

Northern Ireland Authority for Utility Regulation



**Public Authority Statutory Equality and Good Relations Duties
Annual Progress Report 2015-16**

Contact:

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Documents published relating to our Equality Scheme can be found at:

Please insert link or details here

Signature:

This report has been prepared using a template circulated by the Equality Commission.

It presents our progress in fulfilling our statutory equality and good relations duties, and implementing Equality Scheme commitments and Disability Action Plans.

This report reflects progress made between April 2015 and March 2016

PART A – Section 75 of the Northern Ireland Act 1998 and Equality Scheme

Section 1: Equality and good relations outcomes, impacts and good practice

- 1** In 2015-16, please provide **examples** of key policy/service delivery developments made by the public authority in this reporting period to better promote equality of opportunity and good relations; and the outcomes and improvements achieved.

Please relate these to the implementation of your statutory equality and good relations duties and Equality Scheme where appropriate.

During the reporting period the Utility Regulator (UR) continued to build on the work previously carried out to maintain and improve equality of opportunity and good relations as a mainstream element of our corporate goals and values.

A revised Equality Scheme has been in place since January 2012 which Human Resources (HR) reviews annually in line with the annual progress report. A formal review of the scheme is due in 2017.

HR, managers and both Union and Non-Union staff representatives, liaise to monitor the on-going process of improvement in equality awareness and other related policies and procedures.

The UR continued to be represented in forums aimed at tackling fuel poverty in Northern Ireland. In 2015-16 this included attending the Energy Advice Forum run by NEA, the Fuel Poverty Coalition Conference, the Energy Action Conference and meetings of the Money Advice Liaison Group. We have been working with DfE to support the development of a new energy efficiency scheme for Northern Ireland, the EnergyWise Scheme and are represented both on the Project Board and the Stakeholder Group. We are also represented on the Northern Ireland Home Energy Conservation Authority (HECA) Panel which seeks to improve the energy efficiency of NI properties thus also alleviating the impact of fuel poverty.

The Northern Ireland Sustainable Energy Programme (NISEP) continued to provide 80% of its funding for energy efficiency measures to be installed in vulnerable households. In 2015-16 over £6.1m was spent on schemes providing heating systems and insulation with the aim of reducing energy costs and improving comfort for households at risk of fuel poverty.

The NISEP will continue in 2016-17 to target 80% of funding into energy efficiency schemes for vulnerable households. 13 priority schemes have been approved to provide a range of energy efficiency measures including heating systems, loft and cavity insulation, low energy lighting, water widgets, radiator panels and heating controllers.

On 30 June 2015, the UR published a decision paper on Codes of Practice for energy suppliers. This followed a consultation which sought views and comments

on proposed minimum standards guidance for energy suppliers' Codes. This new guidance includes interpretation of the relevant licence conditions and detail of the minimum standards, which are required in order to ensure consistency and standardisation across suppliers. These Codes will ensure that customers, and in particular vulnerable customers, are protected in their relationship and dealings with electricity and natural gas suppliers. The codes cover the following areas:

- Code of Practice on Payment of Bills
- Code of Practice on Provision of Services for persons who are of Pensionable Age or Disabled or Chronically Sick
- Code of Practice on Complaints Handling Procedure
- Code of Practice on Services for Prepayment Meter Customers

All the energy suppliers in Northern Ireland submitted revised codes of practice, based on the new guidelines, to UR for approval and subsequently implemented them by 6 May 2016.

Protecting consumers is at the heart of the UR's role. This role is particularly important in relation to energy retail markets where the industries we regulate directly interface with consumers. The Forward Work Programme for 2014-15 set out three interrelated flagship projects in relation to retail market regulation.

- Retail Energy Market Monitoring
- Review of the Effectiveness of Competition in Energy Retail Markets
- Review of the Domestic Consumer Protection Strategy.

In 2015-16 each of these projects moved into the implementation phase.

Each of these projects has been subject to equality screening from the outset and the promotion of equality and protection for all utility consumers and in particular vulnerable consumers will continue to be a consideration throughout their implementation.

A consultation on licence modifications to implement the Energy Efficiency Directive was published in January 2015. Consumer impact is likely to include increased protection in the form of better information and clearer bills to all consumers. This will result in a Billing Code of Practice which will take into consideration requirements for older customers and customers with disabilities with regards to their gas and electricity bills.

During 2015-16, following a comprehensive consultation and industry engagement process the UR implemented an enhanced Retail Energy Market Monitoring framework known as REMM. REMM is one of our flagship projects which delivers a robust framework to monitor market indicators as well as supplier's compliance with their electricity and gas supply licences. The REMM decision paper was published in June 2015. A Section 75 policy screening form was completed as part of the decision making process, whereby no negative impacts were highlighted as part of the project implementation. Following a six month testing phase, the Market Regulation and Monitoring team are now use the REMM data to establish trend information and is the primary source of internal

information for policy discussions.

During the reporting period the UR also commissioned the development of a new website, which will be launched in the 2016/17 year. This redevelopment will include a review of how we consult and is aimed at improving the accessibility of our documents. This website will be consumer-facing and will promote access to information and improve the ease of use for all stakeholders. We are committed to producing accessible corporate publications and following the Plain English mark on our Corporate Strategy 2015/19, and Forward Work Programme for 2014/15, our new three year Consumer Protection Strategy also received a crystal mark.

During 2015-16 UR started a project involving the PSNI, CoPNI, CCNI and energy suppliers to look at ways of ensuring customers feel safe when utility company staff visit their home and also to reduce the incidence of 'distraction burglaries' where burglaries are carried out by people pretending to be from a utility company. In particular the project team has been considering the set up of some kind of checking system where the householder can telephone a number to check if the person is a genuine member of staff e.g. calling to read the meter. This work will continue to develop in 2016-17.

