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**Equality Scheme for Derry City**

**and Strabane District Council**

**2020 – 2023**

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

***This document is available in a range of formats on request. Please contact us with your requirements (see below for contact details).***

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**Foreword**

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act[[1]](#footnote-1).

In our equality scheme we set out how Derry City and Strabane District Council proposes to fulfil the Section 75 statutory duties.

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

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

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

We, the Presiding Councillor, elected members, Chief Executive and staff of Derry City and Strabane District Council, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

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

On behalf of Derry City and Strabane District and Strabane District Council and our staff we are pleased to support and endorse this equality scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.

  

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 **Mayor Chief Executive**

**Date: 28th February 2020**

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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 Derry City and Strabane District Council to comply with two statutory duties:

**Section 75 (1)**

In carrying out our functions relating to Northern Ireland we are required to have due regard to the need to promote equality of opportunity between

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

(See Appendix 1 for further clarification of these categories)

**Section 75 (2)**

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

“Functions” include the “powers and duties” of a public authority[[2]](#footnote-2). This includes our employment and procurement functions.

Please see below under “Who we are and what we do” for a detailed explanation of our functions.

**Trans Manifesto**

 Derry City and Strabane District Council are also committed to ensuring that trans people within its community are treated fairly and equally. Council supports the Trans Manifesto and pledges its commitment to its three core statements :

* **Respect trans people as equal citizens with equal rights.**
* **Empower trans individuals to be authorities on all aspects of their own lives.**
* **Develop diverse, representative, realistic and positive portrayals of trans individuals.**

Full details of the Trans Manifesto are contained in Appendix 2.

**How we propose to fulfil the Section 75 duties in relation to the relevant functions of Derry City and Strabane District Council.**

1.2 Schedule 9 4. (1) of the Act requires Derry City and Strabane District Council as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

1.3 Derry City and Strabane District Council is committed to the discharge of its Section 75 obligations in all parts of our organisation and we will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our equality scheme can be implemented effectively.

**Who we are and what we do**

1.4 The Council consists of 40 elected representatives who are elected for a four year period. These representatives meet monthly in full session (except in August) and on a regular basis as members of the Council’s various Committees.

1.5 Council Staff who provide support to the Council and its Committees and implement its policies are organised into Directorates / Service Areas.

1.6 The Chief Executive oversees the work of Directorates through Directors who are also responsible for the Corporate Management of the Council.

1.7 The Chief Executive is responsible for the strategic direction of, and advice to, the Council, for the day to day management of services and the longer term planning and allocation of resources. The Council’s new structure is included in Appendix 3.

1.8 The Council currently has six Committees:-

* Governance and Strategic Planning
* Planning
* Assurance, Audit and Risk
* Business and Culture
* Environment and Regeneration
* Health and Community

1.9 The Council has a defined range of duties and powers. Proposals to amend existing policies or adopt new policies are generally considered by the Committee (or Sub-Committee), which has responsibility for the function to which the policy relates. Proposals/issues relating to key policies or policies which affect more than one function, will have been considered by the Management Team in advance of the meeting of the Committee (or Sub-Committee).

1.10 Following discussion at the Committee (or Sub-Committee) meeting, agreement will be reached on the action to be taken and this will be minuted. Apart from those items of business which have been delegated by the Council, any decisions will not be final until they have been approved by the full Council. (Decisions of Sub-Committees also require the approval of their parent Committees in advance of approval by the full Council).

1.11 The Council has delegated a limited number of decisions to Committees (sometimes for onward transmission to its Sub-Committee). Such decisions may be acted upon without the approval of the Council.

1.12 In order to fulfil its duties under Section 75 of the Act, the Council will ensure that an assessment of the impact on equality of opportunity of each proposal to amend the policy or adopt a new policy is outlined in the written report to the Committee (or Sub-Committee) which first considers the proposal. In making any decision with respect to such a policy, the Council will take into account any such equality impact assessment and consultation carried out in relation to the policy.

1.13The Council performs six principal roles within its local area and district:

* The direct provision of a number of services and facilities,
* The promotion of the arts, tourism, community and economic development,
* The promotion of equality and good relations in carrying out all its functions,
* The regulation and licensing of certain activities relating to environmental health, consumer protection and public safety,
* A representative role on a number of bodies and Boards including Education and Health,
* A consultative role in relation to functions conducted by other Government bodies and agencies.

