

## **Equality Scheme**

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.

Approved by the Equality Commission for Northern Ireland on [pending].

#### **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 (1) due regard to the need to promote equality of opportunity and (2) 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 Mid and East Antrim Borough Council 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 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, the Chairperson and Interim Chief Executive of Mid and East Antrim Borough Council 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

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<sup>&</sup>lt;sup>1</sup> See section 1.1 of our Equality Scheme

are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with our Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our Equality Scheme, can make complaints.

On behalf of Mid and East Antrim Borough Council 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.

Mayor, Gerardine Mulvenna

Valence Watts

Interim Chief Executive, Valerie Watts

Date 13/09/23

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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 Mid and East Antrim Council 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 Mid and East Antrim Borough Council

1.2 Schedule 9 4. (1) of the Act requires Mid and East Antrim Borough Council as a designated public authority to set out in an Equality Scheme how it proposes to fulfil the duties

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

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 Mid and East Antrim Borough Council 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?

The roles and responsibilities of councils, established in the Local Government Act 2014 and in other legislation, fall into four types:

Direct - councils are responsible for the provision and management of services.

Development - councils have a role in facilitating economic and community development initiatives.

Representative - council nominees sit on statutory bodies.

Consultative - councils reflect community views and concerns, and provide a challenge function, in a range of issues including education, health and housing.

Since formation in April 2015, Mid and East Antrim Borough Council has been responsible for:

- Arts and Entertainment
- Biodiversity
- Building maintenance and contract management
- Building regulation
- Civic functions
- Community Development
- Community Safety

- Consumer Safety
- Control of communicable diseases and food poisoning
- Corporate Health and Safety
- Corporate Planning
- Corporate projects
- Dangerous buildings
- Dog and Pest Control
- Economic Development including local economic development, Start a Business Programme and Enterprise Shows, Youth Entrepreneurship
- Emergency Planning liaison
- Energy performance of buildings
- Environment and Countryside
- Environmental protection
- Equality legislation
- Estate management
- EU Rural Development Programme
- Financial Services
- Food control
- Good Relations
- Grounds maintenance including horticulture, cemeteries, parks and play areas
- Health and Safety
- Home Safety
- Housing
- Registration of houses in multiple occupation, housing unfitness responsibilities including repair and demolition notices
- Information systems and technology
- Internal Audit
- Leisure Facilities
- Licensing
- Local Tourism including small scale tourism accommodation development; providing business support including business start-up advice along with training and delivery of customer care schemes, and providing advice to developers on tourism policies and related issues
- Member services
- Museum Service
- Neighbourhood renewal enterprise initiatives
- Off street car-parking

- Parks and Open spaces
- PCSP Policing and Community Safety Partnership
- Personnel, training, and development
- Planning- to include local development plan functions, development control and enforcement, postal naming and numbering
- Property certificates
- Public Health
- Purchasing and Tendering
- Registration of Births, Deaths, and Marriages
- Sports Development
- Street cleansing including public conveniences
- Sustainable Development
- Tourism and visitor attractions
- Town Hall facilities
- Urban regeneration and community development including functions associated with physical development
- Vehicle and plan maintenance
- Waste Management including Recycling & Disposal

## 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	Chapter 3
Monitoring arrangements Assessment of impact of policies	Chapter 4
Publication arrangements	
Staff training	Chapter 5
Access to Information	Chapter 6
Complaints Procedure	Chapter 8
Publication and annual review	Chapters 9 & 10
of Council's Equality Scheme	

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 Mid and East Antrim Borough Council for the development, implementation, maintenance, and review of the Equality Scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.
- 2.4 If you have any questions or comments regarding our Equality Scheme, please contact the Policy Team at the address given and we will respond to you as soon as possible.

- 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 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 Mid and East Antrim Borough Council 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 presented to Council and 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 Section 75 annual progress report will be made available on our website

https://www.midandeastantrim.gov.uk/

or by contacting:

The Policy Team
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ

Tel: 0300 124 5000

Email: policy@midandeastantrim.gov.uk

<sup>&</sup>lt;sup>3</sup> See Appendix 4 'Timetable for measures proposed' and section 2.11 of this Equality Scheme.

