation of the Equality Scheme on behalf of the Council and has overall management responsibility in doing so.

(b) Chief Executive: The Chief Executive is responsible for the overall performance of the executive functions of the Council. He is the designated Accounting Officer with responsibility for maintaining a sound system of internal control that supports the achievement of Council policies, aims and objectives, whilst safeguarding public funds and assets. The Chief Executive is also the accountable for Equal Opportunities which includes Section 75 statutory duties.

(c) Senior Management Team: The Chief Executive meets with a group of Directors collectively known as the Senior Management Team. This team comprises the Directors of Finance, Director of Technical Services, Director of Building Control, Director of Development, Head of Environmental Health and Head of Human Resources. The Senior Management Team is responsible for the implementation of Council strategies and policies for key operational matters. It also plans and develops service delivery for

and makes recommendations within national and local policy frameworks and guidelines. The Senior Management Team ensures that equality considerations are included in Corporate Plans and Annual Business Plans.

Performance of each Division in relation to corporate objectives is reported to the Council. The officer responsible for equality monitoring and delivery is currently under the Chief Executives Division, however it is mainstreamed across Council.

(d) Individual Directorates: The organisational structure of the Council is provided in Appendix 1. The structure only changes if it undergoes a formal review. Council is accountable to both external audit (NI Audit Office) and internal auditor arrangements to ensure that standards are met in relation to 'Value for Money' and financial statements.

## **External Relationships**

Council will continue to develop links with other Government agencies, independent sector providers, and voluntary and community groups representing all categories of persons specified in Section 75 of the Northern Ireland Act 1998, including Trade Unions and professional organisations' and individuals.

2.2 Council is committed to the fulfilment of Section 75 obligations in all parts of its work.

2.3 Responsibility for the effective implementation of Council 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 Council equality scheme, please contact in the first instance the Equality contact, refer to details provided at the front of the document and Council will respond to you as soon as possible:

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

2.6 Performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant.

2.7 The Council prepares an annual report on the progress made on implementing the arrangements set out in this equality scheme to discharge Councils duties under Section 75 (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 Councils (organisational) annual report.

2.8 The latest Section 75 annual progress report is available on Council website [www.dungannon.gov.uk](http://www.dungannon.gov.uk) or by contacting the Equality contact, details at front of document:

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

2.10 Progress on implementing this Equality Scheme will be reported annually to the Council. Progress will also be reported to the Senior Management Team as part of routine updates on implementation of Corporate and Annual Business Plans.

Council will continue with established meetings with members of the Statutory Duty Unit of the Local Government Staff Commission and will liaise with them on common issues with the Equality Commission on Section 75 matters as they arise.

### **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 set out in Appendix 6 to this equality scheme.

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

2.12 The action measures that will make up the action plan will be relevant to Council functions. They have been developed and prioritised on the basis of an audit of inequalities. The audit of inequalities gathered and analysed information across the Section 75 categories<sup>4</sup> to identify the inequalities that exist for Council service users and those affected by policies<sup>5</sup>.

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

2.14 The action plan is for a period 2011 - 2015 to align with the corporate and business planning cycles. Implementation of the action measures will be incorporated into the business planning process.

2.15 Council as part of this process is seeking input from stakeholders on the scheme and action plan before submission to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.

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

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

2.18 Once finalised, the action plan will be available as follows: [www.dungannon.gov.uk](http://www.dungannon.gov.uk) or by contacting the Equality Contact at the front of the document.

If you require it in an alternative format please contact Claire Linney, refer to earlier contact details.

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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.

### **Chapter 3 Council 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 Council recognises the importance of consultation in all aspects of the implementation of its statutory equality duties. It will consult on the equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

3.2 Council is 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, 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 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. Council will engage with affected individuals and representative groups to identify how best to consult or engage with them. Council will ask 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
- Information/notification by email
- Internet responses
- 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 Council will consider the accessibility and format of every method of consultation used 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. Council takes 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)*.

Council will liaise with Equality 2000, LARG and the Funky Group to engage people with disabilities, STEP with regard to migrant workers and the Youth Forum for young people.

Information will be made available, on request, in alternative formats<sup>6</sup>, in a timely manner, usually within 15 working days. We will ensure that such consultees have equal time to respond.

