

# ***Equality scheme for CCEA***



***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 10 for contact details).***

CCEA  
29 Clarendon Road  
Belfast  
BT1 3BG

Approved by the Equality Commission for Northern Ireland on 18<sup>th</sup> November 2011.

## Foreword

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

In our equality scheme we set out how the Council for the Curriculum, Examinations and Assessment (CCEA) proposes to fulfill the Section 75 statutory duties.

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

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

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

We, Helen McClenaghan (Deputy Chairperson) and Gavin Boyd (Interim Chief Executive) of CCEA, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

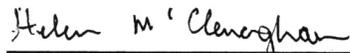
We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to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

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

failure, on our part, to comply with our equality scheme, can make complaints.

On behalf of CCEA 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.



Helen McClenaghan  
Deputy Chairperson



Gavin Boyd  
Interim Chief Executive

Date: 18<sup>th</sup> November 2011

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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 CCEA to comply with two statutory duties:

#### **Section 75 (1)**

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

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

#### **Section 75 (2)**

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

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

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

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

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

1.3 CCEA 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

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

statutory duties are complied with and that our equality scheme can be implemented effectively.

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

CCEA was established on 1<sup>st</sup> April 1994 and is a non-departmental public body reporting to the Department of Education in Northern Ireland.

CCEA places itself at the heart of the Northern Ireland community ensuring its products and services meet the needs of all learners.

CCEA's broad purposes are:

- Advising Government - on what should be taught in Northern Ireland's schools and colleges;
- Monitoring Standards - to ensure that the qualifications and examinations offered by awarding bodies in Northern Ireland are of an appropriate quality and standard;
- Awarding Qualification – as Northern Ireland's leading awarding body we offer a diverse range of qualifications, such as GCSEs, including the new GCSE Double Award specifications in vocational subjects, GCE A and AS levels, Entry Level Qualifications, and Graded Objectives in Modern Languages.

CCEA's principal functions are:

- To keep under review all aspects of the curriculum, examinations and assessment;
- To advise the Department of Education on matters concerned with the curriculum, assessment, examinations and external qualifications;
- To publish and distribute, or secure or assist the publication and distribution of, information relating to the curriculum, examinations and assessment;
- To carry out statutory consultations;
- To develop and publish criteria for the accreditation of relevant external qualifications;
- To accredit appropriate qualifications;

- To conduct examinations and assessments, ensuring that standards are recognised as equivalent to the standards of examinations and assessments conducted by other bodies or authorities exercising similar functions elsewhere in the United Kingdom;
- To produce, or secure, or assist the production of, teaching materials in connection with the curriculum and assessment;
- To carry out such other activities as the Department of Education may direct in connection with its other statutory functions.

CCEA employs around 370 staff. Its employment function is fully committed to promoting equality, diversity and good relations in all aspects of its work and to uphold the principle of selection or merit on the basis of fair and open competition.

CCEA's procurement function follows the 12 procurement principles as laid down by Government: accountability; competitive supply; consistency; effectiveness; efficiency; fair-dealing; integration; integrity; informed decision making; legality; responsiveness and transparency.

## **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 for example arrangements for monitoring, assessment of impact of policies, consultation, training, publication, complaints, access to information and services and review.

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

### **Responsibilities and reporting**

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

2.3 Responsibility for the effective implementation of our equality scheme lies with the Chief Executive. The Chief Executive is accountable to 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.

CCEA has an Equality Officer to support the implementation of the administrative arrangements. The Equality Officer will act as the main point of contact for CCEA in respect of the Equality Scheme.

The Equality Officer will report regularly to the Director of Corporate Services, who has an advisory role to the Top Management Team of CCEA, ensuring priorities are identified and problems with implementation of the equality of opportunity are highlighted through regular written reports.

CCEA has established an Equality Team, on a part duty basis, which is chaired by the Equality Officer. The team will research good practice, monitor and advise on the implementation of the Section 75 obligations across CCEA and ensures that progress is reported to the Director of Corporate Services, at least four times a year.