- 2.9 Mid and East Antrim Borough Council liaise closely with the Equality Commission to ensure that progress on the implementation of our Equality Scheme is maintained.
- 2.10 The Council will mainstream Section 75 across all Council service areas. All policies, new or revised, will be screened to ensure compliance with this Equality Scheme.

#### Action plan/action measures

- 2.11 Mid and East Antrim Borough Council will develop an action plan to promote equality of opportunity and good relations. This action plan will be set out in Appendix 6 to this Equality Scheme.
- 2.12 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<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 will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.
- 2.14 We will develop any action plans for a period of between one and five 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.

<sup>&</sup>lt;sup>4</sup> See section 1.1 of this Equality Scheme for a list of these categories.

<sup>&</sup>lt;sup>5</sup> See section 4.1 of this Equality Scheme for a definition of policies.

- 2.15 We will seek input from our stakeholders and engage on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.
- 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 Mid and East Antrim Borough Council 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 on our website, <a href="https://www.midandeastantrim.gov.uk/">https://www.midandeastantrim.gov.uk/</a> or by contacting the Policy Team at the address given.

# Chapter 3 Our arrangements for consulting (Schedule 9 4. (2) (a)) - on matters to which a duty (\$75 (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
  - Ouestionnaires
  - 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).

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

<sup>&</sup>lt;sup>6</sup> See Chapter 6 of our Equality Scheme for further information on alternative formats of information we provide.

- 3.2.4 Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.
- 3.2.5 To ensure effective consultation with 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:
  - Issue a press release when the Equality Scheme is approved by the Equality Commission for Northern Ireland;
  - Inform all consultees of how to access a copy of the final Equality Scheme and Action Plan within one month of approval by the Equality Commission for Northern Ireland in a manner suitable to each consultees' needs;
  - Ensure our consultation is clear, concise and widely accessible;
  - Convene a meeting of the Chief Executive, Directors, Assistant Directors, and Heads of Service within the Council at least once annually to review progress of the Action Plan and plan for 12 months ahead.
- 3.2.6 Formal consultation periods 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 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>.

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

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

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

- 3.2.7 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, we will give consideration to the feasibility of allowing a longer period for the consultation.
- 3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.
- 3.2.9 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.
- 3.2.10In 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.
- 3.2.11We 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

https://www.midandeastantrim.gov.uk

or by contacting

The Policy team at the address given.

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 Policy 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

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(Schedule 9 4. (2) (b); Schedule 9 4. (2) (c); Schedule 9 4. (2) (d); Schedule 9 9. (1); Schedule 9 9. (2))
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Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (Schedule 9 4. (2) (b))

- 4.1 In the context of Section 75, 'policy' is very broadly defined, and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this Equality Scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g., 'draft', 'pilot', 'high level' or 'sectoral'.
- 4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.
- 4.3 Mid and East Antrim Borough Council uses the tools of screening and equality impact assessment to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will 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 lead officer 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 appropriate 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 Mid and East Antrim Borough Council.

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

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<sup>&</sup>lt;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.

assessment. This screening decision will be 'signed off' by the lead officer within Mid and East Antrim Borough Council.

- 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 Mid and East Antrim Borough Council.
- 4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on our website, www.midandeastantrim.gov.uk

and on request.

The Policy team

Email: policy@midandeastantrim.gov.uk

A sample screening template is available at Appendix 5.

- 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 Council will be advised where an EQIA is assessed as necessary prior to commencement of the process.
- 4.19 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))

4.20 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

#### 4.21 Screening reports

These are published quarterly. Screening reports detail:

- All policies screened by Mid and East Antrim Borough Council 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
- A link to the completed screening template(s) on our website

#### 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
- 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 on our website

www.midandeastantrim.gov.uk

or by contacting:

The Policy Team
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ

Tel: 0300 124 5000

Email: policy@midandeastantrim.gov.uk

- 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, Mid and East Antrim Borough Council 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 also reviewed annually.

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.
- 4.33 EQIA monitoring information is published as part of our Section 75 annual progress report [see 2.7]
- 4.34 All information published is accessible and can be made available in alternative formats on request. Please see below at 6.3 for details.

### Chapter 5 Training and Capacity Building (Schedule 9 4.(2) (e))

#### **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 Mid and East Antrim Borough Council to the Section 75 statutory duties, both internally and externally.