3.2.4 To ensure effective consultation with consultees<sup>7</sup> on Section 75 matters, Council will develop a programme of awareness raising on the Section 75 statutory duties and the commitments of its equality scheme by displaying information in this regard on the website and providing this to any service user or other User groups established.

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

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

3.2.5 The consultation period lasts for a period 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 EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), Council may shorten timescales to eight weeks or less before the policy is implemented. Council may continue consultation thereafter and will review the policy as part of monitoring commitments<sup>8</sup>.

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

3.2.6 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, Council will give consideration to the feasibility of allowing a longer period for the consultation.

3.2.8 Council is 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. Council 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 Council makes 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.

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

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

3.2.11 Council provides 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 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 consultees is included in this equality scheme at Appendix 3. It can also be obtained from Council website or the equality contact, details listed at the front of the document.

3.4 Council consultation list is not exhaustive and is reviewed regularly to ensure it remains relevant to its functions and policies.

Council welcomes enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the Equality contact to provide details and have areas of interest noted or name/details removed or amended. Please also inform Council at if you would like information sent to you in a particular format or language.

## **Chapter 4 Council 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))

### **Council 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 its 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 follow Equality Commission guidance:

- the guidance on screening, 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. Where possible Council will include key stakeholders in the screening process.

4.7 The following questions are applied to all Council 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 S 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, Council gathers all relevant information and data, both qualitative and quantitative. In taking this evidence into account it considers the different needs experiences and priorities for each of the Section 75 equality categories. Screening decisions will be informed by this evidence.

4.9 Completion of screening, taking into account 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. policy has been 'screened in' for equality impact assessment
2. policy has been 'screened out' with mitigation<sup>9</sup> or an alternative policy proposed to be adopted
3. policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.

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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.

4.10 If 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, Council may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted Council 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 Council mitigates this will be outlined in the screening template the reasons for doing so and will 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/Director within Council.

4.11 If 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, it will normally subject the policy to an equality impact assessment. This screening decision will be 'signed off' by the appropriate Director/Head within Council.

4.12 If 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, Council 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 Head of Service/Director within the Council.

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 upon request.

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 Screening reports are published regularly [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, Council 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 “Council Arrangements for Consulting”).

### **Arrangements for publishing the results of the assessments of the likely impact of policies Council has adopted or propose to adopt on the promotion of equality of opportunity**

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

4.19 Council will make publicly available the results of assessments (screening and EQIA) of the likely impact of policies on the promotion of equality of opportunity and good relations. These are publicly noted within Councils annual return.

## **What Council Publish**

### 4.20 Screening reports and templates

Screening analysis is publicly reported in Councils annual report and can be requested at any time including the screening document.

### 4.21 Equality impact assessments

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

### **How Council publish the information**

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

### **Where Council publish the information**

4.23 The results of EQIA's are available on Council website and all equality information can be provided upon request from equality contact, details listed at the front of the document.

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

### **Council arrangements for monitoring any adverse impact of policies Council has adopted on equality of opportunity**

(Schedule 9 4. (2) C)

4.25 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.

4.26 Council monitors any adverse impact on the promotion of equality of opportunity of policies adopted. It is also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.27 The systems Council has 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.

4.28 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.

4.29 Council reviews EQIA monitoring information on an annual basis. Other monitoring information is reviewed ongoing.

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

4.30 Schedule 9 4. (2) (d) requires Council to publish the results of the monitoring of adverse impacts of policies adopted. However, Council is committed to monitoring more broadly and the results of Council policy monitoring are published as follows:

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

4.32 Monitoring information will also be published and made available on the Council's website [www.dungannon.gov.uk](http://www.dungannon.gov.uk)

4.33 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 Council recognises that awareness raising and training play a crucial role in the effective implementation of Section 75 duties.

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

To this end Council has introduced an effective communication and training programme for all staff and an awareness raising programme for all elected members. Council commitment to the Section 75 statutory duties will be made clear in publications.

### **Training objectives**

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

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

equality obligations.