1.14 In the performance of the above roles, the Council carries out functions in the following areas:

* the provision of facilities for recreation, social and cultural activities, including leisure centres, community centres, parks, open spaces, sports grounds and places of entertainment
* street cleansing
* waste collection and disposal
* the provision of burial grounds
* the provision of grant aid to support the arts, community development and the promotion of tourism and economic development
* the administration and regulation of certain matters relating to the environment, public health and public safety, including building control, food safety, statutory nuisance, houses of multiple occupancy, dangerous buildings, air pollution, noise pollution, dog control, consumer protection and health and safety
* the licensing and regulation of street trading, places of entertainment, amusement centres, sex establishments, societies lotteries, cinemas, the storage of petroleum spirit and mixtures and the regulation of off-street parking.
* the making of Bye-laws and regulation of same.
* Planning Services
* Urban Regeneration Schemes
* Community Planning

1.15 To enable the Council to provide the above services and perform its other functions, the Council must levy an annual rate and has the power to:

* acquire and dispose of land
* borrow money
* employ staff
* procure goods and services

1.16 To support and implement the above statutory functions and the provision of services and facilities, the Council has adopted a number of policies. These include, for example:

* the awarding of Grant Aid to community and voluntary groups
* a charging policy for hire and usage of Council facilities such as leisure centres
* policies relating to the procurement of goods and services
* policies relating to employment of Council staff.

1.17 The Council intends to screen all its existing policies (under its functions and roles) in the manner set out at Section 6 of this Scheme**.**

**Chapter 2- Our arrangements for assessing our compliance with the section 75 duties *(Schedule 9 4. (2) (a))***

2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this equality scheme

* See Chapter 3 for Consultation arrangements
* See Chapter 4 for assessment, monitoring and publication of impact of policies arrangements
* See Chapter 5 for staff training.

 In addition we have the following arrangements in place for assessing our compliance:

**Responsibilities and reporting**

2.2 The Council is committed to the fulfilment of its Section 75 obligations in all parts of its work. Responsibility for determining how this will be achieved lies with the Council Members sitting in a duly convened Meeting of the Council. Operational responsibility for carrying out the decisions of the Council lies with the Chief Executive who will be responsible for the implementation of administrative arrangements to ensure that the Statutory Duties are complied with by the Council in carrying out its functions.

2.3 The Council has a Policy Officer (Equality) in post to, inter alia, support the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, including any good practice or guidance that has been or may be issued by the Equality Commission.

2.4 If you have any questions or comments regarding our equality scheme, please contact in the first instance the Policy Officer (Equality) at the address given below and we will respond to you as soon as possible:

**Policy Officer (Equality)**

**Derry City and Strabane District Council**

**98 Strand Road**

**DERRY**

**BT48 7NN**

**Telephone  : 028 71 253253**

**Text Phone :  028 71 376646**

2.5 As part of its Corporate planning process, objectives and targets relating to the statutory duties will be built into Council’s strategic and operating plans including those relating to policy, services and individuals. Progress on meeting these objectives will be monitored and reported to the Council’s Management Team. A formal report of progress will be included in the Council’s annual review and as part of the Council’s Annual Report and Improvement Plan.

Employees’ job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant.

2.6 Derry City and Strabane District Council prepares an annual report on the progress we have made on implementing the arrangements set out in this equality scheme to discharge our Section 75 statutory duties (Section 75 annual progress report).

The Section 75 annual progress report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission.

Progress on the delivery of Section 75 statutory duties will also be included in our (organisational) annual report.

2.7 The latest Section 75 annual progress report is available on our website or by contacting the Policy Officer (Equality) (See Section 2.4 for details).

2.8 Derry City and Strabane District Council liaises closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

**Action plan/action measures**

2.9 Derry City and Strabane District Council will develop an action plan to promote equality of opportunity and good relations. It should be noted that the content of Action Plans are not considered as part of the approval process for Equality Schemes therefore it does not form part of the approved equality scheme.

2.10 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories[[3]](#footnote-3) to identify the inequalities that exist for our service users and those affected by our policies[[4]](#footnote-4).

2.11 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.

2.12 We will develop our action plan for a period of four years in order to align them with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

2.13 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan as per 2.14 below.

2.14 We will monitor our progress on the delivery of our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work.

2.15 Derry City and Strabane District Council will inform the Commission of any changes or amendments to our action plan and will also include this information in our Section 75 annual progress report to the Commission. Our Section 75 annual progress report will incorporate information on progress we have made in implementing our action plans/action measures.

