

Equality Scheme for the Northern Ireland Housing Executive

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

Housing Executive Equality Scheme

Equality, Diversity, Inclusion and Safeguarding Team

	Housing Executive
Title	Housing Executive Equality Scheme
Aim	The equality scheme sets how the Northern Ireland Housing Executive proposes to fulfil the Section 75 statutory duties.
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Approved by the Equality Commission for Northern Ireland 24th April 2013

Please note that this document is available on request in alternative formats including:

- Large font
- Audio Formats
- Braille
- Computer Disc / DVD
- Main minority ethnic languages
- DAISY

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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 we set out how the Northern Ireland Housing Executive proposes to fulfil the Section 75 statutory duties.

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

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

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

As Chair and Chief Executive of the Northern Ireland Housing Executive, we are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented.

Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with our Section 75 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 the Northern Ireland Housing Executive we are pleased to support and endorse this equality scheme. It has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.



Nicole Lappin

Chair



Grainia Long

Chief Executive

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Chapter 1 Introduction

Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires the Northern Ireland Housing Executive 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 the Northern Ireland Housing Executive.

1.2 Schedule 9 4. (1) of the Act requires the Northern Ireland Housing Executive 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 The Northern Ireland Housing Executive is committed to the discharge of its Section 75 obligations in all parts of our organisation and we will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our equality scheme can be implemented effectively.

Who we are and what we do

Organisation Background and Structures

- 1.4 The Northern Ireland Housing Executive was established in 1971 as Northern Ireland's single comprehensive regional housing authority. We offer a range of services to people living in socially rented, privately rented and owner occupied accommodation as well as supporting and working with a number of statutory bodies and those from the community and voluntary sector.

We are committed to working in partnership to ensure that everyone is able to live in an affordable, sustainable and decent home, appropriate to their needs, in a safe, attractive and climate-resilient place. Our aim is to that housing plays its part in creating a peaceful, inclusive, prosperous and fair society.

Over the past fifty years, working with our partners in government and other stakeholders, we have transformed the social housing landscape across Northern Ireland.

The Housing Executive currently administers a budget of £1.2b (includes administration of Housing Benefit) and has responsibility for the management of circa 84,000 homes; with the Housing Association sector managing a further 58000 homes, we are an organisation of housing professionals committed to fairness and making a difference for our customers through the diverse range of functions we deliver. We have two distinct strands to our business: our Landlord role and our Strategic Housing Authority role (sometimes referred to as Regional Services).

Landlord Role

Our landlord services functions are delivered through our Asset Management and Housing Services Divisions. They encompass the full range of landlord services from application to tenancy termination and a range of tenancy management functions including income collection, planned and responsive stock improvement, repairs and engaging with our customers and tenants at a community based level.

Many aspects of our performance are in the top quartile as measured by Housemark, a service that benchmarks our costs and performance across a range of core housing activities against other large social landlords in the UK.

The services we deliver also extend far beyond a traditional landlord and tenant relationship. We actively strive to improve and enhance the communities where our tenants and customers live socially, economically and environmentally. We also manage a commercial property portfolio of approximately 400 units and 6,100 leasehold properties.

Strategic Housing Authority Role (Regional Services)

Regional Services is the strategic housing authority side of the Housing Executive, providing services ranging from assessing housing need, managing the Social Housing Development Programme (SHDP) with our housing association partners, Supporting People and Homelessness Services which is delivered by colleagues in Housing Services.

Alongside this we undertake an ongoing research programme to produce a comprehensive body of housing market intelligence to help us identify and determine how best to shape our services and the places where people want to live in Northern Ireland. In addition, we are the Home Energy Conservation Authority (HECA) for Northern Ireland. We administer the Affordable Warmth and Boiler Replacement schemes on behalf of the Department for Communities (DfC).

Our Landlord role and Regional Services role are supported by Finance and Corporate Services Divisions.

Organisational Structure

- 1.5 Our Executive Management Team consists of our Chief Executive and five Directors.