- Council will develop a summary of this equality scheme and make it available to all staff.
- Council 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 will receive a briefing on the equality scheme following approval from the Equality Commission and within 4 months of this time.
- Section 75 statutory duties will be included in staff induction.
- Focused training is provided for key staff within Council who are directly engaged in taking forward the implementation of Council equality scheme commitments (e.g. 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 Section 75 groups.
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff 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 Council 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 Council training programme is subject to the following monitoring and evaluation arrangements:

- Council evaluates the extent to which all participants in the 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.
- Directors and Heads of Service report further training needs requirements to the 'Training Officer and subsequently to the person responsible for Equality.

## **Chapter 6 Council arrangements for ensuring and assessing public access to information and services**

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

6.1 Council is committed to ensuring that the information disseminated and services provided are fully accessible to all parts of the community in Northern Ireland. Council will keep arrangements under review to ensure that this remains the case.

6.2 Council is aware that some groups will not have the same access to information as others, In particular:

- People with sensory, learning, communication may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may require translation or interpretation support.
- 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, Council provides information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met it 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.

Council will respond to requests for information in alternative formats in a timely manner, usually 15 working days.

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

6.5 Published information is displayed on the Council's website [www.dungannon.gov.uk](http://www.dungannon.gov.uk) and will be made available in alternative formats as appropriate.

## **Access to services**

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

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

6.7 Council is committed to providing appropriate interpreting services and ensuring accessibility of Council buildings and facilities.

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

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

6.9 This activity includes:

- Monitoring of complaints
- Consideration and implementation of reasonable adjustments under the Disability Discrimination Act 1995
- Satisfaction Surveys
- Access to interpreting/translation services
- Article 55 Review

## **Chapter 7 Timetable for measures Council proposes in this equality scheme**

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

- 7.1 Appendix 4 outlines Council timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into Councils business planning processes.
- 7.2 This timetable is different from and in addition to Councils commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. Council has included in Council 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.

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## **Chapter 8 Council complaints procedure**

(Schedule 9 10.)

8.1 Council is responsive to the views of members of the public. Council 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 a complaint has not been resolved within a reasonable time period, 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 should contact Council Chief Executive (please refer to earlier contact details)

8.4 Council will in the first instance acknowledge receipt of each complaint within 5 – 10 working days.

8.5 The officer responsible for Equality 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 progress of the investigation and of any outcomes.

8.7 In any subsequent investigation by the Equality Commission, the Council will co-operate fully, providing timely access to relevant documentation requested. Similarly, Council will co-operate fully with any investigation by the Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.

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

## **Chapter 9 Publication of Council equality scheme** (Schedule 9 4. (3) (c))

9.1 Council equality scheme is available free of charge in print form and alternative formats from the Equality Contact Claire Linney, please refer to earlier details noted at the front of the document.

9.2 Council equality scheme is also available on Council website at:  
[www.dungannon.gov.uk](http://www.dungannon.gov.uk)

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

- Council will make every effort to communicate widely the existence and content of Council 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.
- Council will email a link to the approved equality scheme to Council consultees on the 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 within 15 working days.
- Council 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.
- Council will liaise with its key stakeholders for disability, youth and migrant workers/ethnic minorities.

9.4 For a list of Council stakeholders and consultees please see Appendix 3 of the equality scheme, visit Council website at [www.dungannon.gov.uk](http://www.dungannon.gov.uk) or contact the Equality Contact Claire Linney, please refer to earlier details noted at the front of the document.

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

(Schedule 9 8. (3))

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 Council will conduct a thorough review of its 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.

