



Equality scheme for the Health and Safety Executive for Northern Ireland

***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 8 for contact details).***

***HSE NI
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Belfast
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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 our equality scheme and associated appendices, we set out how the Health and Safety Executive for Northern Ireland (HSENI) 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 with the aim of ensuring that our staff and Board members are made fully aware of our equality scheme and understand the commitments and obligations within it.

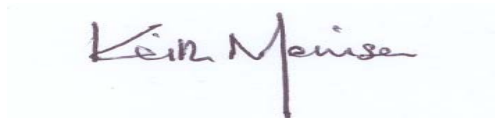
We, the Chairperson and Chief Executive of HSENI, are fully committed to effectively fulfilling our Section 75 statutory duties across all our key functions, including service provision, promotion of health and safety messages, inspection and drafting of legislation, through the effective implementation of our equality scheme.

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

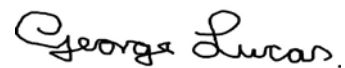
¹ See section 1.1 of our Equality Scheme.

On behalf of HSENI 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.

Signed by:

A handwritten signature in black ink that reads "Keith Morrison". The signature is written in a cursive style with a prominent vertical line at the end.

Keith Morrison
Chief Executive
HSENI

A handwritten signature in black ink that reads "George Lucas". The signature is written in a cursive style with a prominent vertical line at the end.

George Lucas
Chairman
HSENI

As approved by the Equality Commission – 24 April 2013

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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 HSENI to comply with two statutory duties:

Section 75 (1)

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

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

Section 75 (2)

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

“Functions” include the “powers and duties” of a public 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 HSENI

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

1.2 Schedule 9 4. (1) of the Act requires HSENI, 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.

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

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

Who we are and what we do

The Health and Safety Executive for Northern Ireland was established on the 1 April 1999 as an executive Non-Departmental Public Body with Crown Status and is sponsored by the Department of Enterprise, Trade and Investment (DETI).

HSENI has a statutory responsibility for the promotion and enforcement of health and safety law in the workplace and works alongside district councils in achieving this. Led by HSENI's Board, HSENI and the district councils devised a long term strategy for the better regulation of health and safety at work in Northern Ireland, which spells out the shared vision, mission and goals that both organisations will abide by as each delivers its services in their respective enforcement environments. The essence of the work that HSENI undertakes is encapsulated in the mission statement:

“To significantly reduce the number of work-related fatalities, injuries and cases of ill health in Northern Ireland”.

In addition, HSENI has responsibility for working alongside DETI to ensure a modern health and safety regulatory framework.

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 – see chapters 3, 4, and 8.

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 HSENI's Head of Services Division. He is accountable to the Chief Executive 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 day to day issues in implementing this scheme fall within the remit of HSENI's Corporate Services Group (CSG).

2.4 If you have any questions or comments regarding our equality scheme, please contact CSG in the first instance and we will respond to you as soon as possible. Contact details are given below:

Deirdre Mullan
Corporate Support Group
HSENI
83 Ladas Drive
Belfast BT6 9FR

Telephone: 028 9054 6859
Textphone: 028 9054 6896
Email: Deirdre.Mullan@hse.gov.uk

2.5 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. Objectives and targets relating to the statutory duties will continue to be integrated into our operational business plans and progress against these will be included in HSENI's annual report.

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

2.7 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.

2.8 The latest Section 75 annual progress report is available on our website and can be accessed at www.hseni.gov.uk or by contacting CSG – see contact details at 2.4.

2.9 HSENI will liaise with the Equality Commission as required, in order to ensure that progress on the implementation of our equality scheme is maintained.

2.10 HSENI's Heads of Group have a personal responsibility for the implementation of the Section 75 statutory duties as relevant within their own area of responsibility.

2.11 CSG will continue to provide advice on HSENI's Section 75 obligations as necessary and will be responsible for input to the annual report to the Equality Commission and for co-ordinating other cross-departmental strategies on issues such as gender, age, disability, children and race.

