



Department of

Finance

An Roinn

Airgeadais

www.finance-ni.gov.uk

Consultation on a proposed Equality Scheme

(closing date for receipt of responses is Monday 17th October 2022)

September 2022

1. BACKGROUND

- 1.1. The Department of Finance (“the Department”) has statutory duties arising from Section 75(1) and 75(2) of the Northern Ireland Act 1998, which are to have:
 - due regard to the need to promote equality of opportunity, and
 - regard to the desirability of promoting good relations.
- 1.2. The Equality Commission (the ‘Commission’) requires each Public Authority to produce an Equality Scheme (the ‘scheme’) setting out how they will meet these statutory duties, which should be approved by the Commission. The Department’s current scheme, which is available on our website [here](http://www.finance-ni.gov.uk/publications/equality-scheme) (www.finance-ni.gov.uk/publications/equality-scheme) was approved by the Commission in 2011. It describes the arrangements the Department has established and which it is obliged to apply and follow as a means of fulfilling its statutory duties.
- 1.3. The Department is obliged to review the scheme every 5 years. A consultation with its equality consultees, to inform the review, commenced in June 2021.

2. INTRODUCTION TO CONSULTATION PROPOSAL

- 2.1 Responses to the 2021 consultation, alongside other targeted internal and external consultation, have resulted in a proposed revised scheme. The purpose of this consultation is to seek your views on that scheme and how it might assist the Department to comply with the Section 75 duties.
- 2.2 The proposed scheme is attached at **Annex A**.

Overview

- 2.3 The following is an overview of the changes proposed to the current scheme:
 - including socio-economic and geographical/rurality considerations in assessments of potential equality impact;
 - changing the existing good relations ‘impact’ question in our screening template;
 - defining good relations;
 - adding further screening questions - on positive attitudes and participation in public life, in relation to persons with disabilities and measures on linguistic diversity.
 - the explicit inclusion of procurement and employment within the scope of policy decisions to which the scheme applies; and

- a commitment to conduct equality screening at the time of preparation of a business case.

2.4 The Department has also taken the opportunity of the review to update in the proposed scheme some of the contact details etc. contained in the current scheme.

Questions

2.5 To aid your consideration of the proposed scheme and inform your response, the following questions might be helpful:

Question 1 – does the proposed scheme make clear the Department's duties with regard to promoting equality of opportunity? If not, what more could the Department do?

Question 2 – are the proposed questions for the Department's equality screenings appropriate? If not, why and what questions should the Department be asking?

Question 3 – is there a more suitable definition of 'good relations' than that proposed? If yes, what should the definition be?

Question 4 - other than official data sources, such as NISRA, ONS and the Commission, what data sources should the Department be using, particularly with regard to the additional screening questions?

Question 5 - are there any aspects of the proposed scheme you regard as requiring amendment – what is good or bad about it?

Question 6 - within the framework of the Section 75 legislation, are there any additions or changes that would benefit the scheme?

3. CONSULTATION RESPONSE

3.1 This consultation has been issued by the Department of Finance and is also available online [here](http://www.finance-ni.gov.uk/consultations) (www.finance-ni.gov.uk/consultations).

3.2 The Department looks forward to receiving your comments and views concerning the proposed scheme. Please send them to equality@finance-ni.gov.uk.

We ask you to exercise care and refrain from the inclusion of any potentially defamatory material as we may publish responses on the Department's website. Should we do so, we will not publish the names or contact details of respondents but will include the names of organisations responding.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

- 3.3 If you require a hard copy of this consultation document or have any other enquiries please e.mail your request to equality@finance-ni.gov.uk or you can write to us at:

Strategic Equality Branch
Department of Finance
Room 26 Ground Floor
Dundonald House
Stormont Estate
Upper Newtownards Road
Belfast
BT4 3SB

The Department will consider all the responses to this consultation received on or before the closing date, **Monday 17th October 2022**. ***Submissions made after this date cannot be considered.***

4. NEXT STEPS IN THE CONSULTATION PROCESS

- 4.1 We will consider the responses received to this consultation and provide the Minister with a summary of responses, seeking his agreement of a consultation response document and submission of any revised scheme to the Commission for consideration. This consultation response will be published on the Department's website.
- 4.2 We will also provide a copy of the consultation response document to the Northern Ireland Assembly's Finance Committee and directly to our equality consultees.
- 4.3 All information received during this consultation will be handled in accordance with the General Data Protection Regulations.