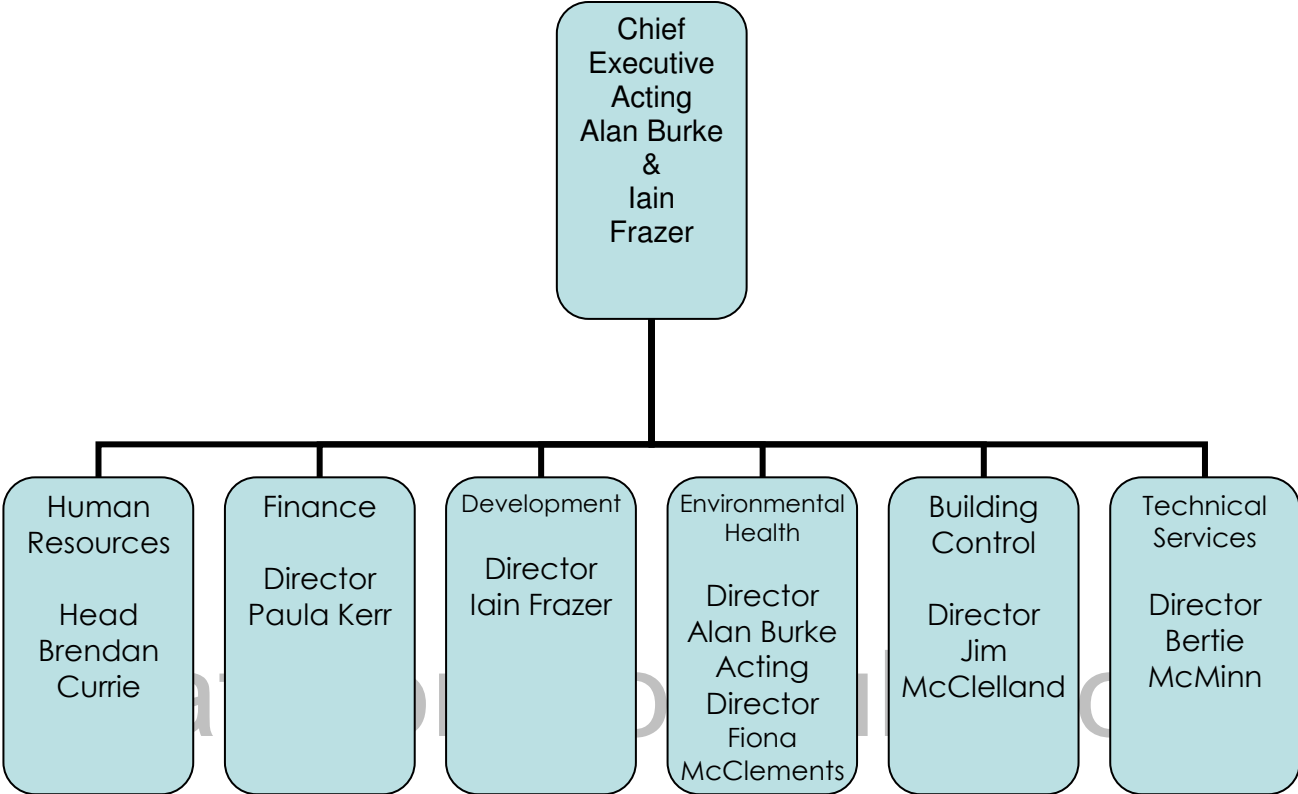
The review will evaluate the effectiveness of Council scheme in relation to the implementation of the Section 75 statutory duties relevant to Council functions in Northern Ireland.

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 on the Council's website [www.dungannon.gov.uk](http://www.dungannon.gov.uk) and sent to the Equality Commission. Consultees will be notified of the availability of the review.

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# Appendix 1 Organisational chart

## Council Organisational Structure



## 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))

Councils consultation list is reviewed on an annual basis to ensure it remains relevant to functions and policies. At any time during the year, individuals and organisations can request to be added or removed from the list of consultees.

### **List of stakeholders consulted**

The following stakeholders have been made aware of this consultation. If there is an organisation that you feel might be able to contribute to this consultation, please contact the Equality officer at the details provided previously.

#### Regional

1. Age NI
2. Employers for Childcare
3. BBC Children in Need
4. Playboard NI
5. NICVA
6. Community Foundation NI
7. UNISON
8. NICCY
9. Law Centre NI
10. Barnardos
11. CINI
12. NIAPN
13. Consumer Council NI
14. Carer's National Association NI
15. NSPCC
16. Chinese Welfare Association
17. Coalition on Sexual Orientation
18. Employer's Forum on Disability
19. Cara Friend
20. Save the Children
21. Community Relations Council
22. Disability Action NI
23. Equality Coalition
24. Equality Commission for Northern Ireland
25. Gingerbread NI
26. Local Government Staff Commission