2.12 HSENI is a member of DETI's Equality & Diversity Working Group, comprising senior members of HSENI and other NDPBs, with the remit of overseeing DETI's equality related work and sharing good practice.

Action plan/action measures

2.13 HSENI has developed an action plan to promote equality of opportunity and good relations. This action plan is set out in Appendix 6.

2.14 The action measures that make up our action plan are directly relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities gathers and analyses information across the Section 75 categories³ to identify the inequalities that exist for our service users and those affected by our policies⁴.

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

2.16 Our action plan is of four years duration, thereby aligning with our corporate planning cycle. Implementation of the action measures will be incorporated into our business planning processes.

2.17 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission. The action plan will also be made available on HSENI's website at www.hseni.gov.uk.

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

2.19 HSENI 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.

2.20 If you require a copy of our action plan in an alternative format please contact us - see contact details at 2.4

³ See section 1.1 of this equality scheme for a list of these categories.

⁴ See section 4.1 of this equality scheme for a definition of policies.

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 audit of inequalities and equality action plan, equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties, including the screening policies.

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)*')

3.3 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 trade unions and such other groups or individuals, who are known to have a legitimate interest in the matter.

3.4 Initially all Section 75 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 consider taking 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.

3.5 Consultation with all stakeholders will begin as early as possible. We will aim to ask our consultees, be they affected individuals or representative groups, what their preferred consultation methods are and will give consideration to these. We may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon depending on the need identified.

3.6 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 has been, and will continue to be, given as to how best to communicate with children and young people, along with 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)*.

3.7 Other methods of consultation may 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 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.

3.8 Information will be made available, on request, in alternative formats⁵, in a timely manner (that is as soon as possible). We will ensure that such consultees have sufficient time to respond.

3.9 Specific training will be made available as required, to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.10 The consultation period lasts for a minimum of twelve weeks to allow adequate time for groups to consult among themselves as part of the process of forming a view. In exceptional circumstances, however, when this timescale is not feasible (for example implementing EU Directives or UK wide legislation), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue

⁵ See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

consultation thereafter and will review the policy as part of our monitoring commitments⁶.

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

3.12 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 ensure that wherever possible, additional time is given as part of the consultation process.

3.13 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to encourage 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 carers is required.

3.14 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.

3.15 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.

3.16 A feedback report will be 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 upon request in formats suitable to consultees. (Please see also 6.3)

⁶ See below at 4.29 to 4.33 for details on monitoring

3.17 A list of our Section 75 consultees is included in this equality scheme at Appendix 3. It can also be obtained from CSG whose contact details are set out at 2.4

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

3.19 We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact CSG to provide your contact details 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 HSENI uses the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:

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

Screening

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

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at appropriate 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, Heads of Group in HSENI, those who develop and/or implement the policy and staff members from other relevant work areas. If relevant, we will include key stakeholders in the screening process.

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

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

4.8 In order to answer the screening questions, we gather 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 impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

4.11 Where we mitigate, we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy. This screening decision will be 'signed off' by the appropriate Head of Division within HSENI.

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

4.13 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 Head of Division within HSENI.

4.14 The screening process having been completed, i.e. signed off and approved by the senior manager responsible for the policy, the

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.

screening form will be made available as soon as operationally possible, on our website or will be available on request from CSG. In addition, our screening reports are issued with all legislative related consultations and consultations connected to strategic planning. [see below at 4.21 – 4.22 and 4.25 – 4.26 for details].

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

4.16 Our screening reports are published biannually [see below at 4.21 – 4.24 for details].

Equality impact assessment

4.17 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.

4.18 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.

4.19 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details 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))

4.20 Copies of the results of our EQIA and associated screening assessments of the likely impact of our policies on the promotion of

equality of opportunity and good relations will be made publically available.

What we publish

Screening reports

4.21 These are published biannually and are also issued with consultation documents regardless of whether or not there is a need to carry out an EQIA. Screening reports detail:

- All policies screened by HSENI over the six month period
- A statement of the aim(s) of the policy/policies to which the assessment relates
- A link to the completed screening template(s) on our website.

