

Equality Commission

FOR NORTHERN IRELAND

A young girl with brown hair and bangs is running towards the camera in a playground. She is wearing a black jacket over a red top with a large bee character on the chest. In the background, other children in teal school uniforms are playing on a wooden log structure. The scene is outdoors on a grassy area.

# Annual Review

of our work  
2016-2017

# Welcome

I am pleased to present this review of the Commission's activities last year, which highlights our work to promote equality of opportunity and challenge inequalities.

Our vision is of a more equal society in Northern Ireland. As an independent equality body, the Commission makes a key contribution to achieving this aim and that of a shared society that respects diversity - outcomes prioritised in the Programme for Government.

Working to advance equality is as critical as ever in Northern Ireland. The Commission applies its expertise and deploys its powers and duties across the range of equality issues. This includes giving people legal advice and assistance on potential complaints; working with employers and businesses to encourage improvements in organisational practices and informing and influencing public policy making from an equality perspective.

I want to take this opportunity to thank the staff and our many partners for their work during the year. Our staff have worked hard to deliver on all our responsibilities, despite significant reduction to our budget and staffing levels over recent years, and I was proud that we attained the Investors in People Gold Award this year.

I trust you enjoy reading this review; our full annual report is available on our website.

**Dr Evelyn Collins, CBE**

Chief Executive

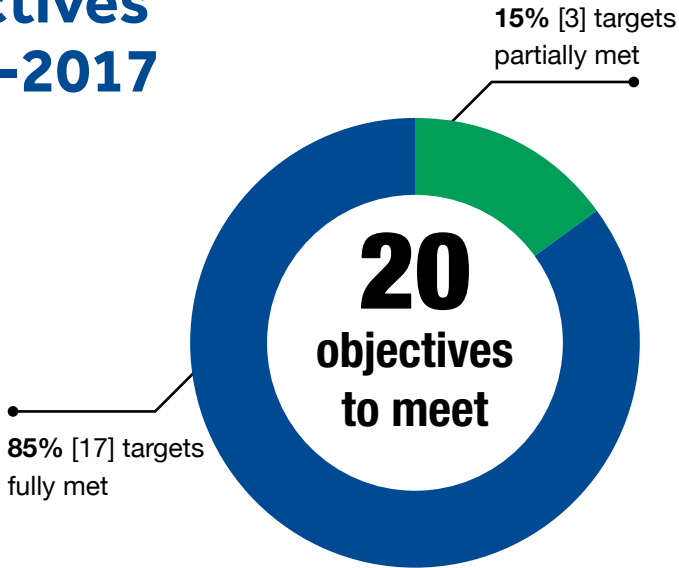
Equality Commission for Northern Ireland



*"...it is the commitment and passion of your people to promote the values of the Commission which is the heart beat that breathes life into everything your organisation does and stands for."*

**Comment from the assessor when we attained the Gold Investors in People standard this year.**

# Meeting our objectives 2016-2017



## Our four key strategic areas:

- 1**  
Championing equality and good relations
- 2**  
Challenging inequalities
- 3**  
Putting the legislation to work
- 4**  
Delivering equality effectively and efficiently

FULL DETAILS IN THE ANNUAL REPORT LINK

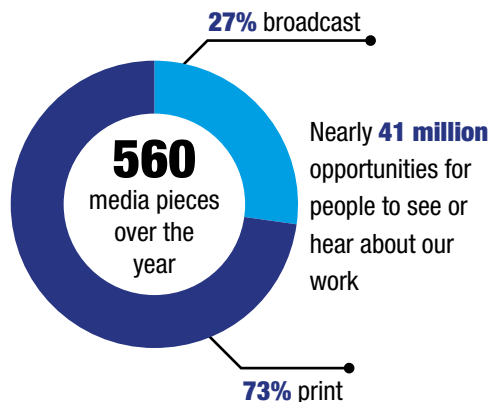
# 1

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## Championing equality and good relations

**Communications:** Sharing our work with everyone in Northern Ireland, from politicians and policy makers to people who might need our services.