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

People Services and Equality  
CCEA  
29 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG  
Tel: 028 90261200  
Fax: 028 90434284  
Email: [equalityteam@ccea.org.uk](mailto:equalityteam@ccea.org.uk)  
Textphone: 028 90242063

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

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

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

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

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

2.8 The latest Section 75 annual progress report is available on our website [www.ccea.org.uk](http://www.ccea.org.uk) or by contacting:

The Equality Team

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

People Services and Equality  
CCEA  
29 Clarendon Road  
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Textphone: 028 90242063

2.9 CCEA liaises closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

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

2.11 CCEA has developed an action plan to promote equality of opportunity and good relations.

2.12 The action measures that make up our action plan are relevant to our 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 our service users and those affected by our policies<sup>5</sup>.

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

2.14 The action plan has been developed for a period of three years in order to align them with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

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

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

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

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

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

2.18 Once finalised, our action plan will be available from [www.ccea.org.uk](http://www.ccea.org.uk) or by contacting the Equality Team directly using the details provided above.

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

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

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

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

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

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

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

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

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

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

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

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

CCEA is committed to achieving effective communication with the public. Recognising the growing range of communications channels and the differing needs and preferences of different groups, we will ensure the use of a range of communication channels to enable wide access to information, to mitigate the risk that some sections of the public might not enjoy equality of opportunity in accessing information provided by CCEA.

Information will be made available, on request, in alternative formats<sup>6</sup>, in a timely manner, usually within 2-3 weeks. We will ensure that such consultees have equal time to respond.

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

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

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

- Circulation of a link to the final Equality Scheme to all consultees within three months of approval by the Equality Commission;
- Arranging pre-consultation meetings as required with Section 75 representative groups and stakeholders to discuss specific policies as required;
- Arranging focused training as required for those engaged in consultation exercises, to ensure that those facilitating consultations, have the necessary skills to communicate effectively with those being consulted;
- Holding regular Equality Team meetings to review progress on the Equality Scheme and Section 75 issues linked to CCEA's functions.

3.2.6 The consultation period lasts for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments<sup>8</sup>.

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

3.2.7 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly

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

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

complex, we will give consideration to the feasibility of allowing a longer period for the consultation.

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

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

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

3.2.11 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of our consideration of and response to consultees' input. The feedback is provided in formats suitable to consultees. (Please see also 6.3)

3.3 A list of our consultees is included in this equality scheme at Appendix 3. It can also be obtained from our website at [www.ccea.org.uk](http://www.ccea.org.uk) or by contacting:

The Equality Team  
People Services and Equality  
CCEA  
29 Clarendon Road  
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BT1 3BG  
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Fax: 028 90434284  
Email: [equalityteam@ccea.org.uk](mailto:equalityteam@ccea.org.uk)

Textphone: 028 90242063

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

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

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

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

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

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

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

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

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

### **Screening**

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

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

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

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

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

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

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

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

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

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

This screening decision will be ‘signed off’ by the appropriate policy lead within CCEA.

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

4.12 If our screening concludes that the likely impact of a policy is ‘none’, in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken. This screening decision will be ‘signed off’ by the appropriate policy lead within CCEA.

4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on our website [www.ccea.org.uk](http://www.ccea.org.uk) and on request by contacting:

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

The Equality Team  
CCEA  
29 Clarendon Road  
Clarendon Dock  
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BT1 3BG  
Tel: 028 90261200  
Fax: 028 90434284  
Email: equalityteam@ccea.org.uk  
Textphone: 028 90242063

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

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

### **Equality impact assessment**

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

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

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

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

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

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

### **What we publish**

#### 4.20 Screening reports

These are published quarterly. Screening reports detail:

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

#### 4.21 Screening templates

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

#### 4.22 Equality impact assessments

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

- A statement of the aim of the policy assessed;
- Information and data collected;

- Details of the assessment of impact(s);
- Consideration given to measures which might mitigate any adverse impact;
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Consultation responses;
- The decision taken; and
- Future monitoring plans.