In 2015/2016 we started the process for the Supply Price Control for SSE Airtricity Gas Supply (NI) Ltd and firmus energy (Supply) Ltd for 2017-2019. This process will continue into 2016/2017 when we will publish a consultation paper on the Draft Determination which will give stakeholders an opportunity to comment on the proposals.

In 2015/2016, we have continued the open consultation process for the next price control for Gas Distribution Networks for the years 2017 and beyond [GD17]. As part of this process, we conducted a series of stakeholder meetings during February and March 2016 and published a consultation on our draft determination in March 2016. This gives relevant stakeholders, including those representing 75 groups, the opportunity to comment on our proposals. The comments received will be considered as part of the price control process.

In 2015, we have also consulted on changing the form of price control for firmus energy from a price cap to a revenue cap. Given the network development achieved in the firmus energy licensed area to date, and regulatory practice for other regulated business such as Phoenix Natural Gas, we considered that such a change was appropriate and published a related decision in September 2015. As part of the consultation process, we have given consideration to the interests of current and future natural gas customers, including those of the Section 75 groups, and we have given all relevant stakeholders, including those representing the Section 75 groups, the opportunity to comment on our proposals prior to implementation.

Furthermore, we have consulted, in 2015, on extending the conveyance licence area for Phoenix Natural Gas to East Down. As part of the consultation process, we have given consideration to the interests of current and future natural gas customers, including those of the Section 75 groups, and we have given all

relevant stakeholders, including those representing the Section 75 groups, the opportunity to comment on our proposals prior to implementation. The extension was granted in 2015 and will enable consumers, including those of the Section 75 groups, in the areas of Annahilt, Ballygowan, Ballynahinch, Castlewellan, Crossgar, Downpatrick, Dromore, Drumaness, Dundrum, Hillsborough, Newcastle, Saintfield and The Spa to connect to the natural gas network and enjoy the benefits of natural gas.

With assistance from the Employee Assistance Provider (EAP) CareCall, the HR team monitor use of the EAP services. HR explored tools such as workplace stress audits to assess any external and workplace stress issues that may exist, with particular consideration of impact on related Section 75 groups and Disability Discrimination. HR have been working closely with NIPSA and non union staff representatives to consider aspects of work life balance and flexible working and how that can positively impact on workplace stress. An overall workplace survey, in partnership with the communications team, incorporating a stress audit is planned to be carried out in the summer of 2016. The results of this survey will feed into the HR and Communications Strategy which will allow UR to implement an appropriate action plan where necessary. Specific risk assessments are carried out for pregnant staff and new or returning mothers. Where appropriate, amendments and reasonable adjustments are also explored for staff returning from sick and long term sick absence. During the review period we worked closely with two staff with ongoing back pain, to make adjustments for them to return to work, including periods of phased return in and adjustments for home working. We are continuing to support these staff on an ongoing basis providing workstation risk assessments and adjustments including a standing/rising desk.

Absence linked to disability or maternity is not counted towards the organisation's inefficiency policy. In 2015 UR developed our relationship with Business in the Community (BiTC). Linked to the UR People Strategy 2015-19, BiTC initiatives such as volunteering projects for staff within the community are focused on a number of Section 75 groups. In 2015/16 UR has built relationships with voluntary, community and environmental groups within the local community as part of BiTC and our ongoing commitment to Corporate Social Responsibility (CSR) theme in the Strategy. UR has organised initiatives such as staff nominations for a Christmas charity for which donations were made to the Welcome Organisation. Staff volunteered to fundraise with a Christmas present wrapping event for CLIC Sargent, Give As You Earn was set up and promoted to staff and Time to Read is an ongoing initiative with local schools through BiTC. There will be a particular focus on CSR in 2016/17 with a proposed programme of activities including a number in partnership with Business in the Community (BiTC) such as bespoke volunteering days and staff volunteering their skills as charity board members.

HR is also exploring steps needed to begin working towards achievement of employment awards such as Investors in People (IiP) in 2016-17 This will provide a focus and scope to set new objectives and drive the UR People Strategy and UR Mission, Vision, Values and Behaviours initiatives.

- 2 Please provide **examples** of outcomes and/or the impact of **equality action plans/** measures in 2015-16 (*or append the plan with progress/examples identified*).

An Audit of Inequalities undertaken in Autumn 2010 highlighted the main themes the UR will concentrate on over the life of the Equality Scheme. These are age, disability and communication (access to information). The Forward Work Programme is an established plan which has been consulted upon extensively with the people and organisations listed in the UR Equality Scheme.

In March 2015 we published a consultation on the Consumer Protection Strategy and launched the final strategy in February 2016. A wide range of stakeholders will be invited to the launch including representatives of Section 75 groups such as: Disability Action, Age Sector Platform, Commission for Older People and Christians Against Poverty. The five year strategy sets out the details of how we can progress our corporate strategy objective of protecting the long term interests of customers. The strategy focuses on domestic electricity, gas and water customers and in particular seeks to improve customer protection for vulnerable consumers.

The main areas of work identified in the Consumer Protection Strategy are:

- Focus on Affordability
- Ensure equal access to utility services
- Empower customers through education and transparency
- Provide leadership through being a best practice regulator.

A summary document containing the main features and the action plan for the strategy was produced for publication. To ensure the summary was easy to read and suitable for a wide audience, the draft document was submitted to the Plain English Campaign and the final document received its Crystal Mark for clarity.

The Marketing Code of Practice now in operation since June 2014 protects all customers from potential mis-selling by energy suppliers. It ensures that all customers including those covered by Section 75 can take informed unpressurised decisions regarding which energy supplier to choose.