5. CONFIDENTIALITY AND DATA MANAGEMENT

- 5.1 If you ask for your response to be regarded as confidential and not to be published within the Department's consultation response document, you will be asked to explain to us why you regard the information you have provided as confidential.
- 5.2 Notwithstanding the above, information provided in response to this consultation, including personal data, will be published or disclosed in

accordance with the access to information regimes (These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection ACT 2018 (DPA), the EU General Data Protection Regulation, and the Environmental Information Regulations 2004). If we receive a request for disclosure of confidential information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

- 5.3 The Department will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. The Department's privacy notice is available on its website www.finance-ni.gov.uk.



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.

October 2022

Foreword

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

In its equality scheme, the Department of Finance and its Agencies (herein after called the Department) sets out how it proposes to fulfil the Section 75 statutory duties. This version of the equality scheme reflects our review of the Department's original 2011 equality scheme.

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

We commit to having effective internal arrangements in place for ensuring our 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, the Minister and Permanent Secretary of the Department, are fully committed to effectively fulfilling the Section 75 statutory duties across all our functions through the effective implementation of the Departmental equality scheme.

We realise the important role the community and voluntary sector, and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. The equality scheme demonstrates how the Department will ensure there are opportunities, for people affected by its work, to positively influence how it carry out its functions in line with the Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure on the Department's part to comply with the equality scheme can make complaints.

On behalf of the Department 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.

Conor Murphy MLA

Minister

Neil Gibson

Permanent Secretary

Date **????????**

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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 Department to comply with two statutory duties:

Section 75(1)

In carrying out its functions relating to Northern Ireland, the Department is 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; and
- persons with dependants and persons without.

Section 75(2)

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

“Functions” include the “powers and duties” of a public authority¹. This includes the Department’s employment and procurement functions, and the planning and management of public expenditure in Northern Ireland.

How the Department proposes to fulfil the Section 75 duties in relation to its relevant functions.

- 1.2 Schedule 9 para 4(1) of the Act requires the Department 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, stating the Department’s arrangements for fulfilling the Section 75 statutory duties.
- 1.3 The Department is committed to the discharge of its Section 75 obligations in all parts of the organisation and will commit the necessary available resources in terms of people, time and money to ensure the Section 75 statutory duties are complied with and the equality scheme can be implemented effectively.

Functions of the Department of Finance

- 1.4 The Department and its Agencies are responsible for:

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

- managing the public expenditure of Northern Ireland (NI) Departments, including supporting the Minister and Executive in the allocation of funding available from HM Treasury;
- providing Human Resource (HR) services and policies to support the management of the Northern Ireland Civil Service (NICS) workforce;
- providing a range of corporate services to NI Departments, including HR, finance and accounting, Information, Communication and Technology (ICT), accommodation and estate management;
- providing legal, statistical, procurement, valuation and property services, and support to NI Departments and the wider public sector; and
- improving access to public services and information through the NI Direct programme

1.5 The work of individual business areas in support of this remit can be found in the audit of inequalities. The document, which has been used to form the basis of the Department's Action Plan, can be accessed via the following link <https://www.finance-ni.gov.uk/dof-departmental-equality-scheme>.

Chapter 2 Arrangements for assessing compliance with the section 75 duties

(Schedule 9 para 4(2)(a))

- 2.1 Some of the arrangements for assessing compliance with the Section 75 statutory duties are outlined later in this equality scheme, for example, monitoring arrangements, assessment of impact of policies arrangements, consultation, publication, complaints etc. In addition, the following arrangements are in place for assessing compliance.