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

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

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

4.24 The results of our assessments (screening reports and completed templates, the results of equality impact assessments) are available by contacting:

The Equality Team  
People Services and Equality  
CCEA  
29 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG  
Tel: 028 90261200  
Fax: 028 90434284  
Email: [equalityteam@ccea.org.uk](mailto:equalityteam@ccea.org.uk)  
Textphone: 028 90242063

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

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

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

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

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

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

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

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

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

4.31 We review our EQIA monitoring information on an annual basis. Other monitoring information is reviewed as follows:

- Complaints are reviewed to ensure issues raised by stakeholders are addressed, where appropriate;
- CCEA's Research and Statistics department prepare statistical reports following each examination series, which monitors uptake of each examination by gender and school type;
- The Annual Report to the Equality Commission includes an update on monitoring action undertaken and results;
- Results from monitoring will be taken into account in reviewing progress of the action plan.
- Every three years CCEA completes an Article 55 review of the composition of its workforce and of its employment practices.

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

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

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

4.34 Our Annual Progress Report can be accessed on our website [www.ccea.org.uk](http://www.ccea.org.uk). Hard copies can be provided on request.

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

## **Chapter 5      Staff training** (Schedule 9 4.(2) (e))

### **Commitment to staff training**

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

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

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

### **Training objectives**

5.3 CCEA will draw up a detailed training plan for its staff which will aim to achieve the following objectives:

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

## **Awareness raising and training arrangements**

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

- We will develop a summary of this equality scheme and make it available to all staff;
- We will provide access to copies of the full equality scheme for all staff; ensure that any queries or questions of clarification from staff are addressed effectively;
- Staff in the CCEA will receive a briefing on this equality scheme within 6 months after approval of this scheme;
- The Section 75 statutory duties form part of induction training for new staff;
- Focused training is provided for key staff within CCEA who are engaged directly in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation);
- Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups;
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments.

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

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

## **Monitoring and evaluation**

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

- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
- The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.
- Participants attending training courses are required to complete a post course evaluation, the results of which are analysed and courses are revised accordingly, where appropriate.
- As part the Performance Review process, 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.
- Annual Learning Needs Analysis (LNA) forms are issued to line managers. These LNAs are collated by CCEA’s Learning and Development department to produce an organisational training plan. Training reports can be provided to monitor training against the organisational training plan.
- The Equality Team will monitor attendance at courses regarding equality and evaluate the extent to which Section 75 objectives have been met.

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

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

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

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

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

### **Access to information**

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

- Alternative formats may include Braille, Easy Read, audio formats, large print or minority languages to meet the needs of those for whom English is not their first language.
- CCEA liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.
- We will respond to requests for information in alternative formats in a timely manner, usually within 2-3 weeks.
- CCEA has included an accessibility section on its website to provide access for those with visual impairments or reading difficulties. Browse Aloud, the National Business and Disability Council's product of the year 2004, is a website speech enabling service which makes web content accessible to anyone with reading difficulties. It is designed to be simple for users, requiring a short download of the free program. Browse Aloud not only speech enables website content, it also speech enables the menus and hyperlinks to ease navigation of the website.
- CCEA employs 2 Special Education Needs Education Managers within the Curriculum and Assessment department, who develop

materials and provide support and guidance to teachers of SEN pupils;

- CCEA employ 6 members of staff within the Centre and Examiner Support department whose remit is to ensure that candidates who require access to arrangements, reasonable adjustments and special consideration are given access the appropriate information and are treated fairly and in accordance with the Joint Council for Qualifications (JCQ) Guidelines.
- During examination series, trained CCEA staff operate a dedicated exams advice line. Calls are logged and passed to the appropriate personnel.
- CCEA has a dedicated Irish Medium unit, which produces examinations and other information, as appropriate.
- CCEA's Editorial department consider the accessibility and equitable requirements of people, by taking steps to improve the overall clarity of the documents CCEA produces eg use of Plain English guidelines.

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

### **Access to services**

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

6.7 CCEA has a comprehensive website, which provides information on all its products and services, including relevant contact details.