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

#### **Training objectives**

5.3 Mid and East Antrim Borough Council will draw up a detailed training plan for its Elected Members and staff which will aim 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 Elected Members and staff fully understand their role in implementing the scheme;

#### and will aim to achieve the following objectives:

- 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 Mid and East Antrim Borough Council 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 Elected 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 Mid and East Antrim Borough Council will receive a briefing on this Equality Scheme within three months.
  - The Section 75 statutory duties form part of induction training for new staff.
  - Focused training is provided for key staff within Mid and East Antrim Borough Council 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.
- 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, Mid and East Antrim Borough Council 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.
  - A record of the number of employees and elected members trained during the year.

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

- 6.1 Mid and East Antrim Borough Council is committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.
- 6.2 We are aware that some groups will not have the same access to information as others.

#### In particular:

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

#### Access to information

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

Alternative formats may include Easy Read, Braille, audio formats (CD, mp3 or DAISY), large print or minority languages to meet the needs of those for whom English is not their first language.

Mid and East Antrim Borough Council 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 15 working days.
- 6.4 In disseminating information through the media we will seek to advertise in the press where appropriate.

#### Access to services

- 6.6 Mid and East Antrim Borough Council is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories.
- 6.7 The Council also adheres to the relevant provisions of current anti-discrimination legislation.

#### Assessing public access to information and services

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

## 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 it 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 Mid and East Antrim Borough Council 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 Mid and East Antrim Borough Council has failed to comply with its approved Equality Scheme should contact:

Valerie Watts, Interim Chief Executive Mid and East Antrim Council The Braid 1-29 Bridge Street Ballymena BT43 5EJ

- 8.4 We will in the first instance acknowledge receipt of each complaint within five working days.
- 8.5 The Policy Officer (or another officer designated by the Interim Chief Executive) will carry out an internal complaint investigation of the and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

- 8.6 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.
- 8.7 In any subsequent investigation by the Equality Commission, the Council will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.
  - Similarly, Mid and East Antrim Borough Council will cooperate 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 Council 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 Mid and East Antrim Borough Council's Equality Scheme is available free of charge in print form and alternative formats from:

The Policy Team
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ

Tel: 0300 124 5000

Email: policy@midandeastantrim.gov.uk

- 9.2 Our Equality Scheme is also available on our website at: <a href="https://www.midandeastantrim.gov.uk">www.midandeastantrim.gov.uk</a>
- 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 to our approved Equality Scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. We will respond to requests for the Equality Scheme in alternative formats in a timely manner, usually 15 working days.
  - Our Equality Scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio

formats (CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the Equality Scheme, visit our website at <a href="https://www.midandeastantrim.gov.uk">www.midandeastantrim.gov.uk</a>

or contact

The Policy Team
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ

Tel: 0300 124 5000

Email: policy@midandeastantrim.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 public and sent to the Equality Commission.

# Appendix 1 Organisational chart

Valerie Watts
Temporary Chief Executive

High Performing Council Our Environment Learning for Life Sustainable Jobs & Tourism Good Health & Wellbeing Community Safety & Cohesion

**Chief Executive** 

Katrina Morgan Director of Community Philip Thompson Director of Operations Laureen Donnan Temporary Director of Corporate

Jackie Patton Head of Community Planning and Development

Stephen Holgate Head of Neighbourhood Services Ursula O'Loughlin Head of Economic Development Siobhan Fisher Head of Corporate Performance and Improvement

Community Planning PCSP Good Relations Community Development Community Centres

Waste Operations Recycling Fleet Management Parks & Open Spaces Entrepreneurship Business Growth RDPPeace Town Centre Management Growth Investment & Place

Performance & Improvement Legal Assets Organisational Transformation & Change Corporate

Human Resources & Organisation Development

Patricia Allen Head of Public Protection Health & Wellbeing John McVeigh Head of Capital Works Paul Duffy Interim Director of Development Head of Planning & Building Control

**Corporate Services** 

Organisation Development Human Resources Health & Safety Learning & Development Indoor Leisure Sports Development Environmental Health Licensing Water Quality & Animal Welfare Emergency Planning Capital Works Regeneration Planning
Development Plan
Development
Management
Shared
Environmental
Service
Building Control