Responsibilities and reporting

- 2.2 The Permanent Secretary is responsible for providing Progress Reports to the Equality Commission for Northern Ireland (ECNI). To assist with this, the Department has a network of staff who advise and report on equality matters in each business area of the Department. A Strategic Equality Branch provides advice, guidance and support to business areas on all aspects of equality and to oversee the screening processes undertaken to ensure consistency of approach throughout the Department and compliance with the statutory duties.
- 2.3 We are committed to the fulfilment of our Section 75 obligations in all parts of our work. Through the Strategic Equality Branch, close liaisons are maintained with other NICS Departments, Section 75 representative groups and the Voluntary and Community Sector. In addition, appropriate departmental contributions are made to all relevant cross departmental working groups in the furtherance of the equality agenda. The Department is also represented on the Equality Practitioners Group, chaired by The Executive Office (TEO).
- 2.4 Biannual updates are provided to the Departmental Board by the Strategic Equality Branch. These updates inform the Board both of progress by the Department and any latest developments in the wider field of equality. Ad hoc updates and reports are also provided as and when appropriate. The Departmental Annual report includes a section on equality.
- 2.5 Directors in each business area are responsible for implementing this Equality Scheme within their areas of responsibility and for providing assurance to the Departmental Board that they are complying with the Section 75 obligations as laid down in the Scheme. When new policies are being introduced or where existing policies are being revised, the Director is responsible for ensuring that papers submitted to the Departmental Board and the Minister reflect the equality obligations and, where appropriate, specify the position in relation to the conduct of any equality impact assessment.
- 2.6 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans.

- 2.7 Employees' job descriptions and performance plans will reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme where relevant. Personal performance plans are subject to appraisal in the annual performance review.
- 2.8 Overall responsibility for the effective implementation of the equality scheme lies with the Finance and Corporate Services Director. The Director is accountable to the Minister and Permanent Secretary 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 Permanent Secretary, as the appointed Accounting Officer for the Department, has a personal responsibility for compliance with Section 75.
- 2.9 If you have any questions or comments regarding this equality scheme, in the first instance please contact the Strategic Equality Branch at the address given below.

Department of Finance
Room 26 Ground Floor
Dundonald House
Stormont Estate
Belfast
BT4 3SB

Telephone: 028 9081 6715
E.mail: equality@finance-ni.gov.uk

- 2.10 Upon request by ECNI, we will prepare a report on the progress made on implementing the arrangements set out in our equality scheme to discharge its Section 75 statutory duties.
- 2.11 Section 75 progress reports are available on the Departmental website: <http://www.dfpni.gov.uk/publications-what-are-our-priorities-annual-reports-annual-report-to-equality-commission> or by contacting the Strategic Equality Branch as above.
- 2.12 We will liaise closely with ECNI to ensure that progress on the implementation of our equality scheme is maintained.

Action plan/action measures

- 2.13 In addition to this Equality Scheme, we have developed an action plan to promote equality of opportunity and good relations. This action plan can be accessed via <http://www.dfpni.gov.uk/departmental-equality-scheme.htm>.
- 2.14 The action plan does not form part of the equality scheme.

- 2.15 The action plan is relevant to our functions. It has been developed and prioritised on the basis of an audit of inequalities. The audit of inequalities gathered and analysed information across the Section 75 categories² to identify the inequalities that exist for service users and those affected by the Department’s policies³. The audit documentation can be accessed via <https://www.finance-ni.gov.uk/dof-departmental-equality-scheme>.
- 2.16 The Plan includes actions, measures, outcomes and timescales for their achievement. (The word “measures” has been used in place of ECNI’s suggestion of “performance indicators”).
- 2.17 We have developed our action plan to align with corporate, business and budget planning cycles. Implementation of the action plan will be incorporated into the business planning process. This plan will be amended when appropriate to reflect additional actions proposed or required.
- 2.18 We will regularly review the plan, seeking input from our stakeholders and consulting as appropriate, before sending to the ECNI when required.
- 2.19 We will monitor progress on the delivery of our plan and update as necessary to ensure it remains effective and relevant to our functions and work.
- 2.20 We will inform the ECNI of any changes or amendments to our action plan and will also include this information in any Section 75 progress reports to them. A Section 75 progress report will incorporate information on progress that has been made in implementing the action plan.

² See section 1.1 of this equality scheme for a list of these categories.