27. Mencap
28. Multi Cultural Resource Centre
29. NIACRO
30. Northern Ireland Association for Mental Health
31. Northern Ireland Council for Ethnic Minorities
32. Northern Ireland Human Rights Commission
33. Rainbow Project
34. Royal National Institute for Blind
35. Royal National Institute for Deaf People
36. Rural Community Network
37. Rural Development Council
38. Talking Newspaper Association
39. William Keown Trust
40. Youth Council Northern Ireland
41. Youthnet NI
42. Phobal Belfast

#### Local Groups

43. Chair Dungannon Churches Forum
44. Chair Dungannon Clergy Forum
45. Dungannon St Vincent De Paul
46. Chair Dungannon Arts Forum
47. Chair Dungannon Arts and Disability Forum
48. Disability Action Dungannon
49. Sperrinview Special School
50. Beacon Centre NIAMH Dungannon
51. Moy Resource Centre
52. Dungannon History Forum
53. Oakridge & Funky Group
54. Equality 2000
55. Willowbank & LARG
56. Parkanaur College
57. Chair Dungannon Regeneration Partnership
58. Chair Flavour of Tyrone
59. COSTA
60. Cookstown Western Shores
61. Dungannon & Armagh Volunteer Centre
62. Southern Area Employment
63. NIRWN
64. First Steps Women's Group
65. Women's Aid Cookstown/Dungannon

66. SELB Youth Service
67. Dungannon Youth Forum
68. Mid Ulster Age Well
69. Sure Start
70. Homestart
71. STEP
72. Political parties
73. An Tearmann
74. Dungannon & Coalisland Neighbourhood Renewal
75. Ulster Scots Agency
76. Tyrone Orange Vision
77. Irish Language Forum
78. De Paul Ireland Dungannon
79. CAB Dungannon
80. Health & Social Care Locality Planning
81. Vineyard Church
82. Dungannon Rural Community Transport

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## Appendix 4 Timetable for measures proposed

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

Measure	Lead responsibility	Timetable	
Section 75 Annual Progress Report [2.7]	Chief Executive / Equality Manager	31 August (annually)	
Action plan [2.11]	Equality Manager	[in line with consultation on equality scheme]	
Consultation on draft action plan [2.15]	Equality Manager		
Finalised action plan published [2.18]	Equality Manager/Chief Executive		February 2012
Arrangements for monitoring progress in place [2.16]	Equality Manager		May 2012
Consultation list reviewed and updated [3.4]	Equality Manager	Bi annually	
Develop updated screening report template and make available upon request (4.5)	Equality Manager	February 2012	
EQIA timetable [4.16]	Equality Manager to finalise and publish EQIA reports in conjunction with Chief Executive Outcomes of consultation will be published on the internet and issued to consultees.	Ongoing	
Monitoring [4.28]	Equality Manager to support revision of policies as a result of analysing data to determine adverse impact or to promote equality of opportunity and good relations.	Ongoing	
Review of monitoring	Equality Manager will	Annually in August.	

information and publication [4.31] (4.33;4.34)	publish monitoring information in the Annual Equality Progress Report for the Equality Commission.	
Training [5.3] [5.5]	Equality Manager and Training Officer to draw up plan covering staff training (awareness; data collection; policy development; consultations; EQIA preparation; screening; monitoring; evaluation, complaints handling.	April 2012
Development of summary scheme [5.4]	Equality Manager will issue summary scheme once approved by Equality Commission	Within one month of approval
Focussed training, Policy Screening; EQIA; Consultation; Data; Monitoring Evaluation [5.4]	Equality Manager will keep training up to date in accordance with ECNI guidelines	Commencing two months after approval of Equality Scheme and ongoing
Update training [5.4] Evaluation of training [5.6]	Equality Manager to assess learning of participants and provide refresher training if necessary	Ongoing
Assessing access to information and services [6.8]	Equality Manager to update preferred methods of communication and ensure equality information is on website and accessibility	Ongoing
Communication of equality scheme [9.3]	Equality Manager will detail availability of Equality Scheme on Council website and advertised in local newspapers; Information will also be provided in Council's Community newsletter	Within one month of approval by Equality Commission and in next publication of Outlook magazine.
Notification of consultees [9.3]	Equality Manager to issue consultees with Equality Scheme upon request and preferred format/method	Within two months of approval by Equality Commission