### Communications

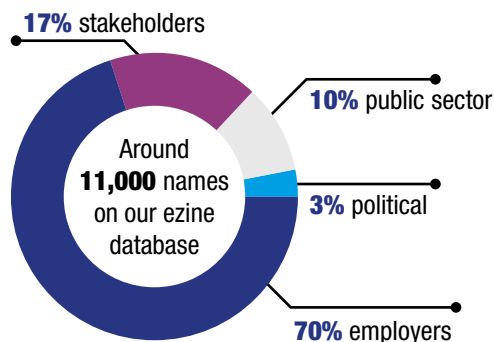


Around **1,000** new Twitter users last year tweets created **860,000** impressions



Started using **LinkedIn** in July 2016, gained **462** followers by 31 March 2017

**23 ezines** issued to our subscribers



### Website



**Session traffic**



**Page views**



**Users**



**82,433** users visited the site **120,611** times, viewing **374,983** pages

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## Securing protection under the law

**People in Northern Ireland have less protection against discrimination and harassment than people in other parts of the United Kingdom.**

This year, we worked to highlight the importance of closing these gaps and the need to

- ◆ harmonise and simplify equality law
- ◆ introduce age discrimination protection beyond the workplace
- ◆ strengthen disability and race legislation
- ◆ address gaps in sex equality/equal pay legislation
- ◆ strengthen positive action measures.

Our work this year has led to our recommendations for change being referred to and supported in independent reports, Assembly debates, feedback from stakeholder groups, the draft Programme for Government and associated delivery plans and in government strategies such as the Racial Equality Strategy.

**WE NEED TO**  
**reform**  
**THE EQUALITY LAWS ON AGE,  
DISABILITY, GENDER AND RACE.**

# Equality Law and Brexit - what lies ahead?

As the UK exits the European Union, while the Repeal Act will mean no immediate changes to our laws, we recommend that Government should ensure the promotion of equality and good relations are priority issues and there is no rollback from current equality protections

Key Considerations:

- EU law has strengthened protection against discrimination and harassment in NI
- Equality of opportunity and good relations must be priority issues for Government as we leave the EU
- Current levels of protection under equality law must not be weakened
- Existing gaps in equality legal protections must not be allowed to widen
- We must ensure that the promotion of equality and good relations does not diminish
- We must mitigate the impact of loss of EU funding on the peace process and work to promote social inclusion
- Equality of opportunity was a core issue in the Good Friday/ Belfast Agreement and a focus of key outcomes of the draft Programme for Government 2016-2021. Government should maintain a focus on these
- We must consider the impact of leaving the EU on race relations and race hate crime.



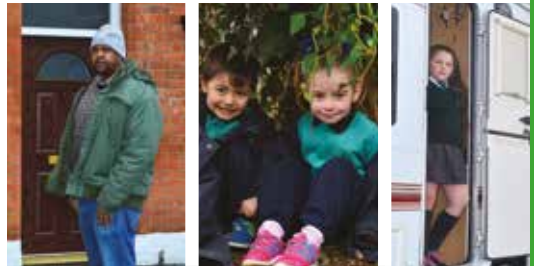
# Challenging inequalities

## Working for a fairer society

**Our policy and research work builds an authoritative evidence base from which we work to inform and improve public policy and achieve better equality and good relations outcomes.**

### Influencing public policy

Our recommendations are reflected in crucial developments such as the Budget and the Programme for Government (PfG). This year, the draft PfG and departmental delivery plans reflect a range of our policy priorities, such as the educational needs of Travellers, newcomers, people with disabilities and Protestant boys in receipt of free school meals. The draft PfG housing plan repeatedly uses our draft key inequalities in housing statement and quotes our research findings. And the Department of Communities has committed to fully including Travellers and minority ethnic groups in its delivery plans. The draft PfG itself includes a number of high level commitments to the promotion of equality and good relations, as we recommended.



### Key Inequalities research programme

This looks at inequalities in housing, education, employment and participation in public life in Northern Ireland. This year, we have been finalising statements of key inequalities in housing and communities and in education.

We use these statements as a basis for wide-ranging discussions to arrive at policy positions, which are then shared with key decision makers to inform their decisions.



## International conventions

People in Northern Ireland are protected against discrimination not just by UK and European law, but also by international conventions, protecting people in different equality groups such as disability, sex and race.

We successfully worked to promote adherence to these conventions, which support our policy recommendations so we can use them as levers for change in Northern Ireland

### UNCRPD

The United Nations Convention on the Rights of People with Disabilities

We have worked with disabled people to develop a list of shortcomings in NI's compliance with the Convention and delivered it as part of a UK-wide submission to the UN Committee.