³ See section 4.1 of this equality scheme for a definition of policies.

Chapter 3 Arrangements for consulting

(Schedule 9 para 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 para 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 the statutory equality duties. We consult on our equality scheme, action plan, equality screenings and 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)*')
- Consultations will seek the views of those directly affected by the matter/policy, ECNI, representative groups of Section 75 categories, other public authorities, voluntary and community groups, staff and their trades unions, and such other groups who have a legitimate interest in the matter, as appropriate.
 - To ensure the most effective use of the Department's and its 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.
 - 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. Consultees will be asked what their preferred consultation methods are and consideration will be given to these.
 - 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, where appropriate. 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 3 weeks. We will seek to ensure that such consultees have sufficient time to respond.

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

- Specific training is available to those facilitating consultations to ensure they have the necessary skills to communicate effectively with consultees.
- Any consultation period will normally 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 or strategic public expenditure matters or complying with Court judgements), the timescale may be shortened to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will take account of comments as part of our monitoring commitments⁵.
- 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.
- 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, consideration will be given to the feasibility of allowing a longer period for the consultation.
- 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.
- We will 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.
- 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.
- We will provide feedback to consultees in a timely manner. A feedback report will be prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of the consideration of and response to consultees' input. The feedback will be provided in formats suitable to consultees.

⁵ Please see below at 4.21 to 4.27 for details on monitoring.

- 3.3 A list of those Section 75 groups who have asked to be included in our consultations is included at Appendix 3. It can also be obtained from our website at <http://www.dfpni.gov.uk/departmental-equality-scheme.htm> or by contacting Strategic Equality Branch.
- 3.4 This consultation list is not exhaustive and is reviewed on a regular 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 Strategic Equality Branch 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 Arrangements for assessing, monitoring and publishing the impact of policies

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

Arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (Schedule 9 para 4(2)(b))

4.1 In the context of Section 75, 'policy' is very broadly defined and 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'. Policy decisions on procurement and employment are functions to which the equality duty applies.

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 para 9(2) of the Northern Ireland Act 1998.

4.3 We use the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity. In carrying out these assessments, we will relate them to the intended outcomes of the policy in question and will also follow ECNI guidance, including on:

- screening, in so far as it relates to equality of opportunity, including the screening template, as detailed in the ECNI guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*'; and
- undertaking an equality impact assessment, as detailed in the ECNI 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.

4.5 Screening is completed at the earliest opportunity in the policy development/review process, including when a business case/economic appraisal is being developed. 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, screening will take place at appropriate stages during implementation.

4.6 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy, however, screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. Where possible, key stakeholders will be included 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?
- Are there opportunities, without prejudice to the equality of opportunity duty, to better promote good relations between people of a different religious belief, political opinion or racial group?
- Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes/No
- Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? Yes/No
- Are there opportunities to promote, by appropriate measures, mutual understanding between all linguistic groups and in particular the inclusion of respect, understanding and tolerance? Yes/No

In relation to the question on assessing impacts on equality of opportunity our consideration of this will also be informed by the following two supplementary questions, namely:

- Is it likely that those on lower incomes will be disproportionately affected? Yes/No
- Will there be a variable impact across geographical areas? Yes/No

Our approach will also be informed by the understanding that 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 groups identified in Section 75(1).

The equality duty should not inhibit action to counter disadvantage among particular sections of society – indeed such action may be an appropriate response to redressing inequalities of opportunity. There should therefore be no conflict with

affirmative action or positive action to counteract disadvantage or accommodate difference.

We will ensure that our interpretation and application of Section 75 does not have an adverse impact on the provision of women-only services or on the activities of women's organizations. In relation to the question on promoting good relations, we commit to taking into account and recording consideration of the desirability of promoting good relations and adopt the following definition of good relations:

Good relations can be said to exist where there is:

- a high level of dignity, respect and mutual understanding;
- an absence of prejudice, hatred, hostility or harassment;
- a fair level of participation in society. Good relations means, in particular, having regard to the desirability of: a) tackling prejudice, and b) promoting understanding.