The Marketing Code of Practice ensures that no customers are subjected to mis-selling practices from energy companies. The Marketing Codes also specify the following requirements which will have positive impacts on Section 75 groups:

- Suppliers will ensure that they provide training on the recognition and treatment of vulnerable consumers;
- Sales agents must not exploit a person's inexperience, vulnerability, credulity, loyalties or intimidate a consumer in an attempt to restrict their ability to make an informed choice;
- The sales agent must not abuse the trust of vulnerable or inexperienced customers, for example, those who are elderly or those who have special needs. Sales agents should not complete an energy supply contract with customers who are not capable, at the time of the contact, of making an informed decision as to whether or not to enter into the contract.

We are active in ensuring compliance with the Marketing Code of Practice.

The Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014 came into force on 1 April 2014. Prior to this, we consulted widely on these Regulations. The Regulations afford protection to all consumers including Section 75 categories. The Regulations set out a level of service required in a number of service areas including;

- Response to complaints
- Making and keeping appointments
- Reconnecting gas supply after an incident
- Resolving meter disputes

Where the supply or distribution company fails to meet a prescribed, standard they must make a payment to the customer. These regulations encourage companies to offer a high level of service to customers or to compensate them accordingly.

During 2015/16 we have continued to work with CCNI, gas suppliers and gas distribution companies to consider how vulnerable customers are treated in the event of a disconnection. In this case, vulnerable customers refer to those who are of pensionable age, disabled or chronically sick. We will continue to work with the CCNI as they develop a policy for ensuring vulnerable customers are adequately protected in the event of a disconnection.

The Northern Ireland Sustainable Energy Programme, set up and administered by the Utility Regulator, continued to provide grant funding for energy efficiency schemes for domestic and non-domestic properties. 80% of the funding available each year is ring-fenced for schemes that target vulnerable households. In 2015-16, over £6.1m was divided between 13 different schemes providing a mixture of heating systems, loft and cavity wall insulation and other energy efficiency measures to vulnerable households. Each scheme defined its own vulnerability criteria but the main criterion used to assess eligibility for the schemes was low-income. Whilst not specifically focusing on S75 groups, the schemes benefit all groups within the population at risk of fuel poverty.

Licence modifications required to implement the customer protection requirements of the EU Third Energy Package (IME3) came into effect during 2014-15. Since the modifications came into effect the Utility Regulator has worked diligently with licencees to ensure compliance with the new modifications and has continued in 2015-16 to monitor their policies, procedures and practices to ensure ongoing compliance with these conditions (for example approved new Codes of Practice for all suppliers).

Electricity as well as gas supply and distribution licences contain a condition regarding services that must be provided for specific customer groups including customers who are of pensionable age, disabled or chronically sick and customers who are blind, partially sighted, deaf or hearing-impaired. Such services include a password scheme to identify company staff, the provision of

bills and information in accessible formats, repositioning of pre-payment meters free of charge, providing bills to a nominated carer and making arrangements to avoid deprivation of adequate heating and cooking facilities where the conveyance of gas has been disconnected. The organisation oversees compliance with licence conditions on an ongoing basis.

Work continued in 2015/16 on the development of a smart meter strategy for Northern Ireland. The consideration and mitigation of any negative customer impacts will be an integral part of the development of the strategy. The lessons learnt from the vulnerable customer trial, carried out from 2011 to 2013 looking at the needs of low-income households in relation to the roll-out of smart meters, will also be incorporated.

In 2014 we placed NI Water at notice to review Codes of Practice during PC15, starting with the Non-domestic Code of Practice on Billing and Metering. The Consumer Measures/Satisfaction (CM/SAT) working group which includes Consumer Council, DRD, Utility Regulator and NI Water continues to include the Codes as a regular agenda item for updates. Further discussion regarding draft Codes has taken place between Consumer Council and NI Water and we are hopeful NI Water will now commit towards an agreed timeline to refresh of the Codes in 2017. Once any draft Codes of Practice have been agreed between Consumer Council and the company, we shall consider in light of NI Water's wider PC15 commitments and make our decision on whether to approve or seek further improvement in NI Water's promises to consumers.

Our major network price controls continue to build on the widely appreciated consumer research which underpinned and built upon previous consumer research in the lead up to NI Water's last price control PC15. The partnership model whereby expertise is pooled across company, regulator, consumer representative and parent government department was introduced by agreement with NI Electricity Networks, DfE and Consumer Council. The group's title was the Consumer Engagement Advisory Panel or 'CEAP'.

An in-depth piece of research was commissioned via the CEAP from Perceptive Insight Market Research, a local research house with academic input from Queen's University, Belfast on consumers' Willingness to Pay (WTP) for service improvement. The research included both focus group and representative sample surveys of domestic and Industrial & Commercial consumer groups. Both research elements also dwelt on S75 groupings with (i) specific Vulnerable Groups focus groups and survey analysis allowed examination of Vulnerable Groups' responses on key issues and (ii) WTP analyses comparing results for the population as a whole to that segment of the population experiencing income poverty.

With a decision there was insufficient time available to conduct a similar detailed research piece to inform GD17 the focus in the GD17 price control is now on the means by which we might include a development objective on consumer and stakeholder engagement during GD17.

PART A

3 Has the **application of the Equality Scheme** commitments resulted in any **changes** to policy, practice, procedures and/or service delivery areas during the 2015-16 reporting period? (*tick one box only*)

Yes No (go to Q.4) Not applicable (go to Q.4)

Please provide any details and examples:

In 2015 the UR was asked by DETI to extend the NISEP for a final year, whilst further development of an replacement energy efficiency initiative for NI took place. DETI further requested that UR consider restructuring the allocation of costs so that domestic customers would contribute 80% of the NISEP costs and businesses 20%. The existing cost structure was a fixed charge per kilowatt hour across all customers. Following consultation on the proposals and equality screening, the decision was taken to go ahead with extending the NISEP for a further year but that no change would be made to the cost structure.