Section 7 of the GCSE, GCE and AEA Code of Practice requires that CCEA ensures that candidates with particular requirements can demonstrate their skills, knowledge and understanding by enabling them to access, for example, modified question papers.

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

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

6.9 The accessibility of the services we offer are reviewed regularly through point of use monitoring, customer satisfaction surveys and other Section 75 surveys.

CCEA's Complaints Co-ordinator considers all complaints and issues raised with CCEA regarding access to information and services.

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

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

7.1 Appendix 4 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.

7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.18.

## **Chapter 8      Our complaints procedure**

(Schedule 9 10.)

8.1 CCEA are responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

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

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

8.3 A person wishing to make a complaint that CCEA has failed to comply with its approved equality scheme should contact:

CCEA's Complaint's Co-ordinator  
CCEA  
29 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG  
Telephone: 028 9026 1244  
Email: [hclarke@ccea.org.uk](mailto:hclarke@ccea.org.uk)  
Textphone: 028 90242063

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

8.5 CCEA's Complaints Officer 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 complainant will be advised of the extended period.

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

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

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

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

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

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

9.1 Our CCEA's equality scheme is available free of charge in print form and alternative formats from:

The Equality Team  
CCEA  
29 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG  
Tel: 028 90261200  
Fax: 028 90434284  
Email: [equalityteam@ccea.org.uk](mailto:equalityteam@ccea.org.uk)  
Textphone: 028 90242063

9.2 Our equality scheme is also available on our website at:  
[www.ccea.org.uk](http://www.ccea.org.uk)

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

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
- We will email a link of our approved equality scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. We will respond to requests for the equality scheme in alternative formats in a timely manner, usually within 2-3 weeks.
- Our equality scheme is available on request in alternative formats such as Braille, Easy Read, large print, audio formats and in minority languages to meet the needs of those not fluent in English.

- A summary of the scheme will be prepared and circulated to Section 75 groups representing children and young people, people with disabilities and minority ethnic communities.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the equality scheme, visit our website at [www.ccea.org.uk](http://www.ccea.org.uk) or by contacting:

The Equality Team  
CCEA  
29 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG  
Tel: 028 90261200  
Fax: 028 90434284  
Email: [equalityteam@ccea.org.uk](mailto:equalityteam@ccea.org.uk)  
Textphone: 028 90242063

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

(Schedule 9 8. (3))