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

4.9 Completion of screening, taking into account consideration of the answers to all 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 mitigation⁶ or an alternative policy proposed to be adopted; or
3. the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted

4.10 If screening concludes the likely impact of a policy is 'minor' in respect of one, or more, of the equality of opportunity 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.

Where we mitigate, we will outline in the 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 Department.

⁶ Mitigation – Where an assessment (screening in this case) 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.

- 4.11 If screening concludes that the likely impact of a policy is 'major' in respect of one, or more, of the equality of opportunity 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 Department.
- 4.12 If screening concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity, we may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity, details of the reasons for the decision taken will be given. This screening decision will be 'signed off' by the appropriate policy lead within the Department.
- 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 for consultation on our website www.finance-ni.gov.uk, on our intranet site and on request from Strategic Equality Branch.
- 4.14 In addition, we will advise our consultees via e.mail of any screening processes as soon as possible after their completion.
- 4.15 If a consultee, including ECNI, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

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 on equality of opportunity 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 ECNI 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 "Arrangements for Consulting").

Arrangements for publishing the results of the assessments of the likely impact of policies adopted or propose to adopt on the promotion of equality of opportunity (Schedule 9 para 4(2)(d); Schedule 9 para 9(1))

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

Publications

- Where applicable, a timetable for conducting equality impact assessments;
- A link to the completed screening template(s) on the our website;
- Progress reports;
- Screening templates; and
- 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 on equality of opportunity;
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Consultation responses;
- The decision taken; and
- Future monitoring plans.

All of the above are available on our website www.finance-ni.gov.uk or by contacting the Strategic Equality Branch.

- 4.20 All information we publish is accessible and can be made available in alternative formats on request. Please see 6.3 below.
- 4.21 We are committed to achieving effective communication with the public. Recognising the growing range of communications channels and the differing needs and preferences of different groups, we will use of a range of communications channels to enable wide access to information, to mitigate the risk that some sections of the public might not enjoy equality of opportunity in accessing our information.

Arrangements for monitoring any adverse impact of policies on equality of opportunity (Schedule 9 para 4(2)(c))

- 4.22 Monitoring can assist better delivery of 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 Department follows guidance from the Office of the Information Commissioner and ECNI.
- 4.23 We monitor any adverse impact on the promotion of equality of opportunity of policies it has adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with ECNI guidance.

- 4.24 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:
- The collection, collation and analysis of existing relevant quantitative and qualitative data across all nine equality categories on an ongoing basis.
 - An audit of existing information systems within one year of approval of this equality scheme, to identify the extent of current monitoring and 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.
- 4.25 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 the policy is revisited to determine if better outcomes for relevant equality groups can be achieved.

Arrangements for publishing the results of our monitoring

(Schedule 9 para 4(2)(d))

- 4.26 Schedule 9 para 4(2)(d) requires Public Authorities to publish the results of the monitoring of adverse impacts of policies they have adopted. EQIA monitoring information is published as part of our Section 75 progress reports.
- 4.27 All information published is accessible and can be made available in alternative formats on request.

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 Section 75 duties.
- 5.2 The Permanent Secretary wishes to positively communicate the commitment of the Department to the Section 75 statutory duties, both internally and externally. To this end the Centre for Applied Learning (CAL) has introduced an effective communication and training programme for all staff and will ensure the commitment to the Section 75 statutory duties is made clear in all relevant publications.

Training objectives

- 5.3 We continue to provide and refine training for our staff which aims to achieve the following objectives:
- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that staff⁷ 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; and
 - to provide those staff involved in the implementation and monitoring of the effective implementation of our equality scheme with the necessary skills and knowledge to do this work effectively.

Awareness raising and training arrangements

Awareness Raising Arrangements

We will provide access to copies of this equality scheme for all staff, including Departmental Board members, and ensure any queries or questions of clarification from staff are addressed effectively. In addition, we will provide briefing for staff and Board members on the scheme as soon as possible after approval from ECNI.

⁷ Each business area will have staff responsible for various strands, including screening, sign off and responding to complaints under the scheme.

Training arrangements

- 5.4 Training for the Department is provided by the Centre for Applied Learning (CAL), Enterprise Shared Services, which is the sole provider of generic training to the Northern Ireland Civil Service (NICS).