### CERD

The Committee on the Elimination of all forms of Racial Discrimination

We used our race policy positions to influence race equality policies here and worked with CERD committee members to promote four of our key priorities to the UK Government.

### CEDAW

The Committee on the Elimination of Discrimination Against Women

We made extensive use of our gender policy positions to influence policy in Northern Ireland in areas such as the criminal law on abortion and gender law reform.

### FCNM

Council of Europe Framework Convention on the Protection of National Minorities

The FCNM in March 2017 endorsed our calls for reform of the race equality laws, action to tackle racism and address inequalities.

### ECRI

European Commission on Racism and Intolerance

This year we engaged with ECRI, which in October 2016 supported our recommendations for urgent reform of the Race Relations Order.



# Putting the law to work

## Our powers and duties

advice

education

training

compliance

audit

investigation

enforcement

the duty to advise and assist people

We are putting our powers and duties to work to encourage improvements in organisational practice, extend good practice and challenge poor practice.

**1,762 attendees**  
at **110** training  
and advice events

**250** private  
sector employers  
represented  
at events

**116** public  
sector employers  
represented  
at events

**3,226**  
**requests**  
for advice from  
organisations

**201**  
**face to face**  
meetings with  
employers

## Training evaluation comments

*'Extremely useful and new information'*

**British Dental Association**

*'It was a very useful foundation to understanding equality'*

**BITC**

*'The group exercises were very useful as I got to hear how other employers do things'*

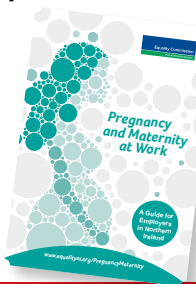
**Progressive Building Society**

# Expecting Equality

The treatment of mothers at work and pregnant workers is a huge issue for employers and for employees and their families.

The results of our Expecting Equality investigation into the treatment of pregnant workers and mothers at work were launched in November 2016. We have backed up the actual results with detailed and extensive new guidance for employers and for women on our website and have run two fully booked training events.

We also discussed the Investigation recommendations with senior policy makers.



## Employers respond

Steady usage of the new online guidance for employers and for women – over 1,700 visits to the webpage.

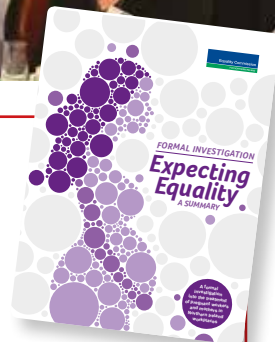
Good use on Youtube of six videos made for the event – around 500 views.

Two training sessions fully booked – 50 professionals trained in managing pregnancy, maternity and requests for flexible working.



On average, 27% of complaints of discrimination made to the Commission every year are about sex discrimination. Of those, around 20% every year are to do with pregnancy and maternity.

We supported more sex discrimination cases to court or tribunal this year than any other form of discrimination. Many of these cases illustrated the type of problems faced by pregnant women in the workplace, on maternity leave or in returning to work after maternity leave. The large number of new applications coincided with the publication of Expecting Equality and the publicity around it.



## Fair Employment Monitoring

Every year, we publish an analysis and summary of the monitoring returns we receive from all registered employers. We appreciate the work put in by employers to comply with FETO and in assessing the composition of their workforces by community background and gender. This allows us to monitor overall trends.

### The monitored workforce:

employees of **all** public authorities

employees of private concerns employing **11+ people**

that's an estimated **two thirds** of all those in employment in Northern Ireland

We published the 26th monitoring report in December 2016. Over the years, employers have made great strides towards fairer participation in the workforce which is now more reflective of society here.

### 26th Fair Employment Monitoring Report showed:

**138 public bodies**

**3,553 private sector companies**

Monitored workforce was **529,746**  
(up 11,249 (2.2%) from previous year)

**52.1%** of the monitored workforce was Protestant

**47.9%** of the monitored workforce was Roman Catholic

### FETO work this year

**17,000+** contacts with employers

**3,750** employers with FETO compliance activities

We received **3,708** monitoring return forms

**4,008** authorised in year, compliance >99%

**91 Art.55** reviews received and audited, compliance >95%

**Every Customer Counts** is an online resource backed up with events, training and information and advice from officers. It aims to help service providers, both public and private sector, make their premises and services more welcoming to people with disabilities. It has three easy to follow stages, policy, audit and action.