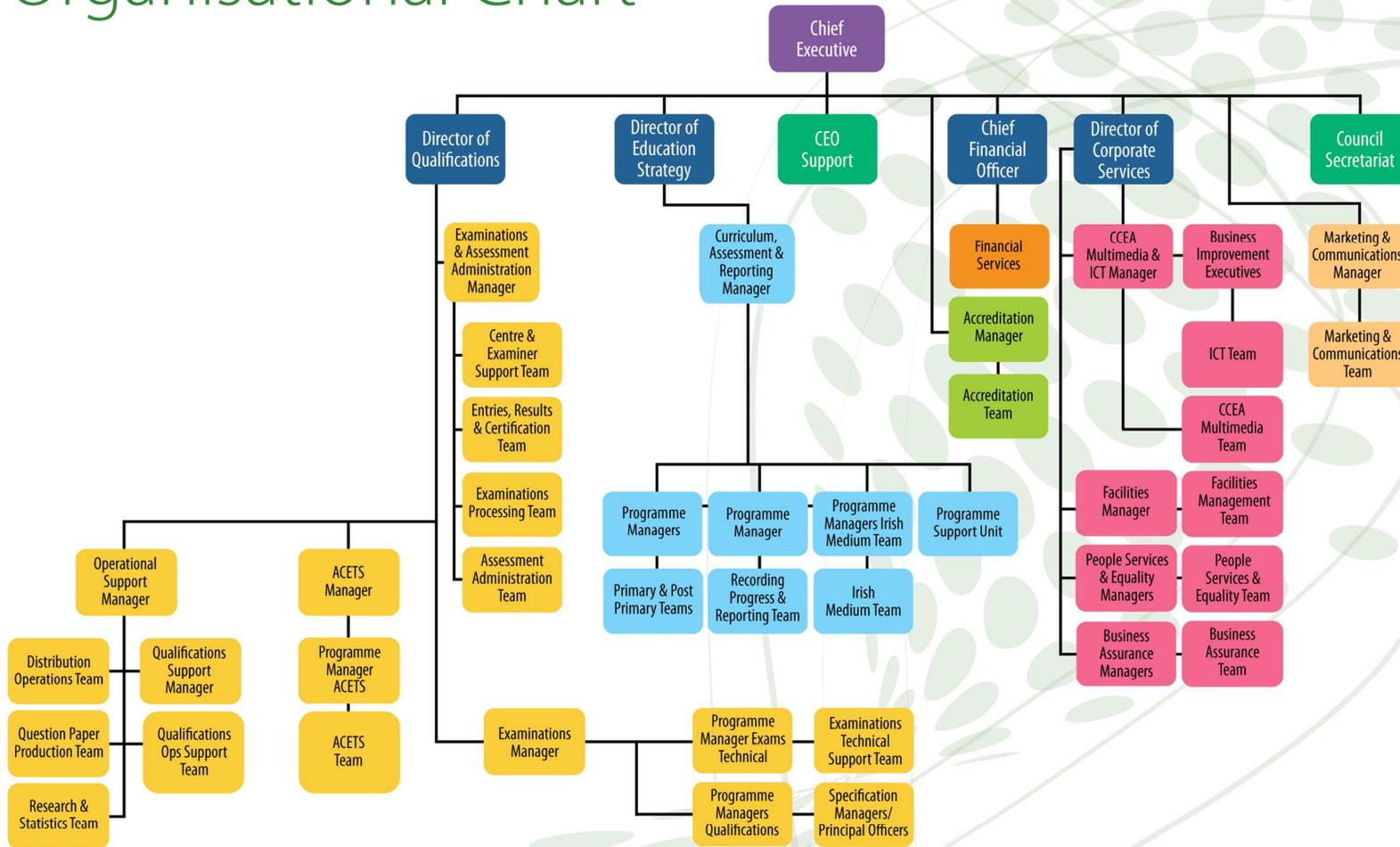
10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment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

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

10.2 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public by publication on CCEA's website, with consultees notified of the link by email, and sent to the Equality Commission.

# Appendix 1 Organisational chart

## Organisational Chart



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

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

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

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

<sup>11</sup> *ibid*

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

Age Concern
Association of Independent Advice Centres NI
Ballybeen Community Forum
Ballysillen Community Forum
Barnardos NI
Belfast Education and Library Board
Belfast Centre for the Unemployed
Belfast Hebrew Congregation
Belfast Travellers' Education & Development Group
BPW Northern Ireland (Business & Professional Women)
Bryson House
Business in the Community
Carafriend
Carers Northern Ireland
Castlereagh Lifestyle Forum
CCEA Council Members & Staff
Central Services Agency
Chartered Institute of Housing
Child Care NI
Child Poverty Action Group
Children's Law Centre
Chinese Welfare Association
City & Guilds
Comhairle na Gaelscolaíochta
Committee on the Administration of Justice
Community Development and Health Network
Community Enterprise Unit
Community Evaluation (NI)
Community Network Portadown
Community Places
Community Relations Training/Learning Consortium
Confederation of British Industry
Confederation of Community Groups
Co-operation Ireland (aka Co-operation North)
CoSO (Coalition on Sexual Orientation)
Council for the Homeless NI
Craigavon Travellers Support Committee