Focused training is provided for key staff within the Department who are directly engaged in taking forward the implementation of the equality scheme commitments (for example, those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation). The primary courses are:

- **An Introduction to Section 75** – the aim of this course is to familiarise participants with the two statutory duties as outlined in Section 75 and the guidance provided by ECNI.
- **Section 75 Duties - A Focus on Screening** - explains how screening should be conducted, using practical examples of real policies.

CAL however have a wide catalogue of courses, many of which prepare staff with regard to the area of equality, for example:

- Engagement and Consultation;
- Autism Spectrum Disorder Awareness;
- Disability Awareness for Frontline Staff;
- Introduction to Human Rights;
- Recruitment and Selection – Standards and Skills;
- Supporting Vulnerable People; and
- Unconscious Bias

In addition to this generic offering, CAL will work with departments/business areas within the NICS, inclusive of this Department, to contextualise any aspect of equality training.

Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups. CAL has established excellent working relationships with both ECNI and groups representing Section 75 groups e.g. the Participation Network. This enables CAL to keep abreast of issues experienced by the range of Section 75 groups and incorporate this into the training by way of practical examples and case studies. CAL also networks with staff throughout both this Department and the NICS who are involved in policy. The experiences of these staff inform the training by providing examples of where they have engaged with Section 75 groups throughout the policy cycle. These practical examples assist in bringing the issues experienced by a range of these groups to the fore.

When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments. The suite of equality training provided by CAL is kept under regular review and revised when required.

5.5 Training and awareness raising programmes have, where relevant, been developed in association with the appropriate Section 75 groups and our staff. In order to share resources and expertise, CAL, where possible, works closely with other bodies and agencies in the development and delivery of training. The design and delivery of CAL's equality training was developed with input from both ECNI and NICS Equality Practitioners, inclusive of this Department's practitioners. It maintains ongoing liaison with ECNI in relation to mainstreaming the Section 75 statutory duties into other generic training programmes, where appropriate. CAL trainers involved in the delivery of equality training attend external courses offered by specialist organisation in the field e.g. ECNI, Human Right Commission to build on and maintain their knowledge.

As mentioned above, CAL will work with any department/business area within the NICS, inclusive of this Department, to contextualise equality training. This involves working closely with the relevant departmental Equality Practitioners in both the design and delivery of the training. This sharing of knowledge, experience and resources both ensures that the training is effective and also assists in building training capability.

CAL's remit also includes provision of training to other publicly funded bodies such as non-departmental public bodies, which further enhances the opportunities to share resources and expertise.

Monitoring and evaluation

Evaluation

Participants attending CAL training courses are required to complete a post course evaluation questionnaire, the results of which are analysed and a summary report issued to CAL customers. The post course evaluation also informs the regular course reviews which CAL carry out and courses are revised accordingly, where appropriate. As part of the Performance Management framework, it is a requirement that line managers discuss training courses objectives with their staff – both in terms of setting these objectives before the event, and the extent to which the objectives have been met once the training has been delivered. Line managers are also responsible for ensuring that opportunities are in place to put the training into practise.

Monitoring

Annual personal performance objectives, including training needs, are discussed, agreed and monitored by departmental line managers and the staff for whom they are responsible. These objectives and needs are collated within each business area to produce organisational training plans, which also take account of the NICS corporate training priorities. CAL provides the Department with a monthly training report which enables it to monitor training provided against the organisational training plans.

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

- Evaluation of the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
- Training activity will be reported on as part of the Section 75 progress reports.

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

(Schedule 9 para 4(2)(f))

- 6.1 We are 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 the arrangements under review to ensure 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 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.

We take account of guidance on liaising with representatives of young people and 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. Please also refer to our customer service standards at https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/customer-service-standards-and-complaints-procedure_0.pdf

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

Access to services

- 6.5 We are committed to ensuring all of our services are fully accessible to everyone in the community across the Section 75 categories. We also adhere to the relevant provisions of current anti-discrimination legislation.

- 6.6 Our public facing agencies, LPS and NISRA, provide access to information and services through their websites which are continually reviewed and updated to ensure appropriate access.