Corporate Policy Research & External Affairs FOI, Information Governance & Data Protection Democratic & Member Services Mayoral Office Civic and Ceremonial Events Governance, Risk &

Finance

Finance

Also: Parks & Open Spaces (Community) Steven Bailie Facility Management and Maintenance

Facility Management and Maintenance Harbours & Marinas Minor Works Laura Cowan Strategic Tourism & Regeneration Manager

Tourism, Arts & Culture Communications

Communications Digital Events Design Marketing

Digital Innovation & Procurement

ICT & Digital Procurement Digital Transformation

Appendix 2 Example groups relevant to the Section 75 categories for Northern Ireland purposes Please note, this list is for illustration purposes only, it is not exhaustive.

Category	Example groups
Religious belief	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.
	For the purposes of Section 75, the term "religious belief" is the same definition as that used in the Fair Employment & Treatment (NI) Order <sup>10</sup> . 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 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>&</sup>lt;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."

# Appendix 3 List of consultees

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

Please note this list is not exhaustive and amendments/additions can be made at any time.

ADAPT Northern Ireland

Age NI

Age Sector Reference Group

Alliance Party of Northern Ireland

**Arthritis Care** 

Arts Council for Northern Ireland

Association of Baptist Churches, Ireland

Barnardo's Northern Ireland

**Belfast City Council** 

Blind Centre for Northern Ireland

Brenda Hodkinson, MEA Rep Equality Commission

British Deaf Association Northern Ireland

**Buddhist Centre** 

**CARE** 

Carers Northern Ireland

**Cedar Foundation** 

Child Poverty Action Group (NI)

Children in Northern Ireland

Children's Law Centre

Chinese Welfare Association

**Choices Youth Justice Agency** 

Christian Institute

Coalition on Sexual Orientation

**Community Relations Council** 

Community Safety Unit NI

Council for Catholic Maintained Schools

Comhaltas Ceoltóirí Eireann

Cumann Lúthcleas Gael

Derry City Council

Office of the First Minister and Deputy First Minister

Department for Social Development

Department of Health Social Services and Personal Safety

Department of Agriculture and Rural Development

Department for Regional Development

Department for Finance and Personnel

Department for Employment and Learning

Department for Culture, Arts and Leisure

Department of the Environment

Department of Enterprise Trade and Investment

Department of Justice

**Disability Action** 

Disability Sports NI

**Borough Councils** 

**Downs Syndrome Association** 

**DUP** 

Early Years

East Antrim MLAs

East Antrim Republican Research Group

Employers' Forum on Disability

**Equality Commission for Northern Ireland** 

European Commission Office in Northern Ireland

**Evangelical Alliance** 

**Extern Organisation** 

Family Planning Assocation NI

Fermanagh Borough Council

Fire Authority for Northern Ireland

Free Presbyterian Church of Ireland

Gay and Lesbian Youth NI

General Consumer Council for NI

Gingerbread NI

Grand Orange Lodge of Ireland

Green Party NI

Guide Dogs for the Blind Association Northern Ireland

Health and Social Well-being Improvement Team

Heritage Lottery Fund

Irish Congress of Trade Unions

Indian Community Centre

Institute of Ulster-Scots Studies

Jehovah's Witnesses

**Labour Relations Agency** 

LEAP Parenting Project/ Action for Children

Lesbian Line

Linen Hall Library

Local Government Partnership on Traveller Issues

Local Government Staff Commission for Northern Ireland

Mencap Northern Ireland

Mental Health Commission for Northern Ireland

Methodist Church in Ireland

Mid and East Antrim Agewell Partnership

Multi-Cultural Resource Centre

National Museums & Galleries of Northern Ireland

North Antrim MLAs

NI Commissioner for Children & Young People

NIHE

North Antrim Community Network

Northern Ireland Ambulance Service

Northern Health and Social Care Trust

Northern Ireland African Cultural Centre

Northern Ireland Anti-Poverty Network

Northern Ireland Assembly Library

Northern Ireland Association for Mental Health

Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO)