3a With regard to the change(s) made to policies, practices or procedures and/or service delivery areas, what **difference was made, or will be made, for individuals**, i.e. the impact on those according to Section 75 category?

Please provide any details and examples:

Extension of the NISEP for a further year would benefit low income/fuel poor households in need of energy efficiency measures if they accessed the schemes to improve their homes - benefits would be financial in terms of lower energy bills and in relation to health and well-being benefits from improved warmth and comfort. The S75 groups likely to be included in low-income households with poor quality housing and therefore most likely to benefit from this proposal were people with dependents (particularly young children), people with a disability, older people and minority ethnic groups.

Reallocation of costs so that 80% of NISEP costs are paid by domestic customers, representing a threefold increase in the levy for an average customer, would impact on the same groups but in a negative manner. Our final decision was to extend the NISEP for a further year but not to restructure the manner in which costs are allocated.

3b What aspect of the Equality Scheme prompted or led to the change(s)? (*tick all that apply*)

As a result of the organisation's screening of a policy (*please give details*):

Following the equality screening, which took into account responses to the consultation, UR decided that the first proposal (extending the NISEP) could go ahead but the second proposal (reallocation of costs) could not.

As a result of what was identified through the EQIA and consultation exercise (*please give details*):

As a result of analysis from monitoring the impact (*please give details*):

As a result of changes to access to information and services (*please specify and*

give details):

Other *(please specify and give details):*

Section 2: Progress on Equality Scheme commitments and action plans/measures

Arrangements for assessing compliance (Model Equality Scheme Chapter 2)

4 Were the Section 75 statutory duties integrated within job descriptions during the 2015-16 reporting period? *(tick one box only)*

- Yes, organisation wide
- Yes, some departments/jobs
- No, this is not an Equality Scheme commitment
- No, this is scheduled for later in the Equality Scheme, or has already been done
- Not applicable

Please provide any details and examples:

Employee's job descriptions and personal 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 and mid-year performance review.

5 Were the Section 75 statutory duties integrated within performance plans during the 2015-16 reporting period? *(tick one box only)*

- Yes, organisation wide
- Yes, some departments/jobs
- No, this is not an Equality Scheme commitment
- No, this is scheduled for later in the Equality Scheme, or has already been done
- Not applicable

Please provide any details and examples:

The personal performance plans are subject to appraisal in the annual and mid-year performance review. Where Section 75 statutory duties are related to jobs this is reflected in individual performance plans.

In the 2015-16 reporting period were **objectives/ targets/ performance measures** relating to the Section 75 statutory duties **integrated** into corporate plans, strategic planning and/or operational business plans? *(tick all that apply)*

- Yes, through the work to prepare or develop the new corporate plan
- Yes, through organisation wide annual business planning
- Yes, in some departments/jobs
- No, these are already mainstreamed through the organisation's ongoing corporate plan
- No, the organisation's planning cycle does not coincide with this 2015-16 report
- Not applicable

Please provide any details and examples:

Our Corporate Strategy 2014-19, includes the objective "protecting the long term interests of domestic consumers", which links to our corporate values and is mainstreamed through the organisation's ongoing work programme, which activities aim to protect vulnerable consumers.

Specific objectives and measurements relating to Section 75 statutory duties have been drawn out specifically in our Human Resource Strategy “UR People” 2015-19, which was launched in July 2015. The Strategy was the outcome of a process of development led by our HR team in partnership with the senior management team. The strategy focuses on six high level staff related themes, one of which focuses on fulfilment of UR’s duties under Section 75 and ensuring that equality underpins and is mainstreamed through all our work. During the reporting period HR worked closely with staff and SMT to develop and refresh the UR Mission, Vision and Values and Behaviours (MVVB). From this a set of UR behaviours were developed of which best practice and equitable behaviour was key. A staff working group then developed a set of competencies aligned to the MVVB and which was rolled out with the annual appraisal and “all staff” equality training course in February and March 2016.

During 2015/16 we also consulted on our Forward Work Programme for 2016/17. As well as considering all written responses, we held a stakeholder workshop to ensure the programme took into account the priorities and key issues of our stakeholders.

During 2014 an equal pay review was carried out independently by the NI Statistics and Research Agency (NISRA) on behalf of UR to identify whether there is a significant difference between males and females, and Protestants and Catholics in terms of basic salary.

Following on from the work carried out on the equal pay review and in accordance with advice received from the Departmental Solicitor’s Office (DSO), NISRA completed a modelling exercise to develop a revised pay system. The UR worked closely with the Northern Ireland Public Service Alliance (NIPSA) and Non-Union staff representatives developing options and agreeing a revised performance based system. Working closely with NIPSA and Non- Union staff representatives UR introduced a system of pay progression in March 2015 with the intention to remove the inequalities identified from the pay review in 2014.

Equality action plans/measures

7 Within the 2015-16 reporting period, please indicate the **number** of:
 Actions completed: Actions ongoing: Actions to commence:

Please provide any details and examples (*in addition to question 2*):
 Action 7: Continuing to Develop as an Organisation, review of Corporate Strategy was complete and new corporate strategy launched 2014-19. However, this will continue to be an on ongoing action.

8 Please give details of changes or amendments made to the equality action plan/measures during the 2015-16 reporting period (*points not identified in an appended plan*):
 An amendment was made to the action "Continuing to Develop as an Organisation" in order to recognise the development and launch of a new Corporate Strategy 2014-19 and the development of a new HR strategy 2015-19, which was launched in July 2015.