4.22 For details on the availability of our screening templates please refer to 4.14.

Equality impact assessments

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

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

How we publish the information

4.24 All information we publish is accessible and can be made available in alternative formats on request. Please see 6.3 – 6.5.

Where we publish the information

4.25 The results of the screening process are sent directly to consultees as part of HSENI's consultation process and, together with the results of our EQIA assessments, will be made available on our website or by contacting CSG. In addition, screening reports, (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 6 month period, are also sent directly to all our Section 75 consultees on a biannual basis.

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

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

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

4.27 Both qualitative and quantitative secondary sources of information are gathered from various sources across Government such as the Labour Force Survey, Continuous Household Survey and are also sought as part of the normal policy evaluation processes.

4.28 Primary and secondary monitoring of information 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, HSENI follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.29 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.

4.30 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 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 consider action to address any gaps in order to have the necessary information on which to base decisions
- Undertaking or commissioning new data if necessary.

4.31 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 revisited to determine if better outcomes exist for relevant equality groups.

4.32 We review our EQIA monitoring information on an annual basis. Other monitoring information is reviewed upon collation as an on-going action.

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

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

- EQIA monitoring information is published on the HSENI website as part of our Section 75 annual progress report [see 2.8]

4.34 All information published is accessible and can be made available in alternative formats on request. Please see 6.3 – 6.5 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 has positively communicated HSENI's commitment to the Section 75 statutory duties, both internally and externally. We will arrange awareness events as appropriate and update staff on relevant Section 75 activities through our internal staff brief called "Shine". All newly appointed staff to HSENI have access to Section 75 guidance and existing staff are encouraged to attend the suite of Section 75 training courses offered by the NICS Centre for Applied Learning where appropriate. Training on disability awareness is also offered to frontline staff.

Training objectives

5.3 HSENI has trained its staff, and will continue to provide training 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 HSENI's equality scheme with the necessary skills and knowledge to do this work effectively.
- to provide frontline staff with the relevant skills to improve service delivery to disadvantaged groups.

Awareness raising and training arrangements

5.4 The following arrangements will be put in place to ensure that our staff and Board Members are made aware of and understand our equality obligations.

- We will notify all staff of this equality scheme through the electronic intranet and staff brief, and Board Members via the next available Board Meeting, as soon as possible after the approval of the scheme. This will summarise the purpose of the scheme.
- HSENI will provide access to copies of the full equality scheme for all staff and Board Members, ensuring that any queries or questions of clarification from staff or Board Members are addressed effectively.
- The Section 75 statutory duties will continue to form part of the induction training for new staff and Board Members.
- Focused training is available for key staff within HSENI who are directly engaged in taking forward the implementation of our equality scheme commitments. This will be based on training needs identified as part of HSENI's learning and development processes.
- Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups.
- All staff are made aware of available Section 75 training facilitated by the NICS Centre for Applied Learning (CAL).
- When appropriate arrangements will be made to ensure staff are kept up to date with Section 75 developments.

Training arrangements

5.5 Equality training for HSENI is provided by (CAL), Enterprise Shared Services, which is the sole provider of generic training to the Northern Ireland Civil Service (NICS). HSENI has also engaged disability representative groups to provide specific awareness training for frontline staff.

5.6 Focused training is provided for key staff within HSENI who are directly engaged in taking forward the implementation of our equality scheme commitments. The following suite of Equality training is currently provided by CAL:

- **An Introduction to Section 75 and Schedule 9** – the aim of this course is to familiarise participants with the two statutory duties as outlined in Section 75 and Schedule 9, and the guidance provided by the Equality Commission NI. This course gives participants the opportunity to consider how Section 75 can be mainstreamed into policy development and implementation through pre-screening, screening and Equality Impact Assessments (EQIAs). Consultation, monitoring and action planning will also be introduced through linked, interactive exercises.
- **Equality Impact Assessment (EQIA) Workshop** - This course builds on participants' knowledge of Section 75 by giving them the opportunity to consider how to carry out an EQIA, in accordance with statutory guidance, and appropriate monitoring and consultation strategies.
- **Public Consultation and Engagement in the Northern Ireland Context** - The aim of this course is to develop knowledge and understanding of the consultation process for policymaking in Northern Ireland and to develop skills in carrying out consultations. Participants will explore the concepts, principles and a range of methods of consultation and will be able to define a structured approach to consultation. Participants will also have the opportunity to put consultations skills into practice in a learning environment.