2.16 Once finalised, our action plan will be available on request from the Council's Offices at **98 Strand Road, Derry BT48 7NN, or 47 Derry Road, Strabane, BT82 8DY**and via the Council’s web-site **www.derrycityandstrabanedistrict.com /equality**.

2.17 The Scheme will be available upon request in a timely fashion, in alternative formats such as Braille, disc, BSL and ISL signing formats, video (including sign language video), oral presentations, meetings, electronic media, audio-cassette and in minority languages.

If you require it in an alternative format please contact the Policy Officer (Equality) (See Section 2.4 for details)

2.18 A summary leaflet providing details of the approved Equality Scheme, in plain language, will be prepared for distribution throughout all of the Council’s facilities and to all of its consultees.

**Chapter 3 - Our Arrangements For Consulting**

***(Schedule 9 4. (2) (a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted)***

***(Schedule 9 4. (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.***

3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission’s guidance *‘Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)’*):

3.2.1 All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.

Initially all consultees (see Appendix 4), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our and our consultees‘ resources, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc.

3.2.2 Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Methods of consultation could include:

* Face-to-face meetings
* Focus groups
* Written documents with the opportunity to comment in writing
* Questionnaires
* Information/notification by email with an opportunity to opt in/opt out of the consultation
* Internet discussions or
* Telephone consultations.

This list is not exhaustive and we may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

3.2.3 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given as to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities by:

* Working with Council’s newly recruited Children and Young Persons Officer
* Using Councils consultation guidelines for the different Section 75 categories
* Hosting equality and disability forums.

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

 Information will be made available, on request, in alternative formats[[5]](#footnote-5), in a timely manner, usually within two weeks. We will ensure that such consultees have equal time to respond.

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

3.2.5 To ensure effective consultation with consultees[[6]](#footnote-6) on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our equality scheme. Consultees will be invited to Equality Consultative Forums which will be convened for the sole purpose of delivering the Section 75 training. Where consultees are unable to attend the training sessions provided Derry City and Strabane District Council will offer to deliver onsite training on their premises for their staff.

3.2.6 The consultation period lasts for a 12 week period to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments[[7]](#footnote-7).

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

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

3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.

3.2.9 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.2.10 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.

3.2.11 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees’ comments and a summary of our consideration of and response to consultees’ input. The feedback is provided in formats suitable to consultees. (Please see also 6.3)

3.3 A list of our consultees is included in this equality scheme at Appendix 4. It can also be obtained from our website.

Or by contacting the Policy Officer (Equality) (See Section 2.4 for contact details)

3.4 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the Policy Officer (Equality) at the address above to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

**Chapter 4 - Our arrangements for assessing, monitoring and publishing the impact of policies**

***(Schedule 9 4. (2) (b); Schedule 9 4. (2) (c); Schedule 9 4. (2) (d); Schedule 9 9. (1); Schedule 9 9.(2))***

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

4.1 In the context of Section 75, ‘policy’ is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this equality scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g. ‘draft’, ‘pilot’, ‘high level’ or ‘sectoral’.

4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.

4.3 Derry City and Strabane District Council uses the tools of **screening** and **equality impact** **assessment** to assess the likely impact of a policy on the promotion of equality of opportunity. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance where deemed relevant:

* the guidance on screening, including the screening template, as detailed in the Commission’s guidance *‘Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)’* and
* on undertaking an equality impact assessment as detailed in the Commission’s guidance *‘Practical guidance on equality impact assessment (February 2005)’.*

**Screening**

4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity.

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.

4.6 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening will also involve other relevant team members, for example, Policy Officer (Equality), those who implement the policy and staff members from other relevant work areas. Where possible we will include key stakeholders in the screening process.