- 9 In reviewing progress on the equality action plan/action measures during the 2015-16 reporting period, the following have been identified: *(tick all that apply)*
- Continuing action(s), to progress the next stage addressing the known inequality
 - Action(s) to address the known inequality in a different way
 - Action(s) to address newly identified inequalities/recently prioritised inequalities
 - Measures to address a prioritised inequality have been completed

Arrangements for consulting (Model Equality Scheme Chapter 3)

- 10 Following the initial notification of consultations, a targeted approach was taken – and consultation with those for whom the issue was of particular relevance: *(tick one box only)*
- All the time Sometimes Never

- 11 Please provide any **details and examples of good practice** in consultation during the 2015-16 reporting period, on matters relevant (e.g. the development of a policy that has been screened in) to the need to promote equality of opportunity and/or the desirability of promoting good relations:

As part our commitment to good practice in consultation UR proactively engages with the Consumer Council in Northern Ireland (CCNI) in respect of the most appropriate ways of engaging with consumers. In doing that we consider appropriate and proportionate approaches to impact assessment in our consultation documentation and seek to reflect this in our UR template document; furthermore we review the operation of our consultation practice against our standard.

The UR continue to develop relationships and consult with other organisations including the Equality Commission, Disability Action, Age Sector Platform, Commissioner for Older People, Save the Children, Christians Against Poverty and mainstream political parties.

All consultations aim to seek the views of those directly affected by the matter/policy, regulated utilities, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and recognised trade union (NIPSA) 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 within the UR Equality Scheme, 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.

We consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process.

During 2015/16 we commissioned the redevelopment of our website, which will include looking at how we consult, and is aimed at improving the accessibility of our documents and information available. This website will be consumer-facing and will promote access to information and improve the ease of use for all stakeholders.

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.

Information will be made available, on request, in alternative formats, in a timely manner. This message is displayed on our website news items. Requests for alternative formats will be responded to usually within three (3) working days. We will ensure that such consultees have equal time to respond.

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

Following the May 2016 Assembly Elections and as stipulated under the Fresh Start Agreement (FSA) of 20 November 2015 the new maximum 8-week consultation period has begun to take effect for new consultations, for example the RP6 price control shall consult with NIE Networks and stakeholders during the 8-week period following our draft determination in January 2017.

In addition the FSA included at Appendix F some 'Eight Steps to Good Practice in Public Consultation-Engagement'. The FSA's call for "early and continuous engagement", "consider[ation] of the timing, duration and cost", "manage[ment] of stakeholders' expectations" and "share[d] best practice" add further support to our expectation for regulated utilities, especially the network monopolies, to continuously engage with consumers and stakeholders. Such informed conversations should not be limited to each price control advanced by then Utility Regulator, every five years or more. Furthermore, our partnership model of consumer research with consumer engagement working groups which pool resources across government/regulation, consumer representative, public and private sectors ensures we share best practice, to deliver valuable research and insight into consumer priorities at least cost.

Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our 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, we will give consideration 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, and

whether the provision of childcare and support for other carers is required.

The UR continues to engage representative bodies of the Section 75 categories through its official publications, website, press releases and reports; and when consulting on business projects. We endeavour to keep consultation lists up to date with personnel or organisational changes. We do this via regular news updates and our CEO and/or Directors regularly carry out briefings with stakeholders on key issues and use of workshops, question and answer sessions and consultations.

Directorates continue to consult and engage with stakeholders by adding representatives of vulnerable groups including S75 groups, to consultee lists; hosting workshops/ meetings on specific social action issues as appropriate. Furthermore, as part of an enhanced consultation process, the UR has been engaging with Section 75 groups on key consultations, during 2015/16 as outlined below:

In 2014/15, the Retail Director presented at the Age Sector Platform Pensioners Parliament (May 2014 and March 2015).

Our Chief Executive continues to meet with key consumer stakeholders as part of our Consumer Panel which met regularly during 2015/16. The panel discusses how the Utility Regulator's work impacts on all consumers with a focus on the most vulnerable. There is representation at a senior level from Consumer Council for Northern Ireland, National Energy Action, Age Sector Platform, Advice NI, Citizen's Advice, and Disability Action.

During 2015/16 we consulted on our five year Consumer Protection Strategy. As part of the consultation process, we held a workshop with interested stakeholders. In relation to the Consumer Protection Strategy (outlined in Q1), we conducted a full and comprehensive consultation process to inform and help develop the final strategy. We met with key stakeholders including Advice NI, Citizen's Advice, Disability Action, NEA and the Consumer Council to gather information and scope the strategy. We also held a series of focus groups some of which were composed of older energy customers and depth interviews with people with disabilities or a chronic illness. This process of research and engagement was aimed at developing a strategy, which will help domestic consumers by ensuring that they can access high quality electricity, gas and water services.

A consultation paper on the draft strategy was published in March 2015. In order to encourage and facilitate full stakeholder engagement in the consultation process, UR held a workshop during the consultation period on 6 May 2015. Both industry representatives and stakeholders from consumer, community and voluntary organisations were invited to attend. In particular, community and voluntary organisations which represent Section 75 groups were encouraged to attend. Attendees at the event included Advice NI, Age Sector Platform, Consumer Council, Christians Against Poverty, Citizen's Advice and National Energy Action (NEA).

In April 2015, UR published a consultation paper on the future of the Northern

Ireland Sustainable Energy Programme (NISEP) which was due to close in March 2016. The consultation paper proposed a further extension to the NISEP, limited to one year, and also a change to how the costs of the NISEP are allocated between customer groups. In response to the consultation, the UR decided to extend the NISEP for a further year but without making any changes to how the costs were allocated. Respondees to the consultation included: CCNI, Advice NI, NEA, the Energy Justice Campaign and Citizen's Advice.