<p>Review of equality scheme [10.1]</p>	<p>Equality Manager will conduct a review of the Scheme as per Equality Commission's guidelines</p>	<p>Reviewed within 5 years or within a shorter timeline so as to align with corporate planning</p>
<p>Any other measures proposed in equality scheme</p>	<p>Equality Manager to work closely with other Councils through the LGSC Statutory Duty Group so as to develop best practice.</p> <p>Equality Manager to work closely with ECNI to learn from and contribute to strategic direction of the Equality Agenda.</p> <p>Equality Manager to liaise with key stakeholders including Staff Unions; Voluntary and Community Groups; and other key stakeholders so as to build relationships and cooperative working</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>

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## 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, over a period of time with outcomes.

**Action measures and outcomes:** Specific a 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. 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. 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.

**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.

**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 for example, include meetings, focus groups, surveys.

**Council of Europe:** The Council of Europe, based in Strasbourg, covers virtually the entire European continent, with 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 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 information.

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

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

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.

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*.

**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:** A process where 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. Promotion of equality of opportunity is more than elimination of discrimination, it requires proactive measures 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:** The Commission has agreed the working definition of '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 daily work of public authorities from the outset.

**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 evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when monitoring.

**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) which gathers statistical and research information regarding Northern Ireland.

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

**PAFT:** The Policy Appraisal and Fair Treatment (PAFT) Guidelines constituted the first non-statutory attempt at mainstreaming equality in Northern Ireland in January 1994. PAFT has now been superseded by Section 75 of the Northern Ireland Act 1998.

**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'.

**Positive action:** 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* 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 would form qualitative 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 statistics.

**SACHR:** The Standing Advisory Commission on Human Rights (SACHR) has now been replaced by the Northern Ireland Human Rights Commission.

**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.

**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 6 – EQUALITY ACTION PLAN 2011 – 2015

### POLICY AREA – ARTS & LEISURE

#### Objective – To ensure all can participate in Leisure and Arts provision

Inequality	Positive Action Measures	Performance Indicator	Timescale	Research/ Monitoring
Play and recreation for the Borough	Play & Leisure review to ensure quality standard of facilities provision	New Play & Leisure review	2012	Maps of locations and catchment population
Community Arts and Culture development for the Borough	Review Arts & Culture Strategy regarding area and target group review Blackwater Fivemiletown Areas	New arts and culture strategy	2011	Audience catchment of current events & activities
Accessible Community Arts events and activities	Ensure arts activities, festival, promotion to S75 and migrants	Greater participation by S75 groups and migrants	2011 - 2015	Audience attendance
Access to quality open space	Partner DARD & DCAL regarding access to forests, parks, open space	Greater access to open spaces	2012 - 2013	Map of potential provision and access
People with disabilities who drive accessing	To seek solution to address car parking at leisure	Greater action and less abuse of disability parking	2012	Monitor parking

<b>Inequality</b>	<b>Positive Action Measures</b>	<b>Performance Indicator</b>	<b>Timescale</b>	<b>Research/ Monitoring</b>
leisure centre	centre			
People with disabilities having adequate provisions at Council facilities	Review disability provision at facilities	Increased provision for disability and usage of Council partner facilities	2012	Mapping and audit of facilities
Access provision of Council leisure facilities	Review leisure and recreation provision & publicise the partner SLA locations	Greater access to Council leisure services	2012	Usage & awareness monitoring
Access to Development services via ICT	Development of services online	Greater access to Council services	2013 – 2014	Numbers of users online and customer satisfaction
People with disabilities participating in public life	Continue to deliver targeted disability arts programme	Greater participation in the arts of people with disabilities	Annual	Number of people groups participating
Support for vulnerable groups accessing leisure	Continue to deliver leisure programmes targeted at vulnerable groups – disability, women, young, elderly	Greater number of S75 target groups participating in leisure	2011- 2013	Evaluation Number of people participating

<b>Inequality</b>	<b>Positive Action Measures</b>	<b>Performance Indicator</b>	<b>Timescale</b>	<b>Research/ Monitoring</b>
Cost for families and vulnerable attending activities	Promotion of family rates, leisure programme for unemployed, discounted programmes for vulnerable groups	Greater number attending events and activities	2012	Monitoring of participation numbers
All people feeling welcome at facilities	Seek to provide for specific requests for all S75	Response to requests from S75 community	Ongoing	Monitoring and provision of requests