This year we have signed up 36 organisations, made and promoted videos on welcoming disabled people into your business, run events and conducted a small number of disability access audits to help share problem solving and good practice.



The **Mental Health Charter** is another new initiative aimed at helping employers support their staff through difficult times – work, stress, mental ill health and recovery and reasonable adjustments. Again there's a range of help and follow up for employers who commit to it. InvestNI have been helpful partners in making videos which carry our messages directly to business people.

**Our partners:** Action Mental Health, Change Your Mind, Disability Action, Inspire, Mindwise, Mental Health Foundation



Our STEM work encourages employers to take on, support and encourage women in non-traditional roles such as engineering, science and technology. We have worked this year to gather together some case studies and publicise the commitment of companies to improving the gender balance of their workforce.



We have a wealth of online and print guidance to help employers and service providers to keep employers the right side of the law and encourage good practice.

**This year we produced:**

Videos on our own and in partnership with Invest NI

Guidance on managing pregnancy and maternity in the workplace

Training and training podcasts

Guidance on conducting the 5-year review of equality schemes

Template employer policy on flexible working

**Employers' top web pages:**

Public authorities' most visited pages are EQIAs, screening and employment issues.

Employers are interested in pages on hiring new staff, job descriptions, recruitment and redundancy and pregnancy and maternity at work. Also FETO Code of Practice, monitoring, Art 55 Review and employer registration.

The Employer Training Programme – in top 20 most visited pages on our site

## Ensuring compliance with the law

**We have compliance duties under FETO, S75 and the DDA, which we carry out with the aim not just of compliance, but of improving equality and good relations practices amongst public authorities, employers and service providers.**

### Investigations

An investigation carried out last year found that The Executive Office (TEO, formerly OFMDFM), had breached commitments in its Equality Scheme in 2015 when conducting a consultation into proposals to extend age discrimination legislation to include the provision of goods, facilities and services.

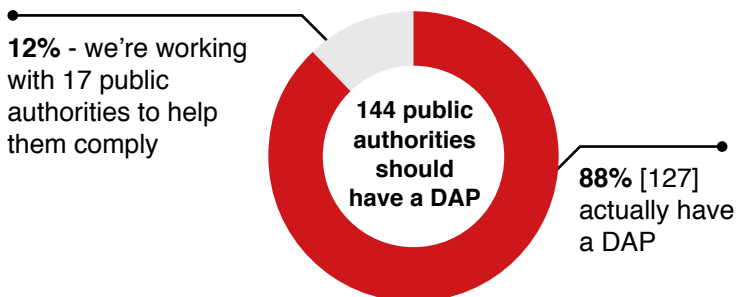
The Commission conducted the Investigation following a complaint received from the Northern Ireland Commissioner for Children and Young People (NICCY).

### Advice to public authorities on complying with statutory duties

We've worked with public authorities this year to help them deliver better service with customers in mind and focusing on equality and good relations.

We provide them with advice on processes to ensure that their policies take into account potential impacts and consider if there are any opportunities to further promote equality.

### Disability Action Plans (DAPs)



## Challenging discrimination

### Legal casework

Most of the 3,000+ people who ring our discrimination advice team every year are able to resolve their cases without going to court, using our advice and information. Around 10% apply for assistance to pursue a legal case in the county court or the Industrial Tribunals. Of these, around one quarter is granted support under the Commission's Policy on the Provision of Legal Advice and Assistance.