Work will continue on the development of a strategy to support the roll-out of smart meters to electricity customers. The development of the strategy will consider customer protection issues and in particular the needs of vulnerable customers. Specific needs of any S75 groups, such as older people or people with a disability, will also be taken into account.

During 2015/16 we began work on the development of a code of practice on billing and statement clarity. Prior to developing the consultation and the principles supporting the code of practice we engaged with key stakeholders including CCNI, Advice NI and the Commission for Older People NI (COPNI). These stakeholders shared experiences of customer feedback on bills which has been used to develop the proposed code of practice and the consultation paper.

During 2015/16 we consulted on a suite of licence modifications which affected all gas and electricity supply licences, gas conveyance licences and the electricity distribution licence. The proposed licence modifications included a number of uncontroversial clean-ups but also included some modifications which would affect how the suppliers operate in their respective markets. In order to engage fully with the gas and electricity industry we issued proposed drafting to all relevant licence holders and the Consumer Council prior to publishing the consultation. We welcomed written feedback and this proved to be a useful exercise as we used the feedback to consider our proposals and we did amend some of the proposed modifications before formally consulting.

We published a formal consultation in January 2016 which was open for over eight weeks. During the consultation period there was opportunity for licence holders and/or the Consumer Council to discuss the proposals at industry forums. When the consultation closed, we reviewed the responses and it was notable that the responses were mostly supportive of the proposals. We consider this was a result of the pre-consultation work that we carried out. We then issued our final decisions on the licence modifications on 3 June 2016.

In the context of consulting internally, the UR uses team meetings, staff working groups, CEO Open Meetings, all staff e-mails, notice boards and the intranet to provide information for internal consultation. During the reporting period 2015-16 this specifically included consultation with NISRA and Non-Union representatives on pay progression matters. Furthermore, a Competency Framework Staff Working Group was established to review options for a competence framework, to complement the new Utility Regulator (UR) performance management system (PMS) which was consulted upon and introduced the previous year.

In the context of consultation and work already complete on the introduction of pay progression and a new PMS the competence framework the work undertaken in the review period was intended to reflect the UR code of conduct; mission, vision and values; and related work streams and to ensure the expected competences express behavioural as well as professional aspects to competence.

All staff engaged through team workshops to review and develop the organisational values and behaviours which underpin all our work. Equality being mainstreamed through this work.

12 In the 2015-16 reporting period, given the consultation methods offered, which consultation methods were **most frequently used by consultees**: *(tick all that apply)*

- Face to face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires
- Information/notification by email with an opportunity to opt in/out of the consultation
- Internet discussions
- Telephone consultations
- Other *(please specify)*: Workshops

Please provide any details or examples of the uptake of these methods of consultation in relation to the consultees' membership of particular Section 75 categories: 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. Consultation with all relevant 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.

13 Were any awareness-raising activities for consultees undertaken, on the commitments in the Equality Scheme, during the 2015-16 reporting period? *(tick one box only)*

- Yes No Not applicable

Please provide any details and examples:

14 Was the consultation list reviewed during the 2015-16 reporting period? *(tick one box only)*

- Yes No Not applicable – no commitment to review

Arrangements for assessing and consulting on the likely impact of policies (Model Equality Scheme Chapter 4)

[UR's website is currently being rebuilt, screening templates, Equality scheme and framework will be uploaded and regularly maintained with the new site is launched in 2016/17]

15 Please provide the **number** of policies screened during the year *(as recorded in screening reports)*:

PART A

10

16 Please provide the **number of assessments** that were consulted upon during 2015-16:

0	Policy consultations conducted with screening assessment presented.
0	Policy consultations conducted with an equality impact assessment (EQIA) presented.
0	Consultations for an EQIA alone.

17 Please provide details of the **main consultations** conducted on an assessment (as described above) or other matters relevant to the Section 75 duties:
In the reporting period no EQIAs were required. Details of other consultations are listed at Q11 above.

18 Were any screening decisions (or equivalent initial assessments of relevance) reviewed following concerns raised by consultees? *(tick one box only)*

Yes No concerns were raised No Not applicable

Please provide any details and examples:

Arrangements for publishing the results of assessments (Model Equality Scheme Chapter 4)

19 Following decisions on a policy, were the results of any EQIAs published during the 2015-16 reporting period? *(tick one box only)*

Yes No Not applicable

Please provide any details and examples:

Arrangements for monitoring and publishing the results of monitoring (Model Equality Scheme Chapter 4)

20 From the Equality Scheme monitoring arrangements, was there an audit of existing information systems during the 2015-16 reporting period? *(tick one box only)*

Yes No, already taken place
 No, scheduled to take place at a later date Not applicable

Please provide any details:

An informal review of the Equality Scheme, including monitoring arrangements takes place in June/July each year. No new or updated policies during 2015-16 period have resulted in an identification of an adverse result and no policy has been amended or alternative policy introduced. Therefore no amendments to the monitoring arrangements were necessary.

21 In analysing monitoring information gathered, was any action taken to change/review any policies? *(tick one box only)*

PART A

Yes No Not applicable

Please provide any details and examples:

- 22** Please provide any details or examples of where the monitoring of policies, during the 2015-16 reporting period, has shown changes to differential/adverse impacts previously assessed:

N/A

- 23** Please provide any details or examples of monitoring that has contributed to the availability of equality and good relations information/data for service delivery planning or policy development:

N/A

Staff Training (Model Equality Scheme Chapter 5)

- 24** Please report on the activities from the training plan/programme (section 5.4 of the Model Equality Scheme) undertaken during 2015-16, and the extent to which they met the training objectives in the Equality Scheme.