Northern Ireland Blind Sports

Northern Ireland Commissioner for Children & Young People

Northern Ireland Committee, Irish Congress of Trade Unions

Northern Ireland Council for Ethnic Minorities

Northern Ireland Council for the Curriculum, Examinations & Assessment

Northern Ireland Council for Voluntary Action

Northern Ireland Film & Television Commission

Northern Ireland Fishery Harbour Association

Northern Ireland Gay Rights Association

Northern Ireland Local Government Association

Northern Ireland Museums Council

Northern Ireland Public Services Alliance (NIPSA)

Northern Ireland Rural Development Council

Northern Ireland Rural Women's Network

Northern Ireland Sikh Cultural and Community Centre

Northern Ireland Sports Forum

Northern Ireland Tourist Board

Northern Ireland Women's European Platform

Northern Visions

**NSPCC Northern Ireland** 

OFMDFM

Parents' Advice Centre

PHAB Northern Ireland

Presbyterian Church of Ireland

Pobal

**Progressive Unionist Party** 

Probation Board for Northern Ireland PSNI

**Quakers Religious Society of Friends** 

Rainbow Project

Reformed Presbyterian Church of Ireland

Roman Catholic Diocese of Down and Connor

Royal National Institute for the Blind

Royal National Institute for Deaf People (NI)

**Rural Community Network** 

Save the Children

Sense Northern Ireland

Simon Community Northern Ireland

Sinn Féin

Social Democratic and Labour Party

Special Olympics Ulster

Special EU Programmes Board

Sports Council for Northern Ireland

Traditional Unionist Voice

Transport and General Workers Union

Travellers Movement (NI)

**UKIP** 

**Ulster Unionist Party** 

**UNISON Northern Ireland** 

Volunteer Now

William Keown Trust

Women's Forum NI

Women's Information Group

Women's Resource and Development Agency

Women's Support Network

Women's Aid

Workers Party

Youth Council for Northern Ireland

Youthnet

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

# The following table lists some examples for illustration purposes

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report [2.7]	Policy Officer / Interim Chief Executive	31 August (annually)
Action plan		
Formulation of draft action plan [2.15]	Policy Officer	April 2023 - June 2023
Finalised action plan published [2.18]	Policy Officer	September 2023
Arrangements for monitoring progress in place [2.16]	Policy Officer	Every August in line with annual progress report
Consultation list reviewed and updated [3.4]	Policy Officer	ongoing
Screening timetable	Policy Officer	
HR Policies, Financial Policies, Corporate Plan, Waste Management		January - March 2023
Complaints Policy Enforcement Policy Equality and Disability Action Plans		April - June 2023
Other service led policies as identified		Ongoing
Screening Reports		quarterly

Measure	Lead responsibility	Timetable
[4.15] EQIA timetable [4.16]	Policy Officer/Relevant Council Officers	Ongoing
Any EQIAs identified as required through the screening process will timetable.		
Monitoring		
Review of monitoring information [4.31]	Policy Officer	March (annually)
Publication of monitoring information [4.33;4.34]		August (annually) as part of the Progress Report; EQIA in line with terms of reference of EQIA
Training		
Development of summary scheme [5.4]	Policy Officer	Within three months of the Equality Commission approval of the scheme.
Development of overall training programme [5.5] Focused training [5.4] Update training [5.4] Evaluation of training [5.6]	Head of HR and Organisational Development /Policy Officer	Within six months of new Council.
Assessing access to information and services	Policy Officer	August (annually)

Measure	Lead responsibility	Timetable
[6.9]		
Communication of Equality Scheme [9.3]	Policy Officer	Within one month of scheme approval
Notification of consultees [9.3]	Policy Officer	Within one month of scheme approval
Review of Equality Scheme [10.1]	Policy Officer	Within 5 years of approval of the Equality Scheme
Any other measures proposed in Equality Scheme		

# Appendix 5 Glossary of terms

This glossary of terms is taken from the Equality Commission's quidance

#### Action plan

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

#### **Action measures and outcomes**

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

#### Adverse impact

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

#### Affirmative action

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

#### **Article 55 Review**

Under the Fair Employment and Treatment (NI) Order 1998, all registered employers must conduct periodic reviews of the composition of their workforces and of their employment practices for the purposes of determining whether members of the Protestant and Roman Catholic communities are enjoying,

and are likely to continue to enjoy, fair participation in employment in each employer's concern.