5.7 In addition to this generic offering, CAL will work with departments/business areas within the Northern Ireland Civil Service to contextualise any aspect of Equality training.

5.8 Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups. CAL has established working relationships with both the Equality Commission and groups representing Section 75 categories e.g. the Participation Network. This enables CAL to keep abreast of issues experienced by the range of Section 75 groups and incorporate this into the training by way of practical examples and case studies. CAL also networks with staff throughout the NICS who are involved in policy. The experiences of these staff inform the training by providing examples of

where they have engaged with Section 75 groups throughout the policy cycle. These practical examples assist in bringing the issues experienced by a range of these groups to the fore.

5.9 When appropriate, arrangements will be made to ensure staff are kept up to date with Section 75 developments. The suite of Equality training provided by CAL is kept under regular review and revised when required. The most recent revisions were carried out to ensure that the current suite of courses were aligned with Equality Commission NI Section 75 Guidance for Public Authorities. These revised courses, informed and quality assured by equality subject experts, were launched in September 2010.

5.10 Training and awareness raising programmes have, where relevant, been developed in association with the appropriate Section 75 groups and our staff. In order to share resources and expertise, CAL, where possible, works closely with other bodies and agencies in the development and delivery of training. The design and delivery of CAL's Equality training is informed and quality assured by both the Equality Commission for Northern Ireland and NICS Equality Practitioners. It maintains ongoing liaison with the Equality Commission in relation to mainstreaming the Section 75 statutory duties into other generic training programmes, where appropriate. CAL trainers involved in the delivery of Equality training attend external courses offered by specialist organisations in the field e.g. Equality Commission, Human Rights Commission, to build on and maintain their knowledge.

5.11 As mentioned in point 5.7, CAL will work with any department/business area within the NICS to contextualise Equality training. This involves working closely with the relevant departmental Equality Practitioners in both the design and delivery of the training. This sharing of knowledge, experience and resources both ensures that the training is effective and also assists in building training capability. CAL's remit also includes provision of training to other publicly funded bodies such as non departmental public bodies which further enhances the opportunities to share resources and expertise.

Evaluation

5.12 Participants attending CAL training courses are asked to provide feedback by completing post course evaluation questionnaires on return to work and again three months later. These questionnaires inform the

regular course reviews which CAL carries out and courses are revised accordingly, where appropriate.

5.13 As part of the Performance Management framework, it is a requirement that line managers discuss training course objectives with their staff – both in terms of setting these objectives before the event, and the extent to which the objectives have been met once the training has been delivered. Line managers are also responsible for ensuring that opportunities are in place to put the training into practice.

Monitoring

5.14 Annual Personal Development Plans (PDPs) are discussed, agreed and monitored by HSENI's line managers and the staff for whom they are responsible. These PDPs also take account of the NICS corporate training priorities. CAL provides a monthly training report which enables HSENI to monitor training provided against the organisational training plans.

5.15 HSENI's Training Unit can review the feedback received for each of the equality courses provided by CAL to ensure that the courses are continuing to meet HSENI's needs. Any areas of concern will be raised with the Departmental Training Commissioner.

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

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

6.1 HSENI 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.

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

6.5 HSENI will respond to requests for information in alternative formats in a timely manner, liaising where appropriate, with representatives of young people, disability and minority ethnic organisations, taking into account existing and developing good practice.

6.6 HSENI is committed to achieving effective communication with the public. Recognising the growing range of communication channels and the differing needs and preferences of different groups, HSENI will endeavour to make use of a range of communication channels, utilising any available evidence-based evaluation, to enable wide access to

information and to mitigate the risk that some sections of the public might not enjoy equality of opportunity in accessing information provided by HSENI.