Core Values

1.6 We are committed to making a difference through fairness, passion and expertise.

- Making a Difference:
 - We strive to make people's lives better.
 - We put our customers first and deliver right first time.
 - We build strong partnerships and share great ideas.
- Fairness:
 - We treat our customers, staff and partners fairly.
 - We respect diversity.
 - We work in an open and transparent way.
- Passion:
 - We are professional in all that we do.
 - We strive for excellence.
 - We look for new, creative, better ways to do things.
- Expertise:
 - We believe in our people.
 - We are constantly learning and developing.
 - We provide strong confident housing leadership.

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. Consultation is detailed in chapter 3, monitoring arrangements, assessment of impact of policies and publication arrangements in chapter 4, staff training in chapter 5 and access to information in chapter 6. The Northern Ireland Housing Executive's complaints procedure is set out in chapter 8, and the publication and Annual Review of the Northern Ireland Housing Executive's Equality Scheme can be found in chapters 9 and 10.

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 Statutory responsibility for the effective implementation of our Equality Scheme lies with the Board of the Northern Ireland Housing Executive, which is committed to the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.

The Chief Executive has a responsibility to the Board to ensure that the Northern Ireland Housing Executive fully complies with this Equality Scheme. Each Divisional Director is responsible to the Chief Executive for ensuring that his/her Division fully complies with the Scheme.

Operational responsibility for the delivery of the Equality Scheme lies with the Equality, Diversity, Inclusion & Safeguarding (EDIS) Team, reporting to the Director of Corporate Services (through the Assistant Director Organisational Development). The Equality & Safeguarding Manager is responsible for all issues relating to the day-to-day administrative arrangements to ensure the Equality Scheme is implemented effectively.

The Equality Unit is accountable 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 EDIS Team also provide informed support and advice to Housing Executive employees in matters relating to the promotion of Equality

of Opportunity. With regard to the Good Relations duty, the Northern Ireland Housing Executive has established a Community Cohesion Unit to drive Good Relations forward.

Progress on the implementation of the Equality Scheme will be reported upon at the most senior level on a quarterly basis. In addition the Northern Ireland Housing Executive's Annual Report will detail progress in meeting objectives in relation to the statutory duties.

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

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB
Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk
Website: www.nihe.gov.uk

- 2.5 Objectives and targets relating to the statutory duties are integrated into our strategic and operational business plans³.
- 2.6 Employees' job descriptions and annual appraisals reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant.
- 2.7 The Northern Ireland Housing Executive reports on a quarterly basis on the implementation of the Equality Scheme and 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 31st 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.

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

The latest Section 75 annual progress report is available on our website www.nihe.gov.uk or by contacting:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB
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- 2.9 The Northern Ireland Housing Executive liaises closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

Action Plan/Action Measures

- 2.10 The Northern Ireland Housing Executive has developed an action plan to promote equality of opportunity and good relations. This action plan is set out in Appendix 6 to this equality scheme.
- 2.11 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories to identify the inequalities that exist for our service users and those affected by our policies.
- 2.12 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.
- 2.13 We will develop any action plans for a rolling three year period 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.
- 2.14 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.
- 2.15 We will monitor our progress on the delivery of our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work.
- 2.16 The Northern Ireland Housing Executive will inform the Commission of any changes or amendments to our action plan and will also include this

information in our Section 75 annual progress report to the Commission. Our Section 75 annual progress report will incorporate information on progress we have made in implementing our action plans/ action measures.

- 2.17 Once finalised, our action plan will be available for download from our website www.nihe.gov.uk or by contacting:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB

Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk

If you require it in an alternative format please contact us using the above contact information.

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, i.e. 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 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 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. We will however in all cases apply our Consultation toolkit which ensures a consistent best practice approach.

- 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.
- 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 will take account of existing and developing good practice, including the Equality Commission's guidance *Let's Talk Let's Listen – Guidance for public authorities on consulting and involving children and young people* (2008).

Information will be made available, on request, in alternative formats⁴, in a timely manner, usually within 10 working days. We will ensure that consultees have adequate time to respond.

3.2.4 Training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees. A Consultation Toolkit is also available for staff involved in consultation.

3.2.5 To ensure effective consultation with consultees⁵ on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our equality scheme by undertaking the following:

- The Northern Ireland Housing Executive has a long established Consultative Forum specifically to provide a framework for consultation on matters relevant to the Section 75 statutory duties.

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

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

The Forum is open to representatives from all Section 75 categories and meets twice a year.