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

### Audit of inequalities

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

#### Consultation

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

## Council of Europe

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

#### Desk audit

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

# Differential impact

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a

judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

#### Discrimination

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

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- 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 under-represented by otherwise or disadvantaged groups.

#### Indirect discrimination

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

#### Disability discrimination

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

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

#### **Victimisation**

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

#### Harassment

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

# **Economic appraisal**

An economic appraisal is a systematic process for examining alternative uses of resources, focusing on assessment of needs,

objectives, options, costs benefits, risks, funding and affordability and other factors relevant to decisions.

#### Equality impact assessment

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

#### **Equality of opportunity**

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

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

### **Equality Scheme**

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

#### **Good relations**

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

# Mainstreaming equality

The integration of equal opportunities principles, strategies, and practices into the everyday work of public authorities from the outset. In other words, mainstreaming is the process of ensuring

that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end. Mainstreaming can help improve methods of working by increasing a public authority's accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

#### Mitigation of adverse impact

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

#### **Monitoring**

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories.

Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems.

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

#### Northern Ireland Act

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

# Northern Ireland Human Rights Commission

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

# Northern Ireland Statistics & Research Agency (NISRA)

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP).

They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

#### **OFMdFM**

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

#### **PAFT**

The Policy Appraisal and Fair Treatment (PAFT) Guidelines constituted the first non-statutory attempt at mainstreaming equality in Northern Ireland in January 1994. The aim of the PAFT Guidelines was to ensure that issues of equality and equity informed policy making and activity in all spheres and at all levels of government. PAFT has now been superseded by Section 75 of the Northern Ireland Act 1998.

### **Policy**

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as 'a course or principle of action adopted or proposed by a government party, business or individual'. 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.

#### **SACHR**

The Standing Advisory Commission on Human Rights (SACHR) has now been replaced by the Northern Ireland Human Rights Commission. SACHR, as part of its review of mechanisms in place to promote employment equality and reduce the unemployment differential, recommended that the PAFT Guidelines should be made a statutory requirement.

### Screening

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

#### Schedule 9

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

#### Section 75

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

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

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

### Section 75 investigation

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved Equality Scheme.

There are two types of Commission investigation, these are as follows:

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

# Appendix 6 Action plan/action measures

# **Equality Action Plan 2023-2027**

# **Actions and Measures**

	Action	Timeframe	Performance Indicator	Expected Outcome	Responsibility
1.0	Maintain a centralised Section 75 Consultee List	2023-2027	Year 1-4 An up-to-date Section 75 Consultee List	Engagement with Section 75 groups will ensure Council are meeting the diverse needs of people living in and visiting our Borough.	Policy Team
2.0	Distribute Council newsletters, E- zine schedules, notices, events and case studies to Council's S75 consultee list.	2023-2027 Ongoing as required.	Year1-4 Circulation to Section 75 consultee list	Engagement with Section 75 groups will ensure Council are meeting the diverse needs of people living in, and visiting our Borough.	Policy Team
3.0	Promote the assisted lift service and additional capacity residual collections for residents with conditions that generate medical waste.	2023-2027 Quarterly	Year 1-4 No. of assisted lifts No of additional capacity residual collections.	Appropriate waste collection services for those living with a limiting long-term illness or disability, larger families, and those with medical waste.	Facilities Management & Waste
4.0	Promote availability of information leaflets at Waste facilities detailing amenities on offer such as assistance services, braille bin collection calendars and print in various languages.	2023-2027 Biannually	Provision of new leaflet.  Provision of braille version of bin collection calendar upon request.	Ensures Council waste services are inclusive and accessible to all.	Facilities Management & Waste
5.0	Council to consult with the Department for Communities about including questions to gather data on which of the Section 75 categories participants identify with.	2023-2024	Year 1 Addition of Section 75 questions on surveys used by the Town Centre Development Team.	Will enhance Section 75 data gathering within the Borough.	Town Centre Development team.