Access to services

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

6.8 HSENI is committed to ensuring that our facilities are designed to meet the requirements of all our customers. We also clearly state on our publications that the documents can be provided in other formats on request.

Assessing public access to information and services

6.9 HSENI's functions are monitored annually in relation to access to information and services, to ensure equality of opportunity and good relations are promoted. HSENI has a number of systems in place to achieve this eg event evaluations, an annual events survey and a monitoring of service delivery targets to ensure that the standards set out in HSENI's Customer Care Charter are being met.

HSENI also undertakes an in-depth Customer Satisfaction Survey across all functions the organisation performs.

Data will be reviewed annually as part of the process for preparing the Annual Progress Report which is sent to the Equality Commission.

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/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 and implement an action plan – attached in Appendix 6. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.13 – 2.20.

7.3 HSENI has also taken the decision to incorporate its Disability Action Plan into this process, ensuring that any action required or proposed is directly in line with its strategic planning process.

Chapter 8 Our complaints procedure

(Schedule 9 10.)

8.1 HSENI has drawn up a Complaints Procedure in relation to this Equality Scheme. HSENI is responsive to the views of members of the public and 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.

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

8.4 A person wishing to make a complaint that HSENI has failed to comply with its approved equality scheme should contact HSENI's Corporate Support Group – see para 2.4 for contact details. Any additional assistance required to bring forward the complaint eg an interpreter, advocacy services etc., should be raised with Corporate Support Group so that appropriate provision can be addressed.

8.5 We will, in the first instance, acknowledge receipt of each complaint within 3 working days.

8.6 HSENI will carry out an internal investigation of the complaint and will respond substantively to the complainant within one 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 months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

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

8.8 If complainants are still dissatisfied they should write to the Chief Executive of HSENI.

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

8.10 Similarly, HSENI 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.

8.11 HSENI will fully consider and 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 HSENI's equality scheme is available free of charge in print form and alternative formats from HSENI's Corporate Support Group, whose contact details are at 2.4.

9.2 Our equality scheme is also available on our website at:
www.hseni.gov.uk.

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

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include use of the website, press releases and direct mail shots to groups representing the various categories in Section 75.
- We will email a link to our approved equality scheme to all Section 75 consultees on our consultation list. 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.
- Our equality scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats and in minority languages to meet the needs of those not fluent in English.