- We issue quarterly reports on the implementation of the Equality Scheme to all members of the Consultative Forum.
- We will issue a bulletin, which will also be placed as a news item on the Housing Executive's website, when the Equality Scheme is approved by the Equality Commission for Northern Ireland.
- We will communicate key information through the use of social media.
- We will inform all consultees of how to access a copy of our approved Equality Scheme and action plan following the Equality Scheme's approval by the Equality Commission for Northern Ireland.

3.2.6 Consultation will last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example when implementing EU Directives or UK wide legislation, meeting Health & Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments⁶.

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

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

3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular

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

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 will be prepared which will include 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 will also be 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 by contacting:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB
Tel: 03448 920 900
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- 3.4 Our consultation list is not exhaustive and is reviewed on a bi-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 see the above contact to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us 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 will take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.
- 4.3 The Northern Ireland Housing Executive will use the tools of screening and equality impact assessment to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:
- on screening, including the screening template, as detailed in the Commission’s guidance ‘Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)’; and
 - on undertaking equality impact assessments 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 will be 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 mitigation⁷ or an alternative policy proposed to be adopted; or

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.*

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 there is to be mitigation 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 the Northern Ireland Housing Executive.

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 the Northern Ireland Housing Executive.

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 the Northern Ireland Housing Executive.

4.13 Details of the screening process, screening template, signing off and approval by the senior manager responsible for a screened policy, will be made available on our website www.nihe.gov.uk and on request from the contact below:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB
Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk
Website: www.nihe.gov.uk

- 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 will 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 with our quarterly reports and detail:

- All policies screened by the Northern Ireland Housing Executive 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.
- Information/link on how to obtain a completed screening report from the 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 will be 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

- 4.23 All information we publish will be 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 equality impact assessments) will be made available on request by contacting:

Equality, Diversity, Inclusion & Safeguarding Team, The Housing Centre
2 Adelaide Street
Belfast BT2 8PB

Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk
Website: www.nihe.gov.uk

- 4.25 We will inform the general public about the availability of this material through our quarterly reports, Consultative Forum and website.

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

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

- 4.26 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, the Northern Ireland Housing Executive follows guidance from the Office of the Information Commissioner and the Equality Commission.
- 4.27 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.
- 4.28 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:
- The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories on an ongoing basis.

- The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis.
 - An ongoing evaluation of existing information systems to identify the extent of current monitoring and to identify any action necessary to address gaps in information.
 - Undertaking or commissioning new data if necessary.
- 4.29 If over a two year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy is revised appropriately to achieve better outcomes for relevant equality groups.
- 4.30 We will review our EQIA monitoring information on an annual basis. Other monitoring information will be reviewed quarterly.

Additional arrangements for monitoring will include:

- The inclusion of standard equality questions in key research surveys including the Continuous Tenant Omnibus Survey CTOS and the House Condition Survey (HCS).

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

- 4.31 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring will be published as follows:
- 4.32 EQIA monitoring information will be published as part of our Section 75 annual progress report [see 2.7].
- 4.33 All information published will be accessible and can be made available in alternative formats on request. Please see 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 Northern Ireland Housing Executive to the Section 75 statutory duties, both internally and externally.

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

Training objectives

- 5.3 The Northern Ireland Housing Executive has a detailed training plan in place for its staff which aims 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 Northern Ireland Housing Executive equality scheme with the necessary skills and knowledge to do this work effectively.

Awareness raising and training arrangements

- 5.4 The following arrangements will be made to ensure all our staff, Directors and Board members are aware of and understand our equality obligations:

- We will develop a summary of this equality scheme and make it available to all staff.
- We will provide access to copies of the full equality scheme for all staff and ensure that any queries or questions of clarification from staff are addressed effectively.
- Staff will receive a briefing on this equality scheme within 6 months after the approval of scheme.
- The Section 75 statutory duties will form part of induction training for new staff.
- Focused training will be provided for key staff within Northern Ireland Housing Executive who are directly engaged in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
- Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups.
- When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments.
- Following approval of this Equality Scheme all staff will receive communication from the Chief Executive stating the Board's and Senior Officers' commitment to the implementation of the Scheme and urging all staff to contribute to the effective promotion of equality of opportunity and good relations in the provision of all housing services.