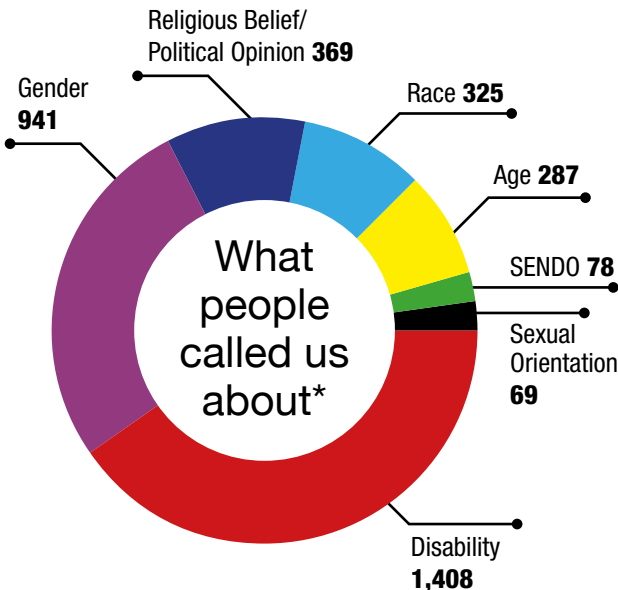
3,454  
enquiries



255 considered at Legal  
Funding Committee



59 Granted  
assistance



In 2016-17, there were decisions in six cases we supported to court or tribunal. Two were upheld in the Court of Appeal, *Lee v Ashers Baking Company Ltd* and *McKeith v Ardoyne Association*. Two were upheld in full by a tribunal and one upheld in part. One FETO case was dismissed. We settled 41 cases outside court.

\* Figures include complaints of more than one type of discrimination



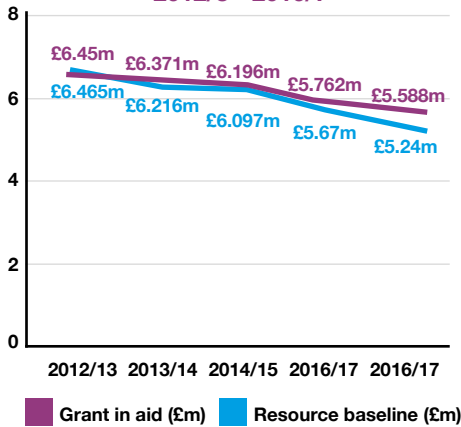


# Delivering equality effectively and efficiently

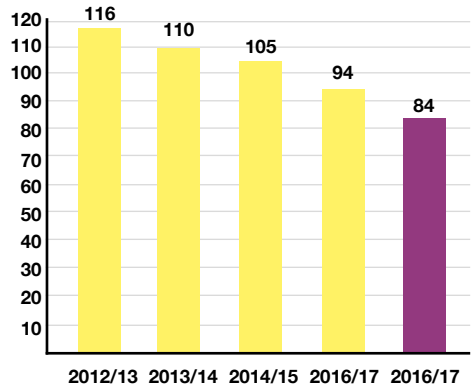
## The Equality Commission numbers

In a year when our grant in aid, our main source of income, reduced by 7.6% from the previous year, we still delivered our services effectively.

The Executive Office funding (£m)  
2012/3 - 2016/7



Staffing Levels (FTEs)



## Despite these constraints, we worked hard to

train  
**1,762** people  
in equality issues  
in the workplace

help  
almost **3,000**  
employers and  
service providers  
with free and  
confidential  
advice

speak to  
thousands of people  
at events, in schools  
and in workplaces

help  
more than **3,000**  
people complaining  
of discrimination with  
free and confidential  
advice

support  
**59** cases to  
tribunal or court

Detailed information on finances, a staff report and accountability report are in our Annual Report

## About the Equality Commission for Northern Ireland

We are a non-departmental public body established under the Northern Ireland Act 1998.

Our powers and duties derive from equality laws which provide protection for everyone in Northern Ireland against discrimination on the grounds of age, disability, race, religious belief and political opinion, sex and sexual orientation.

We also have responsibilities arising from the Northern Ireland Act 1998 in respect of the statutory equality and good relations duties which apply to public authorities.

Our sponsor department is the Executive Office, which carries responsibilities for equality policy and legislation in the Northern Ireland Executive.

### Our services include

- Giving advice and support to individuals with potential complaints under the anti-discrimination legislation
- Giving guidance to employers and service providers about their obligations under the law and good practice advice
- Encouraging public authorities to promote equality of opportunity and address inequalities in fulfilling their equality and good relations duties
- Ensuring that equality considerations are central to decision-making by focusing particular attention in a number of key public policy areas.

### Vision

Our vision is of a society in Northern Ireland where there is equality for all and a common understanding of the benefits of a more equal society.

### Mission

Our mission is to improve people's lives through the effective implementation of our statutory responsibilities.

Equality Commission

FOR NORTHERN IRELAND

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for Northern Ireland  
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Summer 2017