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**POLICY AREA – DEVELOPMENT**

**Objective: Equitable Community Provision**

<b>Inequality</b>	<b>Positive Action Measures</b>	<b>Performance Indicator</b>	<b>Time-scale</b>	<b>Associated Monitoring</b>
Access to Council community buildings	Review usage buildings & greater promotion include partner buildings	Greater access to community facilities	2012	Usage numbers and group details target groups
Access to Council facility grants by all community- \$75 groups	Review community facility grants 2011 – 2012 to ensure equity provision	Greater provision of community facility grants	2012	Grants numbers and \$75 returns
Access to Council grants across Borough and \$75 background	Review grants to groups(Blackwater) and seek to target publicity if required	Greater access to Council grants by \$75 groups	2012	Grant recipient groups and target areas
Ethnic/migrants participating in community activities	Continued funding to travellers and translation fund to target migrants	Greater participation in community activity	Ongoing	Monitoring of numbers participating in activities
Hate Crime and level of good relations understanding	Continued good relations promotions and set up of independent reporting scheme	Decreased levels of hate crime due to proactive approach	2012 - 2015	Numbers reporting and action Number activities

**POLICY AREA – CORPORATE GOVERNANCE Objective: Equitable Corporate Governance**

<b>Inequality</b>	<b>Positive Action Measures</b>	<b>Performance Indicator</b>	<b>Time-scale</b>	<b>Research/ Monitoring</b>
Level of awareness engagement in new equality scheme	Awareness event and promotion of scheme	Increased awareness members and staff	2012	Number participating Evaluation
Adequate disability parking provision in our urban centres	Lobby on provision for disability parking and unrestricted movement in our urban centres	Greater accessibility for people with disabilities	2011 – 2015	Follow up on advocacy outcome
Voice for greater disability services and engagement	Continue to facilitate the disability lobbying forum and to advocate on issues	Increased voice of disabled people supported by local government	2011 – 2015	Follow up on advocacy outcome
Acknowledgement of S75 groups in public life	Continue to host receptions to acknowledge S75 groups activities	Greater publicity/ acknowledge of work of disability groups	2011- 2015	Number of receptions and publicity
Level of understanding and knowledge of S75 issues in Council	Updated disability equality training for staff, members and partnerships	Greater awareness of issues relating to equality	2012	Evaluation survey with participants

Inequality	Positive Action Measures	Performance Indicator	Time-scale	Research/ Monitoring
Representation of religion/gender at all levels of Council employment	Article 55 review monitor and agree plan of action where relevant	Greater balance of employment across Council	2011 - 2015	Article 55 monitoring information
Engagement with migrant community in service delivery	Continue to provide translation and interpretation support on request	Greater number of migrants receiving a quality service	Ongoing	Number of requests provided for
Level of understanding of good relations across the Borough	Continued good relations activities and promotion of such and major good relations event Castlehill	Increased good relations	2012	Number of activities and participation
Representation at a corporate level of minority languages	Promotion of minority languages on headed paper and provision for service delivery upon request Promotion of Irish and Ulster Scots	Increased diversity in languages	Ongoing	Number of requests, activities and participation

**POLICY AREA – ENVIRONMENTAL SERVICES**

**Objective: Providing Equitable Environmental Services**

<b>Inequality</b>	<b>Positive Action Measures</b>	<b>Performance Indicator</b>	<b>Time-scale</b>	<b>Associated Monitoring</b>
Access to recycling provision for Borough	Review provision of recycling amenity for Clogher Valley	Access provision of services across the Borough	2012	Location and use of recycling amenity sites
Accessibility of services via ICT	Seek to allow greater service delivery on line	Greater accessibility of provision	2013	Number of users online
Information accessibility including other languages	Further promotion of recycling and provision	Greater accessibility of information	2013	Number of requests for information
Annual planting located equitably across the Borough in settlements	Policy in place re settlement provision -review to ensure met	Provision of planting across the Borough	2013	Level of provision Complaints