In addition, the Department's Digital Inclusion Strategy reduces barriers to citizen access to on line public services. These digital inclusion activities will provide improved access to services (government and other) for those groups currently less able to avail of them via the web channel. All citizen facing information is available online via the NIDirect Website. This site conforms to the UK government guidelines for websites and it is accessible and easy to use. The site's layout takes into account users who are blind or visually impaired (text size can be altered at the touch of a button). It is fully compatible with popular screen reading software and for those with difficulties using a mouse the site can be navigated using only a keyboard.

Assessing public access to information and services

- 6.7 The Department monitors, at least biennially, across all its functions in relation to access to information and services to ensure equality of opportunity and good relations are promoted.
- 6.8 Accessibility of our information and services is reviewed through customer and staff surveys, feedback from customers and stakeholders and the resolution of complaints brought to our attention.

Chapter 7 Complaints procedure

(Schedule 9 para 10)

- 7.1 We are responsive to the views of our staff and members of the public. We will endeavour to resolve all complaints made to us.
- 7.2 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 ECNI. The Equality Commission can be contacted at:

e.mail: information@equalityni.org

Tel: 028 90 500 600

Equality House
7-9 Shaftesbury Square
Belfast
BT2 7DP

- 7.3 A person wishing to make a complaint that we have failed to comply with our approved equality scheme should contact the Strategic Equality Branch (see contact details at 2.11 above).
- 7.4 We will in the first instance acknowledge receipt of each complaint within 10 working days.
- 7.5 We will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.
Please also refer to our customer service standards at https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/customer-service-standards-and-complaints-procedure_0.pdf
- 7.6 In any subsequent investigation by ECNI, we will co-operate fully, providing access in a timely manner to any relevant documentation that ECNI may require.
- 7.7 Similarly, we will co-operate fully with any investigation by ECNI under subparagraph 11(1)(b) of Schedule 9 to the Northern Ireland Act 1998.
- 7.8 We will give full consideration to any recommendations arising out of any ECNI investigation.

Chapter 8 Publication of the equality scheme

(Schedule 9 para 4(3)(c))

- 8.1 Our equality scheme is available free of charge in print form and alternative formats from the Strategic Equality Branch.
- 8.2 The equality scheme is also available on our website at:
<https://www.finance-ni.gov.uk/dof-equality-and-section-75>
- 8.3 The following arrangements are in place for the publication in a timely manner of the equality scheme to ensure equality of access:
- We will make every effort to communicate the existence and content of the equality scheme to all relevant stakeholders.
 - A link to the approved equality scheme will be e.mailed to consultees. 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 days.
 - This equality scheme will be made 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.
- 8.4 For a list of stakeholders and consultees please see Appendix 3 or contact Strategic Equality Branch.

Chapter 9 Review of the equality scheme

(Schedule 9 para 8(3))

- 9.1 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 ECNI or within a shorter timescale to allow alignment with the review of other planning cycles.

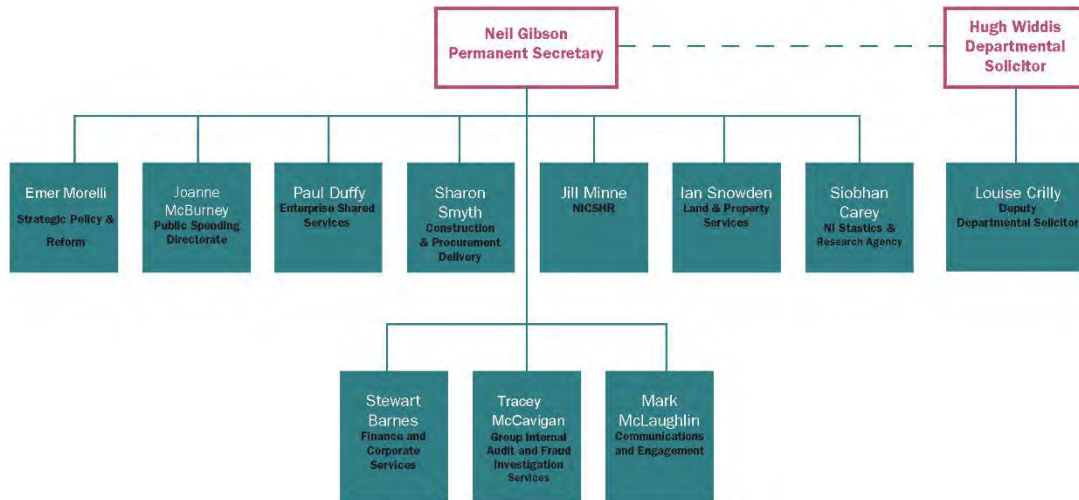
The review will evaluate the effectiveness of our scheme in relation to the implementation of the Section 75 statutory duties relevant to its functions in Northern Ireland.