9.4 For a list of our Section 75 consultees please see Appendix 3 of this equality scheme.

Chapter 10 Review of our equality scheme

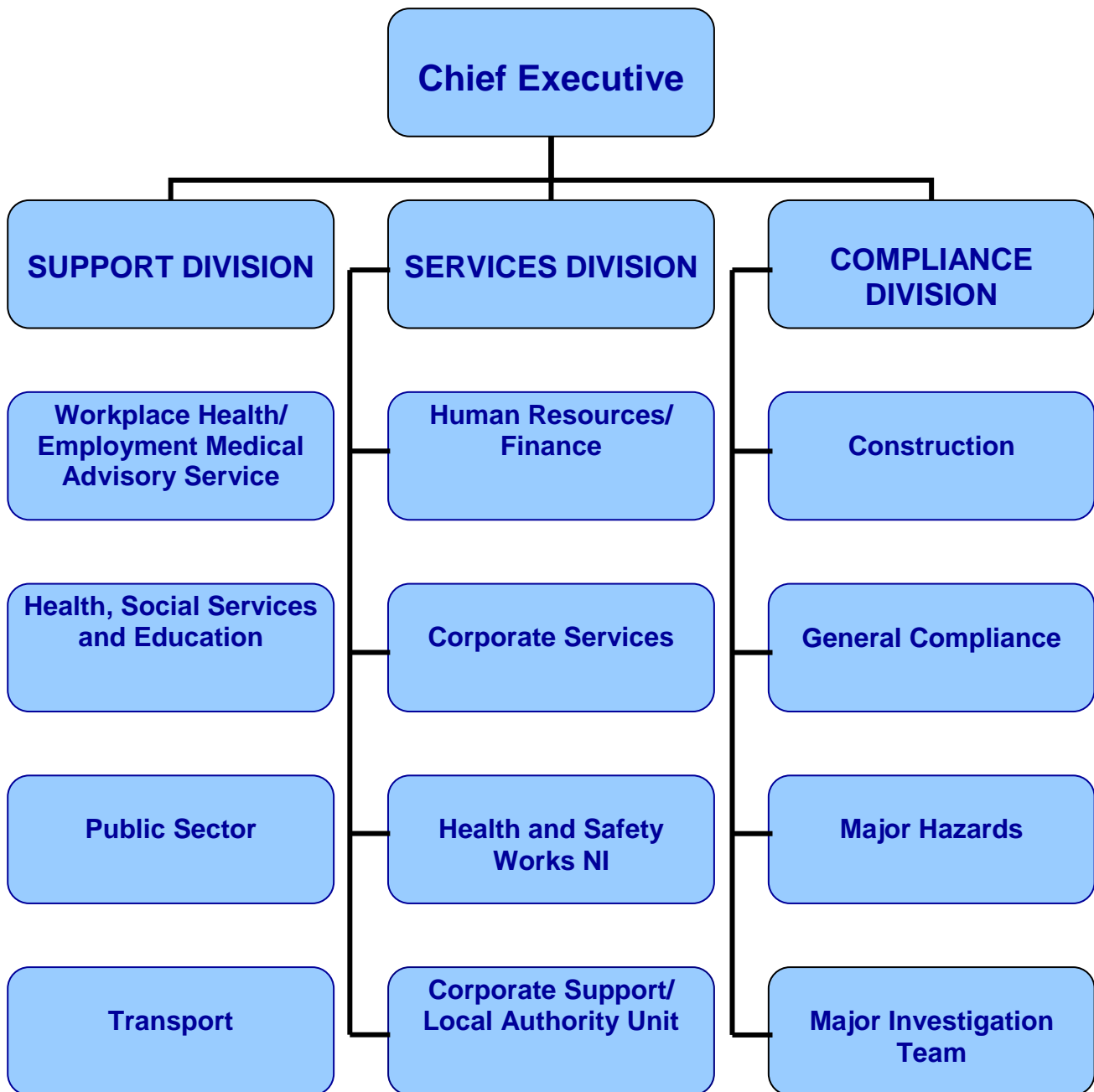
(Schedule 9 8. (3))

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 HSENI's corporate planning cycle.

10.2 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.

10.3 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be sent to the Equality Commission and made public, by placing it on HSENI's website.

Appendix 1 HSENI Organisational Chart (December 2011)



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 & 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>”.</p>
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; 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 Section 75 consultees (Schedule 9 4. (2) (a))

MLAs
MPs
MEPs
Local Councils
Action On Hearing Loss
Age NI
Age Sector Platform
Alliance Party
An Munia Tober
Archbishop of Armagh & Primate of all Ireland
Ards Business Centre Ltd
Argyle Business Centre Ltd
Armagh Business Centre Ltd
Aspergers Network
Association of Independent Advice Centres
Autism NI
Ballymena Business Centre Ltd
Banbridge Enterprise Centre
Bar Council
Belfast Centre for the Unemployed
Belfast City Centre Management
Belfast Hebrew Congregation
Belfast Islamic Centre
Bishop of Down & Connor
British Deaf Association
Bryson House
Business in the Community
Cara-Friend
Carers NI
Carrickfergus Enterprise Agency Ltd
Causeway Enterprise Agency Ltd
Cedar Foundation
Chief Executives Forum
Chief Officers 3rd Sector
Children in Northern Ireland (CINI)
Children's Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association Ltd
Commissioner for Children and Young People
Commissioner for Older People NI