* 1. The following screening questions are applied to all our policies as part of the screening process:
		1. 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)
		2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories? (Yes/No)
		3. Are there opportunities, without prejudice, to the equality of opportunity duty, to better promote good relations through tackling prejudice and/ or promoting understanding between the three Section 75 (2) categories, namely persons of different religious belief, political opinion and racial group? (Yes/No)
		4. Is there evidence to suggest that this policy would promote positive attitudes towards people with a disability? (Yes/No)
		5. Is there evidence to suggest that this policy would encourage the participation of people with a disability in public life? (Yes/No)

 4.8 In order to answer the screening questions, we gather all relevant information and data, both qualitative and quantitative. Evidence can come from many sources and may include information from the Council’s own management information systems, including service monitoring and complaints handling systems, or from engagement in research, surveys or consultation exercises. Information to help inform the screening of a policy may also be sourced from commissioned research or from research produced by other public authorities, representative groups, trades unions, business organisations or universities. In the absence of quantitative information there may be other anecdotal evidence, for example, feedback from service users and affected groups on their experience of Council’s service delivery.

In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence .

4.9 Completion of screening, taking into account our consideration of the answers to screening questions on equality of opportunity set out in 4.7.1 and 4.7.2. above, will lead to one of the following three outcomes:

1. The policy has been ‘screened in’ for equality impact assessment
2. The policy has been ‘screened out’ with mitigation[[8]](#footnote-8) or an alternative policy proposed to be adopted
3. The policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening concludes that the likely impact of a policy is ‘minor’ in respect of one, or more, of the equality of opportunity 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 our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy.

4.11 If our screening concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity 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 Derry City and Strabane District Council.

4.12 If our screening concludes that the likely impact of a policy is ‘none’, in respect of all of the equality of opportunity categories, we may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity, we will give details of the reasons for the decision taken. This screening decision will be ‘signed off’ by the appropriate policy lead within Derry City and Strabane District Council

 **Good Relations Question (4.7.3 above)**

4.13 In relation to the policy under consideration, if the answer to the screening question set out in 4.7.3 above is concluded that Yes, there are opportunities to better promote good relations between the Section 75 (2) categories, through tackling prejudice and/ or promoting understanding, then Council will refer the issue to a Designated Working Group which comprises of elected members and Council officers.

 The Group will consider the potential opportunities to promote good relations. The group will consult with relevant stakeholders as part of its consideration, where this consultation is proportionate, relevant and enhances decision-making.

 Completion of the screening template will take the Group’s consideration into account together with relevant evidence.

The Terms of Reference of the Group are attached at Appendix 4 and are part of the Council’s approved Equality Scheme arrangements.

**Disability Duty Questions (4.74 and 4.75)**

4.14 Council has made a commitment to fulfil the statutory obligations in compliance with Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006). This Act places new duties on public authorities, when carrying out their functions to have regard to the need:

* To promote positive attitudes towards disabled people; and
* To encourage participation by disabled people in public life.

In order to mainstream this duty Council have inserted the two questions (See 4.7.4 and 4.7.5) on Section 75 screening template to assess the significance of the disability duties in relation to Council policies/services being considered.

In relation to addressing the screening questions set out in 4.7.4 and 4.7.5 Council will adopt the same process outlined in above for Good Relations (para 4.13)

**Completed Screening Templates**

4.15 As previously stated all considerations will be recorded together with relevant evidence on the screening template.

The outcome of the screening process will be presented to the Governance and Strategic Planning Committee or other relevant committee, which in turn will seek ratification from full Council for approval. The proposed measures will then be relayed back to relevant officers to action.

4.16 Following ratification, all screening templates, signed off and approved by the senior manager responsible for the policy, will be made available on our website as soon as possible.

4.17 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision

**Equality impact assessment**

4.18 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy, to seek ways to more effectively promote equality of opportunity and to consider any complimentary steps desirable to promote good relations.

4.19 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.

 4.20 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).

**Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity *(Schedule 9 4. (2) (d); Schedule 9 9. (1))***

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

**What we publish**

 4.22 **Screening reports**

These will be published quarterly. Screening reports detail:

* All policies screened by Derry City and Strabane District Council over the three month period
* A statement of the aim(s) of the policy/policies to which the assessment relates
* Consideration given to measures which might mitigate any adverse impact
* Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
* Screening decisions, i.e.:
* whether the policy has been ‘screened in’ for equality impact assessment.
* whether the policy has been ‘screened out’ with mitigation or an alternative policy proposed to be adopted.
* whether the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
* Where applicable, a timetable for conducting equality impact assessments
* A link to the completed screening template(s) on our website

4.23 **Screening templates**

For details on the availability of our screening templates please refer to 4.17.