The Board and staff have received ongoing training in corporate and individual responsibility to ensure compliance with Section 75 issues with a training sessions being delivered to Non-Executive Directors in advance of any recruitment exercise as well as to other staff serving on selection panels. This training covers persons of different religious belief; persons of different political opinion; persons of different racial groups; persons of different age; persons with different marital status; persons of different sexual orientation; men and women generally; persons with and without disability; and persons with and without dependants. The Utility Regulator is grateful for the feedback received from organisations representing Section 75 groups, which helps it in developing objectives and equality training goals. The recent consultation on the new consultation practice has resulted in some specific and very useful feedback from such groups and organisations in the areas of accessibility, consultation and engagement.

The Utility Regulator undertakes an annual individual review of all employees, where the key aspects of their performance and effectiveness are assessed. In addition to goals and objectives being established for the forthcoming year, training needs are reviewed and form part of the training needs analysis. Also, directorates undertake regular reviews of performance against targets where variances are highlighted, which are then addressed.

More specific training of staff, in how they contribute to the values and responsibilities required under Section 75 carried out during the year, was as follows:

- Employment Law updates – throughout the year;
- Equality Commission training - throughout the year;
- Members of the Consumer Protection and Environmental branch attended seminars and workshops throughout the year in relation to fuel poverty and energy efficiency issues;

- Induction and ongoing staff training in equality legislation for all staff;
- Equality, diversity and selection training for staff sitting on recruitment and selection panels;
- Deaf awareness briefing for all staff and included in the induction for new staff;
- Equality and diversity training was completed with all staff April 2015
- Equality Screening Training was arranged for key staff in February 2014 and further Equality Screening Training was completed in February 2016 to ensure all staff are adequately trained and competent in the screening process outlined in UR's Equality Scheme (s75); an accompanying simplified guide to equality screening produced;
- Mandatory training for staff who would sit on evaluation panels for Central Procurement Directorate (CPD) administered tenders.

25 Please provide any examples of relevant training shown to have worked well, in that participants have achieved the necessary skills and knowledge to achieve the stated objectives:

In addition the meetings with both union and non-union staff representatives are used (as appropriate) as a mechanism to discuss issues relating to Section 75 and Disability Discrimination. General awareness training is provided for all staff and Board members on Section 75 and disability issues including, anti-discrimination legislation, Section 75 background and responsibilities, and details on disability action plans commences at induction.

All staff are trained and aware of the provisions of Section 75, UR's equality scheme commitments, the issues likely to affect people across the range of categories and understand their role in implementing the scheme.

All staff were trained in policy screening and are now aware of the process and UR duties in this area. Key staff are confident to and competent in the screening process in line with UR's Equality Scheme.

HR staff attended Equality Commission workshops and have the skills to complete the new format of Annual Section 75 Progress Report.

Three staff have been trained as new recruitment panel members and have successfully recruited a number of UR staff. All staff who have been inducted have passed their 6 month probationary period in 2015-16.

Staff sitting on tender evaluation panels will understand the importance of assessing each tender submission in an equitable, open and transparent manner using the published specification and award criteria.

The Consumer Protection and Environmental Manager attended meetings of the DSD Fuel Poverty Partnership and the HECA Panel throughout the year. Members of the branch also attended a number of fuel poverty seminars and workshops, giving them better understanding of the issues and barriers encountered by related Section 75 groups.

All staff who write for the website or produce reports for external consumption were trained in Accessible Writing by an external trainer and produce clear and effective communication. Refresher training is planned for all chairs of recruitment panels to take place late 2016.

Public Access to Information and Services (Model Equality Scheme Chapter 6)

26 Please list **any examples** of where monitoring during 2015-16, across all functions, has resulted in action and improvement in relation **to access to information and services**: Section 75 continues to be annual agenda item for the Utility Regulator's Audit Committee. The Board also receives reports on performance against section 75 objectives through approval of this Progress Report. During the reporting period the Utility Regulator continued to explain its duties and responsibilities and consulted with groups representing those with disabilities in the course of Section 75 processes. Issues relating to Section 75 and Disability Discrimination are discussed at meetings with Union and Non-Union staff representatives as appropriate.

The UR fully complies with the requirements of the Disability Discrimination Act and the associated Codes of Practice within the UR offices. We ensure access requirements are met for members of the public with disabilities to take part in public consultation through provision of documents in alternative formats on request.

In 2015/16 we commissioned the redevelopment of our website, which includes looking at how we consult and is aimed at improving the accessibility of our documents and information available. This website will be consumer-facing and will promote access to information and improve the ease of use for all stakeholders.

The Utility Regulator website includes an equality section detailing the current equality scheme, revised Disability Action Plan and equality progress reports. Accessibility to all is a priority for the Utility Regulator and is clearly demonstrated by the website having been assessed against, and compliant with, the W3C 'AA' standard. We also provide alternative formats for all our publications on request.

During 2015/16 we continued with our improvement programme on our intranet (internal site) as part of our review of internal communications. As a result of this work we commissioned the redevelopment of the intranet which will be delivered in 2016/17.

Equality consultation has been incorporated within the development of U R's business approach with particular focus on employment matters, procurement, communications and social and environmental issues. Employment opportunities in UR are based on experience, rather than minimum academic qualifications, and all application forms and interviews are competency based and applicants with disabilities are invited to tell us about reasonable adjustments they require.