Committee on the Administration of Justice
Communication Access
Communication Workers Union
Community Foundation for NI
Community Relations Council
Countryside Services Ltd
Confederation of British Industry
Cookstown Enterprise Centre Ltd
Co-operation Ireland
Craigavon Industrial Development Org Ltd
Creggan Enterprises Ltd
Democratic Unionist Party
Disability Action
Dungannon Enterprise Centre Ltd
East Belfast Community Development Agency
East Belfast Enterprise Park Ltd
East Belfast Partnership Board
Employers for Disability NI
Enterprise, Trade and Investment Committee
Equality Coalition
Equality Commission
Falls Community Council
Federation of Small Businesses
Fermanagh Enterprise Ltd
Foyle Women's Information Network
General Consumer Council for NI
Gingerbread NI
GMB
Greater Shankill Partnership
Inclusive Mobility Transport Advisory Committee (IMTAC)
INCORE Conflict Resolutions Ltd
Indian Community Centre
Information Commissioner's Office
Institute of Directors (NI Division)
Kesh Development Association Charitable Trust
Larne Development Forum
Law Centre (NI)
Lisburn Enterprise Organisation Ltd
Local Strategy Partnership
Mallusk Enterprise Park
MENCAP
Methodist Church in Ireland
Mindwise

Multi-Cultural Resource Centre
Newry & Mourne Enterprise Agency
NI Anti-Poverty Network
NI Association for Mental Health
NI Authority for Utility Regulation
NI Centre for Competitiveness
NI Chamber of Commerce & Industry
NI Council for Voluntary Action
NI Council on Ethnic Minorities
NI Environment Link
NI Human Rights Commission
NI Women's European Platform
NIACRO
NIC/ICTU
NIGRA
NIPSA
North Antrim Business Agency
North Belfast Partnership
North City Business Centre Ltd
North Down Development Organisation Ltd
NSPCC
NUS/USI
NW Community Network
Omagh Enterprise Co Ltd
Ormeau Enterprises Ltd
Participation Network
POBAL
Presbyterian Church in Ireland
Prince's Trust
Progressive Unionist Party
Queen's University
Rosslea Enterprises Ltd
RNIB (NI)
Rural Community Network
Rural Development Council
SDLP
Services Industrial Professional Technical Union
Sinn Fein
South Belfast Partnership Board
South West Fermanagh Development Organisation Ltd
Strabane Industrial Properties Ltd
The William Keown Trust
The Workers Party

Townsend Enterprise Park Ltd
Training for Women Network Ltd
Ulster Scots Community Network
Ulster Unionist Party
UCATT
Union of Shop, Distributive & Allied Workers
UNISON
Unite the Union
University of Ulster at Coleraine
UK National Committee of UN Women
Ulster Unionist Party
Visual Access NI
Volunteer Now
West Belfast Development Trust Ltd
West Belfast Partnership Board
Westlink Enterprise Ltd
Women's Forum
Women's Information Group
Women's Resource & Development Agency
Women's Support Network
Women's TEC
Workspace

Please note that this consultation list is indicative and not exhaustive and that it is reviewed on an annual basis to ensure that it remains relevant to HSENI's functions and policies.

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

Measure)	Lead responsibility	Timetable
Section 75 Annual Progress Report [2.7]	Head of Corporate Support Group	Annually - August
<p>Action plan</p> <p>Completion of consultation on draft action plan [2.17]</p> <p>Arrangements for monitoring progress of Action Plan [2.19]</p> <p>Finalised action plan published [2.20]</p>	<p>Corporate Support Group</p> <p>Corporate Support Group</p> <p>Corporate Support Group</p>	<p>March 2012</p> <p>August 2012 (and ongoing as part of the Annual Progress Report to the Equality Commission)</p> <p>November 2012</p>
Consultation list reviewed and updated [3.18;- 3.19]	Corporate Support Group	October (annually in conjunction with DETI)
Screening Reports put on HSENI's website [4.15]	Corporate Support Group	As soon as operationally possible having been signed off by the relevant Head of Division
Publication of monitoring information [4.33 - 4.34]	Corporate Support Group	This data will be contained within the Annual Progress Report to the Equality Commission (due at the end of August).
Focussed training [5.4]	Training Unit in conjunction with Corporate Support Group.	All new staff will be made aware of section 75 during their induction training. As appropriate, staff will be informed of the relevant