Creggan Enterprises Ltd
Deaf Association of Northern Ireland
Department for Employment and Learning
Department for Social Development
Department of Education
Dept of Education Inspectorate
Derry Travellers Support Group
Derry Well Woman
Disability Action
Down's Syndrome Association
DUP
East Belfast Community Development Agency
East Belfast Partnership
Employers' Forum on Disability
Equality Coalition
Equality Commission for NI
Equality Forum
Extern
Falls Community Council
Federation of Small Businesses
Fermanagh Women's Network
First Key NI
Forum for Community Work Education NI
Foyle Friend
Foyle Women's Information Network
FPA NI
Gay Lesbian Youth Northern Ireland
Gingerbread NI
Greater Belfast Community Network
Greater Shankill Partnership
Greater Turf Lodge Residents Association
Help the Aged, Northern Ireland
Holywell Trust
Housing Rights Service
Include Youth
Indian Community Centre
Institute of Directors
Interfaith Forum
Irish National Teachers Organisation
Joint Government & Voluntary Sector Forum
Lagan Valley Education Project
Law Centre (NI)

Lesbian Line c/o Carafriend
Limavady Community Development Initiative
Lurgan Council for Voluntary Action
Magherafelt womens group
Mandarin Speakers Association
MENCAP
Mens Movement N. Ireland
Moylinn House CDSSA
Multi Cultural Resource Centre
National Association of Head Teachers
National Association of Schoolmasters Union of Women Teachers
National Energy Action Charity (NEA) for NI
New Lodge Forum
New Start
Newry & Mourne Senior Citizens' Consortium
Newry & Mourne Women
Newtownabbey Senior Citizens' Forum
Newtownards Road Women's Centre
NI African Cultural Centre
NI Agriculture Producers' Association
NI Anti-Poverty Network
NI Association for Mental Health
NI Association for the Care and Resettlement of Offenders
NI Association of Citizens Advice Bureaux
NI Association of Colleges
NI Chamber of Commerce & Industry
NI Chamber of Trade
NI Committee, Irish Congress of Trade Unions
NI Council for Ethnic Minorities
NI Council for Voluntary Action (NICVA)
NI Deaf Youth Association
NI Dyslexia Centre
NI Economic Council
NI Economic Research Centre
NI Federation of Housing Associations
NI Filipino Centre
NI Food & Drink Association
NI Gay Rights Association
NI Governing Bodies Association
NI Growth Challenge
NI Housing Council
NI Human Rights Commission

NI Schools including Further Education Institutes and Primary Schools
NI Statistics and Research Agency
NI Tenants Action Project
NI Transport Holding Company Ltd
NI Voluntary Trust
NI Water Council
NI Women's Aid Federation
NI Youth Forum
NI Volunteer Development Agency
NI Women's European Platform
North Belfast Partnership Board
North Belfast Senior Citizens' Forum
North West Community Network
North West Forum of People with Disabilities
Northern Health & Social Services Council
Northern Ireland African Cultural Centre
Northern Ireland Women's Coalition
Northlands
NSPCC
NUS USI
Office of Law Reform
Omagh Women's Area Network
Organisation of the Unemployed: Northern Ireland (OUNI)
Parents Advice Centre
Parents and Professionals and Autism
PHAB NI
Playboard Northern Ireland Ltd, Child Play Agency
Presbyterian Church in Ireland
Press For Change
Prison Fellowship of NI
PUP
Putting Children First
QCA (Belfast Office)
Queens University Belfast
Queer Space
Rathcoole Churches Community Group
Regeneration of Mourne Area
Regional Training Unit
Relate
Research & Development Office
Royal National Institute for Deaf People (NI)
Royal National Institute for the Blind (NI)

RSA/OCR (Belfast Office)
Rural Community Network
Salvation Army Divisional HQ (NI)
Save the Children
Social Democratic and Labour Party
Social Democratic and Labour Party (Youth)
South Eastern Education and Library Board
Southern Education and Library Board
Sense NI
Shelter (NI) Ltd
Simon Community NI
Sinn Fein
Soroptimist International of Belfast
South Belfast Partnership Board
Southern Health & Social Services Council
Special Adviser to the Deputy First Minister (Designate)
Special Adviser to the First Minister (Designate)
Special Adviser to the First Minister (Designate)
Spiritual Assembly of the Baha'is
St Mary's University
St Vincent de Paul
Staff Commission
Stranmillis University
The British Council
The Cedar Foundation
The Family Planning Association
The Guide Dogs for the Blind Association
The Rainbow Project
The Ulster-Scots Language Society
The Women's Centre
Translink
Ulster Farmers' Union
Ulster Peoples' College
Ulster-Scots Agency
Ulster Teachers Union
UNISON
University of Ulster
UUP
VAST
Voice of Young People in Care
WAVE
Western Education and Library Board