	Action	Timeframe	Performance Indicator	Expected Outcome	Responsibility
6.0	Raise awareness of initiatives, projects and training programmes offered by Council in partnership with others to help people gain new skills and access employment opportunities.	2023-2027	Year 1-4 Circulation to Section 75 consultee list.	Increased awareness will invite a more diverse demographic to Council's training and employment opportunities.	Skills and Entrepreneurship Manager
7.0	Continue to engage with special needs schools and employers to promote career opportunities, skills and activities associated with the Science Summer School.	2023-2027	Year 1-4 Continued engagement Attendance at the Science Summer School NI.	Link employees with special needs schools in the Borough to encourage engagement and provide students the experience of the Science Summer School.	Skills and Entrepreneurship manager
8.0	Circulation of upcoming town centre development disturbances to Section 75 consultee list.	2023-2027	Year 1-4 Circulation to Section 75 consultee list.	Proper information provision will provide suitable notice for identified categories to organize access to the town centre.	Town Centre Development
9.0	Develop MEAqua Little Stars Pan Disability swim lessons to include a second class for an older age group (10-13 years).	2025-2027	Year 3: 2 x classes in each pool Year 4 4 x classes in each pool	More children living with a disability learning to swim within the Borough.	Aquatic Lead
10.0	Achieve the Diversity Mark accreditation from Diversity Mark.	2023-2025	Year 1-2 Achievement of the Diversity Mark accreditation	Council will build a more diverse and inclusive workplace.	Policy Team
11.0	Provide equality and disability training for elected members and all Council staff.	2023-2027	Year 1-4 Number of elected members and employees trained -	Increased awareness of disability legislation and understanding of issues relating service users.	Learning Development Manager
12.0	Council will deliver the commitments of the Equality Commission for Northern Ireland Mental Health Charter.	2023-2024	Year 1 Implementation of the Charter	By delivering the Equality Commission for Northern Ireland's Charter, Council is committed to employee mental health and wellbeing.	Learning and Development Manager
13.0	Hold internal Equality Diversity & Inclusion Network meetings.	2023-2027	Year 1-4 Quarterly meetings	Ensures a collective approach and best practice to services provided to people living with disabilities.	Policy Team

	Action	Timeframe	Performance Indicator	Expected Outcome	Responsibility
14.0	Work with the Local Government Equality and Diversity Group to establish a baseline on Equality, Diversity and Inclusion in Northern Ireland local government.	2023-2027	Year 1-4 Fulfil the Equality, Inclusion and Diversity Baseline And Impact Study Action Plans.	Participation by Council will help prioritise and influence equality, good relations and diversity initiatives across local government in Northern Ireland.	Policy Team
15.0	Facilitate a skills development program for tourism businesses, including one business which facilitates tours for disabled people	2023-2024	Year 1 Biannual review	Offer tailored equality and diversity awareness information to key delivery partners, contractors and interested groups within the Borough.	Tourism Development Team
16.0	Work with the Local Government Staff Commission for Northern Ireland and 11 other Councils to complete actions set out by the Equality, Inclusion & Diversity Baseline & Impact Study.	2023-2024	Year 1 Completion of Actions assigned to Mid and East Antrim Borough Council.	This Action Plan takes into account the statutory obligations to ensure local communities and stakeholders identify Councils as being equality focused, diversity driven, and inclusion minded.	Policy Team
17.0	Screen annual events programme and recommend accessibility improvements for Section 75 groups if appropriate.	2023-2027	Year 1-4 100% Section 75 screening of annual events programme.	Strive to achieve equality of opportunity to Council services and facilities for those from a minority group through enhanced accessibility and encouraged participation.	All departments
18.0	Increase visibility of people from Section 75 groups in Council promotional and brand material and social media.	2023-2027	Year 1-4 Biannual Review	Will promote positive attitudes towards people from a minority amongst employees, Elected Members and the public.	Communications
19.0	Increase awareness of the Equality Action Plan amongst local Section 75 groups and representatives.	2023-2024	Year 1 Circulation with Section 75 Consultee List	Ensures Mid and East Antrim Borough is an inclusive and welcoming destination for all.	Policy Team
20.0	Update the Audit of Inequalities for use in equality screenings, to better inform policy development processes and to better understand the profile of the Borough.	2023-2027	Year 1-4 Annually	Conduct ongoing research to identify ways to meet the increasing and diverse needs of people with a disability living in our Council area and act towards securing funding and implementing the identified requirements.	All departments