		Section 75 training courses available through CAL. Other specific training, such as disability awareness will be considered on an annual basis (and strategically during the four year period of the Corporate Plan) and actions incorporated into HSENI's learning and development planning processes.
Assessing access to information and services [6.]	Corporate Support Group	Annually as part of the Annual Progress Report to the Equality Commission (due at the end of August).
Communication of equality scheme [9.1 – 9.3]	Corporate Support Group	Ongoing
Notification of approved scheme to all Section 75 consultees [9.3]	Corporate Support Group	Within 3 months of the scheme being approved
Review of equality scheme [10.1]	Corporate Support Group	In line with HSENI's Corporate Planning Cycle (ie a four year cycle).
Review of Disability Action Plan [7.3]	Corporate Support Group	On an annual basis with a major review in line with HSENI's Corporate Planning Cycle

Appendix 5 Glossary of terms

Action plan

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

Action measures and outcomes

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

Adverse impact

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

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, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the nine categories. Different circumstances will call for different types of

consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Discrimination

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

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

Brief descriptions of these terms are set out below:

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 underrepresented or otherwise disadvantaged groups.

Indirect discrimination:

The definition of this term varies across some of the antidiscrimination 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.

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 Equality Commission has agreed the following working definition of good relations: 'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'.

Mainstreaming equality

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

Mitigation of adverse impact

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public

authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems. Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

Non- Departmental Public Body (NDPB)

An NDPB is a body which has a role in the processes of national government, but is not a government department, or part of one, and which accordingly operates to a greater or lesser extent at arm's length from ministers. NDPBs have a national or regional remit and carry out a wide range of important functions. Their distance from government means that the day-to-day decisions they make are independent as they are removed from ministers and Civil Servants. Ministers are, however, ultimately responsible to the Assembly for an NDPB's independence, its effectiveness and efficiency.

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.

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.

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.

Appendix 6 HSENI Equality Action Plan 2011 - 2015

Key Objective – To provide the highest standards of service delivery at the regional level

Inequality	Action Measures	Performance Indicator	Timescale	Monitoring
No specific inequality identified	To ensure that any HSENI customer satisfaction surveys include a question on equality of opportunity and the promotion of good relations.	Identification of an up-to-date list of HSENI surveys that could be utilised to provide information on how best to ensure equality of opportunity and the promotion of good relations.	June 2012	Results of surveys formally monitored as part of the Annual Report to the Equality Commission.
		Inclusion of a relevant question(s) in all appropriate surveys.	August 2012	

Key Objective – To promote key workplace health and safety messages and themes to targeted sectors and groups

Inequality	Action Measures	Performance Indicator	Timescale	Monitoring
No specific inequality identified	To roll out an equality monitoring initiative to measure the uptake of Section 75 Groups at HSENI's promotional events.	That all relevant events will have forms issued to facilitate equality monitoring.	2011-2012 (roll out and review) 2012 – 2015 - ongoing	To monitor forms on an on-going basis and formally review them in line with the Annual Progress Report to the Equality Commission. To monitor any actions undertaken as a result of specific needs identified by Section 75 Groups.
The potential exists for an inequality if promotional campaigns favour communication methods that would have a tendency to be less accessible to older and disabled groups.	To raise staff awareness of the need for campaign messages to take account of the needs of all relevant Section 75 Groups as	That all promotional campaigns are equality proofed for accessibility during the planning stage.	October 2012	Review processes with appropriate Heads of Group.

	part of the planning processes associated with the campaign.			
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Key Objective – to communicate appropriate, timely and practical workplace health and safety information and advice

Inequality	Action Measures	Performance Indicator	Timescale	Monitoring
No specific inequality identified	<p>Need for ongoing awareness of the availability of health and safety literature to S75 groups.</p> <p>Raise awareness of and, where necessary, revise key HSENI publications relevant to vulnerable groups.</p>	Increase in downloads/distribution of relevant information sheets/booklets.	2011 - 2015	Distribution of key information sources - monitored on an annual basis within lifetime of Action Plan.

April 2012

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