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

In order to share resources and expertise, the Northern Ireland Housing Executive 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 continues to be subject to the following monitoring and evaluation arrangements:

- We evaluate the extent to which all participants in the training 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 in the Section 75 annual progress report, which will be sent to the Equality Commission.

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

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

- 6.1 The Northern Ireland Housing Executive 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 will 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 will continue to provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met we will ensure a reasonable alternative is provided.

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

The Northern Ireland Housing Executive will continue to liaise with representatives of children & young people, disability and minority ethnic organisations and take account of existing and developing good practice. We will respond to requests for information in alternative formats in a timely manner, usually within 10 working days.

With regard to providing information to children and young people, people with learning disabilities and minority ethnic communities the Northern Ireland Housing Executive will continue to engage with relevant individuals and representative organisations to determine the most effective ways of disseminating information to these groups.

- 6.4 We will continue to consider the use of all forms of media to disseminate information as appropriate. We will also utilise where appropriate our Consultative Forum on Equality membership, Housing Community Network, Black and Minority Ethnic Community Forum, Disability Forum, Inter Community network and our tenants magazine Streets Ahead.

Access to services

- 6.5 The Northern Ireland Housing Executive is committed to ensuring that all of its services are fully accessible to everyone in the community across the Section 75 categories. The Northern Ireland Housing Executive also adheres to the relevant provisions of current anti-discrimination legislation.

Assessing public access to information and services

- 6.6 We will monitor across all our functions on an annual basis access to information and services, to ensure equality of opportunity and good relations are promoted.
- 6.7 We will also utilise where appropriate our Consultative Forum on Equality membership, Housing Community Network, Disability Forum and our tenants magazine Streets Ahead.

Chapter 7 Timetable for measures we propose in this equality scheme

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

- 7.1 Appendix 4 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.
- 7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.17.

Chapter 8 Our complaints procedure

(Schedule 9 10.)

8.1 The Northern Ireland Housing Executive is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

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

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

8.3 A person wishing to make a complaint that the Northern Ireland Housing Executive has failed to comply with its approved equality scheme should contact:

Equality, Diversity, Inclusion & Safeguarding Team

The Housing Centre

2 Adelaide Street

Belfast BT2 8PB

Tel: 03448 920 900

Relay UK: 18001 03448 920 900

Email: EDISTeam@nihe.gov.uk

Website: www.nihe.gov.uk

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

8.5 The Equality & Safeguarding Manager will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one (1) month of making the complaint.

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

8.7 In any subsequent investigation by the Equality Commission, the Northern Ireland Housing Executive will co-operate fully, providing access in a timely

manner to any relevant documentation that the Equality Commission may require.

Similarly, the Northern Ireland Housing Executive 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 The Northern Ireland Housing Executive 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 The Northern Ireland Housing Executive's Equality Scheme will be available free of charge in print form and alternative formats from:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB

Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk
Website: www.nihe.gov.uk

- 9.2 The equality scheme will also be made available on our website at:
www.nihe.gov.uk

- 9.3 The following arrangements will be in place for the publication in a timely manner of this equality scheme to ensure equality of access:

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
- We will email a link to our approved equality scheme to all 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 10 working days.
- The equality scheme will be made 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 stakeholders and consultees please see Appendix 3, visit our website at www.nihe.gov.uk or contact:

Equality, Diversity, Inclusion & Safeguarding Team
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB

Tel: 03448 920 900
Relay UK: 18001 03448 920 900
Email: EDISTeam@nihe.gov.uk

Chapter 10 Review of our equality scheme

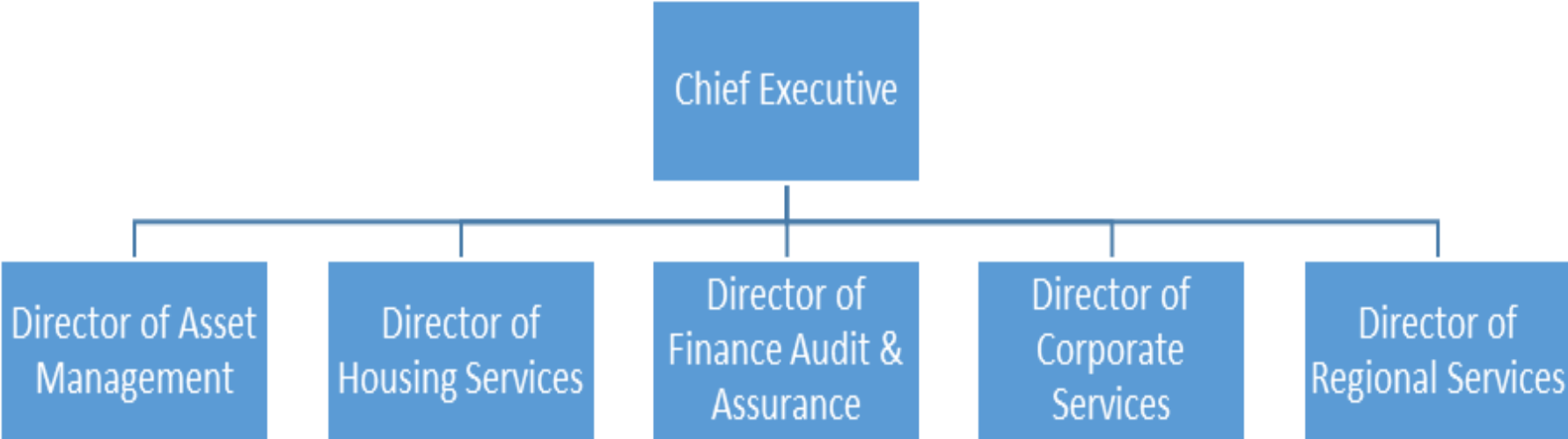
(Schedule 9 8. (3))

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 available to the public by publication on the Northern Ireland Housing Executive's website. Consultees will be notified of the report's availability by email, in hard copy or appropriate alternative format and a copy will be sent to the Equality Commission.

Appendix 1 Organisational Chart



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

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

Category	Example groups
Religious belief	Buddhist; Catholic; Hindu; Jewish; Muslim, people of no religious belief; Protestant; Sikh; other faiths. For the purposes of Section 75, the term “religious belief” is the same definition as that used in the Fair Employment & Treatment (NI) Order ⁸ . Therefore, “religious belief” also includes any perceived religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “similar philosophical belief”.
Political opinion⁹	Nationalist generally; Unionist generally; members/supporters of other political parties.
Racial group	Asian, Black people; Chinese; Indian; Pakistani; people of mixed ethnic background; Polish; Roma; Traveller; White people.
Men and women generally	Men (including boys); women (including girls); Transgender people; Non-Binary people.
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	Heterosexual people; gay or lesbian people; Bisexual people; Asexual & other.

⁸ See Section 98 of the Northern Ireland Act 1998, which states: “In this Act...”political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.”

⁹ *ibid*

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

List of Consultees
Action on Elder Abuse
Advice NI
African and Caribbean Support Organisation NI
All Nations Ministries
Ards and North Down Borough Council
Ashton Community Trust
Association Darfur of NI
Belfast Asian Women Academy
Belfast City Council
Belfast City of Sanctuary
Belfast Intercultural Romanian Community
Belfast Islamic Centre
Belfast Metropolitan College
Belfast Multicultural Centre
Bomoko
Boys' Brigade (Belfast Battalion)
British Deaf Association
Bryson Group
Building Communities Resource Centre
Cara-Friend
Causeway Multi Cultural Forum
Causeway Women's Aid
Children's Law Centre

List of Consultees
Chinese Welfare Association
Church of Ireland
CO3
Coleraine Multi-Cultural Forum
Commissioner for Older People for Northern Ireland
Commissioner for Survivors of Institutional Childhood Abuse
Committee on the Administration of Justice
Community Intercultural Project
Community Relations Council
Consulate for Italy
Consumer Council
Conway Education Centre
Coolesson Community Association
Coolura NI
Counselling All Nations
De Paul Charity
Department for Communities, Equality Unit
Department for Infrastructure
Department of Finance
Department of Health
Dept. of Agriculture, Environment and Rural Affairs
Disability Action
Diversiton
Early Years-The Organisation For Young Children
East Belfast Community Development Agency