- 9.2 In undertaking this review we will follow any guidance issued by ECNI. A report of this review will be published on our website and sent to the ECNI.

Appendix 1 Organizational chart



DoF Organizational 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; 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 <i>Fair Employment & Treatment (NI) Order</i> ⁸ . Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “ <i>similar philosophical belief</i> ”.
Political opinion ⁹	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

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

⁹ *ibid*

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

EQUALITY CONSULTTEES

AGENI
AMH Action Mental Health
Amicus Section - Unite the Union
Archdiocese of Armagh
Armagh City & District Council
Ballymoney Borough Council
Belfast Education and Library Board
British Council
CACPD
Carers Northern Ireland
Chinese Chamber of Commerce Northern Ireland
Chrysalis Women's Centre
Committee on the Administration of Justice
Conservative Party NI Area
Craigavon Borough Council
Diocese of Down and Connor
Disability Action
Disability Action
Epilepsy Action
Equality & Diversity Officer
Equality Coalition
Equality Commission for Northern Ireland
Equality Project Worker
Federation of Small Businesses
Institute of Directors
Larne Borough Council
Limavady Borough Council
Methodist Church in Ireland
Methodist Church in Ireland
Newtownabbey Borough Council
NI Court Service
NIACRO
NIPSA
North Eastern Education & Library Board
North West Community Network
Northern Ireland Council for Ethnic Minorities
Northern Ireland Human Rights Commission
Northern Ireland Law Commission
Older People's Advocate

POBAL

Royal National Institute for the Blind

Royal National Institute for the Deaf

Shelter Northern Ireland - Campaign for Homeless People

Staff Commission for Education & Library Boards

The Law Society of Northern Ireland

TWN(Training for women Network)

Voice of Young People in Care

Women's Resource and Development Agency

Youthnet

KEY STAKEHOLDERS

Chartered Accountants Ireland – Ulster Society

Confederation of British Industry

Construction Employers Federation (CEF)

Construction Industry Group (CIGNI)

Education & Library Boards

Institute of Business Consulting

Institute of Practitioners in Advertising

Institute of Sales

Management Consultancies

Association

Momentum (NI ICT Federation)

NICS staff

N.I Housing Executive

NI Water

Northern Ireland Council for Voluntary Action

Procurement & Logistics Service

Royal Institute of Chartered Surveyors

Social Economy Network

Translink

Appendix 4 Glossary of terms

Action Plan

This is the document which sets out actions which the Department will take to address identified inequalities, or to improve equality of opportunity.

Adverse Impact

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

Audit of Inequalities

A thorough analysis of the work of the Department to determine which areas impact upon equality and good relations and to scrutinise those areas where improvement could be made. This audit formed the basis for the Action Plan.

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 ensure equality of opportunity across the 9 groups. 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.

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 groups. EQIAs 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

Good relations can be said to exist where there is:

- a high level of dignity, respect and mutual understanding;
- an absence of prejudice, hatred, hostility or harassment;
- a fair level of participation in society.

Good relations means, in particular, having regard to the desirability of a) tackling prejudice and b) promoting understanding.

Mainstreaming Equality

The integration of equality of opportunity 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 groups; this is known as mitigating adverse impact.

Monitoring

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

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

Northern Ireland Act

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

Policy

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

Qualitative Data

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis.

Consultations are more likely to yield qualitative than quantitative data.

Quantitative Data

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