A SmartLink and transmitter and text phone system and software is in use by a member of staff. The employee assisted in production of deaf awareness brief for inclusion in staff induction, which includes practical guidance on deaf awareness

and communicating effectively. A note taker is regularly provided for an employee with hearing loss for internal/external meetings, as a recruitment panel member, training and events.

Complaints (Model Equality Scheme Chapter 8)

27 How many complaints **in relation to the Equality Scheme** have been received during 2015-16?

Insert number here:

0

Please provide any details of each complaint raised and outcome:

Section 3: Looking Forward

28 Please indicate when the Equality Scheme is due for review:

A review was carried out by the HR Manager in July 2014. The next review is due in July 2017

29 Are there areas of the Equality Scheme arrangements (screening/consultation/training) your organisation anticipates will be focused upon in the next reporting period? *(please provide details)*

None.

30 In relation to the advice and services that the Commission offers, what **equality and good relations priorities** are anticipated over the next (2016-17) reporting period? *(please tick any that apply)*

- Employment
- Goods, facilities and services
- Legislative changes
- Organisational changes/ new functions
- Nothing specific, more of the same
- Other (please state):

PART B - Section 49A of the Disability Discrimination Act 1995 (as amended) and Disability Action Plans

1. Number of action measures for this reporting period that have been:

8

Fully achieved

1

Partially achieved

0

Not achieved

2. Please outline below details on all actions that have been fully achieved in the reporting period.

2 (a) Please highlight what **public life measures** have been achieved to encourage disabled people to participate in public life at National, Regional and Local levels:

Level	Public Life Action Measures	Outputs ⁱ	Outcomes / Impact ⁱⁱ
National ⁱⁱⁱ			
Regional ^{iv}			
Local ^v	Staff and specifically Board awareness workshops and training on equality and disability legislation, particularly for recruitment panels and staff dealing with consultation papers	Promoting positive attitudes amongst staff and Board members towards disabled people	Improvement in attitude, more effective communication.

PART B

2(b) What **training action measures** were achieved in this reporting period?

	Training Action Measures	Outputs	Outcome / Impact
1	Equality, diversity and selection training for staff sitting on recruitment and selection panels.	3 new panel members trained in equality, diversity and selection training	Panel members are adequately trained and competent in the equality and recruitment process outlined in UR's Recruitment Policy and in line with equality legislation and best practice.
2	All staff trained equality and diversity.	Equality and diversity training was completed with all staff between April 2015 and Equality Screening training complete with all staff in February 2016.	All staff are aware of the provisions of Section 75, UR's equality scheme commitments, diversity in the work place and the issues likely to affect people across the range of categories and understand their role in promoting equality.

2(c) What Positive attitudes **action measures** in the area of **Communications** were achieved in this reporting period?

	Communications Action Measures	Outputs	Outcome / Impact
1	HR regularly to reviews policies and discusses issues relating to Section 75 and Disability Discrimination as they arise with Union and Non- Union Staff Representatives and	Communicating and updating staff	Forum to discuss with staff relevant issues on a timely basis

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	communicated to staff		
2	Commissioning consultation documents to representative groups	Developing relationships for feedback	Consideration of applying feedback
3	Developing relationships with other public authorities, voluntary & community sector groups and mainstream political parties	Promoting good relations and positive attitudes	Change of attitude and consideration of moving towards all-inclusive policies and procedures
4	Review of accessibility of communications	Promoting good relations and positive attitudes	Change of attitude and consideration of moving towards all-inclusive policies and procedures
5	Produce accessible corporate documents	Promoting clarity in communication and provision of the clearest possible information	Awarded a Crystal Mark for clarity of the Corporate Strategy 2015-19 and Forward Work Programme 2015-16
6	Website and intranet improvements plans to improve accessibility	Work was completed on improving the accessibility of information on both the website and intranet. Guidance documents reissued and further advice provided to staff.	Inclusive approach from staff in relation to accessibility of information.

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2 (d) What action measures were achieved to ‘**encourage others**’ to promote the two duties:

	Encourage others Action Measures	Outputs	Outcome / Impact
1			
2			

2 (e) Please outline **any additional action measures** that were fully achieved other than those listed in the tables above:

	Action Measures fully implemented (other than Training and specific public life measures)	Outputs	Outcomes / Impact
1			
2			

3. Please outline what action measures have been **partly achieved** as follows:

	Action Measures partly achieved	Milestonesvi / Outputs	Outcomes/Impacts	Reasons not fully achieved
1	Website and intranet fully redeveloped	Consultation and feedback. During the review period feedback was sought from staff and a Communications	Improved accessibility	Due to be complete in 2016/17 year.

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		<p>Working Group developed ideas and worked on tranfering data to the new platform.</p> <p>Intranet due to be complete and launched later in 2016. Work contiuning on the website and due to compelet/launch winter 2016</p>		
2				

4. Please outline what action measures **have not been achieved** and the reasons why.

	Action Measures not met	Reasons
1		
2		

5. What **monitoring tools** have been put in place to evaluate the degree to which actions have been effective / develop new opportunities for action?

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(a) Qualitative

Evaluation of training provided

(b) Quantitative

Receipt of Monitoring Questionnaires for directly employed staff

6. As a result of monitoring progress against actions has your organisation either:

- made any **revisions** to your plan during the reporting period or
- taken any **additional steps** to meet the disability duties which were **not outlined in your original** disability action plan / any other changes?

Please select No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Timescale
1			
2			
3			
4			
5			

PART B

7. Do you intend to make any further **revisions to your plan** in light of your organisation's annual review of the plan? If so, please outline proposed changes?

ⁱ **Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

ⁱⁱ **Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

ⁱⁱⁱ **National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

^{iv} **Regional**: Situations where people can influence policy decision making at a middle impact level

^v **Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

^{vi} **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.