West Belfast Economic Forum
West Belfast Partnership Board
West Belfast Senior Citizens' forum
Westcare Business Services
Windsor Women's Centre
Women's Forum NI
Women's Information Group
Women's Opportunities Unit
Women's Resource & Development Agency (WRDA)
Workers Educational Association (N.I. District)
Youth Action NI
Youth Council for NI
Youth Link for NI
Youthnet

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

<b>Scheme Paragraph</b>	<b>Measure</b>	<b>Lead responsibility</b>	<b>Timetable</b>
2.5	Reflect Section 75 objectives and targets in Corporate and Business Unit Plans	Equality Officer, Directors, Business Managers	Annually – beginning April
2.6	Include Section 75 duties and implementation of equality scheme in job descriptions and performance review.	Equality Manager	Beginning April 2011
2.7	Section 75 Annual Progress Report	Equality Officer	Annually (31 August)
2.10	Equality Team meetings	Equality Officer	Quarterly
2.15	Consultation on draft Action Plan	Equality Officer	April-June
2.18	Finalised Action Plan published	Equality Officer/Chief Executive	September/October 2011
2.16	Arrangements for monitoring progress in place	Equality Officer	September/October 2011
3.4	Consultation list reviewed and updated	Equality Officer	September (annually)
4.4	Develop screening timetable	Equality Officer	August 2011
4.15	Quarterly publication of screening reports	Equality Officer	Quarterly commencing April 2011
4.16	Develop EQIA timetable	Equality Officer	September 2011
4.31	Annual review of monitoring information	Equality Officer	Annually
4.33	Publication of monitoring information	Equality Officer	Progress report by 31 August 2011 and annually
4.34	Notify consultees of publication of Annual Report	Equality Officer	Annually by 30 September 2011
5.3	Development of detailed training programme	Equality Officer	Within 3 months of scheme approval
5.4	Development of summary scheme	Equality Officer	Within three months of scheme approval
5.4	Check	Equality Officer	Annually

	availability/suitability of focussed training for key staff		
5.4	Review/organise update training	Equality Officer	Annually
5.6	Evaluation of training	Equality officer in conjunction with Learning & Development team	Annually
6.9	Assess access to information and services	Equality Team	Annually
9.3	Communication of Equality Scheme	Equality Officer	On-going
9.3	Notification of approved scheme to consultees	Equality Officer	Within 3 months of scheme approval
9.3	Circulate summary of scheme to Section 75 groups representing children and young people	Equality Officer	Within 3 months of scheme approval
10.1	Review of Equality Scheme	Equality Officer	Within 5 years

## **Appendix 5 Glossary of terms**

### **Action plan**

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

### **Action measures and outcomes**

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

### **Adverse impact**

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

### **Article 55 Review**

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

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

### **Audit of inequalities**

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

duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

### **Consultation**

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

### **Discrimination**

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

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

#### Direct discrimination

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

#### Indirect discrimination

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one

that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

#### Disability discrimination

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

- (a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.
- (b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

#### **Equality impact assessment**

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

#### **Equality of opportunity**

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

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

### **Equality scheme**

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

### **Good relations**

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

### **Joint Council for Qualifications (JCQ)**

The JCQ (formerly the Joint Council for General Qualifications) was established on 1st January 2004 and represents the major awarding bodies that serve England, Wales and Northern Ireland: AQA, CCEA (the Northern Ireland Council for the Curriculum, Examinations & Assessment), City & Guilds, Edexcel, OCR and WJEC (the Welsh Joint Education Committee).

### **Mainstreaming equality**

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

### **Mitigation of adverse impact**

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes

which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

### **Monitoring**

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

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

### **Northern Ireland Act**

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

### **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.

### **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.