List of Consultees
Educational Authority
Employers for Disability NI
Equality Coalition
Equality Commission of Northern Ireland
Family Comfort NI
First Bulgarian School
Flourish NI
Flowers of Belfast
Focus: The Identity Trust
Food Adventures Belfast
For Your Freedom and Ours
Forward South Partnership
Foyle Race Equality Forum
General Consumer Council for Northern Ireland
GRO Causeway Coast & Glens Council
GRO Fermanagh & Omagh District Council
Hare Krishna Community
Horn of Africa People's AID N.I.
Housing Rights Service
Indian Community Centre
Inter Ethnic Forum (Mid and East Antrim)
Law Centre NI
Legoniel Village
Lenadoon Community Forum
LINKS Inclusion Forum

List of Consultees
Lisburn and Castlereagh City Council
Magherafelt Women's Group
MENCAP
Mid Ulster District Council
Migrant and Minority Ethnic Council
Migrant Centre NI
MindWise
Newry Mourne & Down District Council
NI Community of Refugees & Asylum Seekers
NI Council for Racial Equality
NI Rural Women's Network
NI Somali Association
NI Union of Supported Employment
NI Women's European Platform
NIACRO
NIFHA
Nigerian Community NI
NIHE Disability Forum
North Belfast Advice Partnership
North Down YMCA
North West Community Network
Northern Ireland Strategic Migration Partnership
Now Group
North West Migrant Forum
Oi Kwan Chinese Women's Group

List of Consultees
Omagh and Fermanagh Hospital & CSU
Parenting Forum NI
Playboard NI
Polish Abroad
Polish Families Community Association & Polish Supplementary School
Polish Families Community Association
Polish Supplementary School Newry
Radius Housing
Redeeming Our Communities
Rural Action
Rural Community Network
School POLCA NI
Social Justice Trust
South Belfast Round Table
STEP
Strabane Ethnic Community Association
Supporting Communities
Tar Istech
The Rainbow Project
Verbal Arts Centre
Victim Support NI
Welcome Organization
Western Health & Social Care Trust
Whiterock Children Centre
Windsor Women's Centre

List of Consultees
Woman's Aid ABCL&N
Women's Aid Federation Northern Ireland
Women's Aid Fermanagh
Women's Support Network
Yallaa CIC

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

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report	Board	31 August (annually)
Consultation list reviewed and updated	Equality Manager	Annually
Maintain Consultative Forum	Equality Manager	To be held bi-annually
Screen Policies	Equality Manager	As required
Produce Quarterly report with screening report included	Equality Manager	Quarterly
Conduct EQIA's	Equality Manager and Policy Manager	As Required
Maintain Monitoring system Review of monitoring information	Equality Manager	Review by March 2024 and every 3 years thereafter
Training Equality Awareness training Revise Training Strategy	Equality Manager	A minimum of 10 sessions per year. Review by March 2025 and every 3 years thereafter
Assessing access to information and services Review Communication Support Service	Equality Manager	Reviewed By March 2024 and 3 years thereafter
Review of equality scheme	Equality Manager	Review 2023/24

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.

Affirmative action

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

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 etc) for their views on how the policy could be implemented more effectively to promote equality of opportunity

across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Differential impact

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

Discrimination

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

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

Brief descriptions of the above terms follow:

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

Indirect Discrimination - the definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is

indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

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

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

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

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

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

Equality impact assessment

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

Equality of opportunity

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

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

Equality scheme

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

Good relations

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

Mainstreaming equality

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

Mitigation of adverse impact

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

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems. Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the

form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

Northern Ireland Act

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

Northern Ireland Statistics & Research Agency (NISRA)

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

The Executive Office

The Executive Office is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

Policy

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

Positive action

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

Positive discrimination differs from positive action in that positive action involves the taking of lawful actions whereas positive discrimination involves the taking of unlawful actions. Consequently, positive action is by definition lawful whereas positive discrimination is unlawful.

Qualitative data

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

Quantitative data

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

Screening

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

Schedule 9

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

Section 75

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

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

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of

promoting good relations between persons of different religious belief, political opinion or racial group.

Section 75 investigation

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme. There are two types of Commission investigation, these are:

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

Appendix 6: Action plan/action measures

This document is published separately.