	Action	Timeframe	Performance Indicator	Expected Outcome	Responsibility
21.0	Establish, support, and develop a Council Internal Age Friendly Working Group to assess, identify and make improvement where possible in Council services.	2023-2027	Agree Terms of Reference and structure for linking to other key drivers such as Mid and East Antrim Borough Council Community Plan, Corporate Plan.  Agree a project implementation plan.  Facilitate regular meetings of the Internal Age Friendly Work Group and ensure all relevant stakeholders remain engaged throughout the implementation period (2023-2027).		Public Protection, Health and Wellbeing
22.0	Conduct Induction Training for all new employees: Introduction to the Equality Scheme with appended Equality Action Plan, the Disability Action Plan, and both the Equal Opportunities and Dignity at Work policies and procedures.	Ongoing	Incorporation into Induction with an E- learning module assigned	Will ensure MEA staff are aware of all equality policies and procedures as soon as their employment begins.	Learning & Development

# Appendix 7: Mid and East Antrim Borough Council: Equality Screening proforma

# Section 75 Equality Screening

Part 1	Policy Scoping
Part 2	Screening Questions
Part 3	Screening Decision
Part 4	Monitoring
Part 5	Approval and Authorisation

# Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Part 1: Information about the policy

Information about the policy	

## Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to signpost to S75 data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	
Deliei	
Political opinion	
Racial group	
Age	
Marital status	
Sexual orientation	
Men and women	
generally	
Disability	
Dependants	

If you do not have enough data to tell you about potential or actual impacts, you may need to conduct a pre-consultation to generate more data and to distinguish what groups are potentially affected by your policy.

# Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details of the needs, experiences and priorities for each of the Section 75 categories below:

C 75	Dataile mande annual annual and animities
Section 75	Details needs, experiences and priorities
category	
Doligious	
Religious	
belief	
Political	
opinion	
Racial group	
Kaciai group	
Age	
Marital status	
maritar status	
Cavital	
Sexual	
orientation	
Men and	
women	
generally	
Disability	
Disability	
Dependants	

# Part 2. Screening questions

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, and indicate the level of impact on the group i.e. minor, major or none.

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							
Section 75	Details of policy impact						
category		Level of impact?  Positive major  Positive minor  None  Negative major  Negative minor					
Religious belief							
Political opinion							
Racial group							
Age							
Marital status							
Sexual orientation							
Men and women							
generally Disability							
Dependants							
	re opportunities to better promote equition the Section 75 equalities cates		opportunity for				
Section 75 category	If Yes, provide details	If No, pro	ovide reasons				
Religious Belief							
Political opinion							
Racial group							

Age			
Marital			
Status			
Sexual			
Orientation			
Men and			
women			
generally			
Disability			
Dependents			
	tent is the policy likely to impact on ifferent religious belief, political opin or/none		
Good	Details of policy impact		Level of impact?
relations			Positive major
category			Positive minor
			None
			Negative major
			Negative minor
Religious			
belief			
Political			
opinion			
Racial group			
4 Are there of	pportunities to better promote good	relations	between people of
different re	eligious belief, political opinion or rac	cial group	?
Good	If Yes, provide details	If No, pro	ovide reasons
relations			
category			
Religious			
belief			
Political			
Opinion			
Racial Group			

# **Additional considerations**

# **Multiple identity**

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?
(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).
Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

# Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.
If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details.
If the desiring is to subject the malies to an equality impact accomment
If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.
<u>Mitigation</u>
When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.
Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?
☐ Yes ☐ No

_	ons to support your decision, together with the proposed nts or alternative policy.

### <u>Timetabling and prioritising</u>

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

<u>If the policy has been 'screened in' for equality impact assessment</u>, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?
If yes, please provide details.

# Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 - 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

# Part 5 - Approval and authorisation

Equality Screening undertaken by:	
Position/Job Title:	
Signature:	
Date Completed:	
Equality Screening approved by:	
Position/Job Title:	
Signature:	
Date Completed:	

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

**Equality Action Plan** 2023 - 2027



# Appendix 6 Action plan/action measures

# **Equality Action Plan 2023-2027**

# **Actions and Measures**

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