**Equality impact assessments**

4.24 EQIA reports are published once the impact assessment has been completed. These reports include:

* A statement of the aim of the policy assessed
* Information and data collected
* Details of the assessment of impact(s)
* Consideration given to measures which might mitigate any adverse impact
* Consideration given to alternative policies which might better achieve the promotion of equality of opportunity
* Consultation responses
* The decision taken
* Future monitoring plans.

**How we publish the information**

4.25 All information we publish is accessible and can be made available in alternative formats on request. Please see 6.3 below.

**Where we publish the information**

4.26 The results of our assessments (screening reports and completed templates, the results of equality impact assessments) are available on our website.

Or by contacting:

**Policy Officer (Equality)**

**Derry City and Strabane District Council**

**Telephone   : 028 71 253253**

**Text Phone : 028 71 376646**

 4.27 In addition to the above, screening reports (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over the previous three months are also sent directly to all consultees on a quarterly basis.

 4.28 We will inform the general public about the availability of this material through communications such as press releases where appropriate.

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

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

 4.29 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, the Derry City and Strabane District Council follows guidance from the Office of the Information Commissioner and the Equality Commission.

 4.30 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

 4.31 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:

• The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories on an ongoing basis

• The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis

• An audit of existing information systems within one year of approval of this equality scheme, to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions

• Undertaking or commissioning new data if necessary.

4.32 If over a two year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy is revised to achieve better outcomes for relevant equality groups.

4.33 We review our EQIA monitoring information on an annual basis. Other monitoring information is also reviewed annually when completing the annual progress report (including relevant quantitative and qualitative data and other documentation such as consultants’ reports) and will be available in printed form by writing to the Policy Officer (Equality), Derry City and Strabane District Council, 98 Strand Road, Derry BT48 7NN or by telephoning ***028 71 253253,*** by text phone ***028 71 376646*** or by e-mail at **equality@derrycityandstrabanedistrict.com.**  The Council will inform bodies listed at Appendix 3 when this material is available.

**Our arrangements for publishing the results of our monitoring**

***(Schedule 9 4. (2) (d))***

4.34 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as follows:

4.35 EQIA monitoring information is published as part of our Section 75 annual progress report [see 2.7]

4.36 All information published is accessible and can be made available in alternative formats on request. Please see below at 6.3 for details.

**Chapter 5 - Staff training (*Schedule 9 4.(2) (e))***

**Commitment to staff training**

5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.

5.2 Our Chief Executive wishes to positively communicate the commitment of the Derry City and Strabane District Council to the Section 75 statutory duties, both internally and externally.

To this end we have introduced an effective communication and training programme for all staff and will ensure that ourcommitment to the Section 75 statutory duties is made clear in all relevantpublications.

**Training objectives**

5.3 The Derry City and Strabane District Council will draw up a detailed training plan for its staff which will aim to achieve the following objectives:

* to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff fully understand their role in implementing the scheme
* to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively
* to provide those staff who deal with complaints in relation to compliance with our equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively
* to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively
* to provide those staff involved in the implementation and monitoring of the effective implementation of the Derry City and Strabane District Council equality scheme with the necessary skills and knowledge to do this work effectively.

**Awareness raising and** **training arrangements**

5.4 The following arrangements are in place to ensure all our staff and elected members are aware of and understand our equality obligations.

* We will develop a summary of this equality scheme and make it available to all staff.
* We will provide access to copies of the full equality scheme for all staff; ensure that any queries or questions of clarification from staff are addressed effectively.
* Staff in the Derry City and Strabane District Council will receive a briefing on this equality scheme within 6 months of the approval of this scheme
* The Section 75 statutory duties will form part of induction training for new staff.
* Focused training is provided for key staff within Derry City and Strabane District Council who are directly engaged in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
* Where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups.
* When appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments.

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

In order to share resources and expertise, the Derry City and Strabane District Council will, where possible, work closely with other bodies and agencies in the development and delivery of training

**Monitoring and evaluation**

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

* We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
* The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.
* We will monitor the equality profile of all staff trained to ensure the training is accessible and inclusive to all employees.

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

6.1 Derry City and Strabane District Council is committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.

6.2 We are aware that some groups will not have the same access to information as others. In particular:

• People with sensory, learning, communication and mobility disabilities may require printed information in other formats.

• Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.

• Children and young people may not be able to fully access or understand information.

**Access to** i**nformation**

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

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

Derry City and Strabane District Council liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.

In respect of the risk categories identified above, the Council is committed to developing in consultation with representatives of the relevant Section 75 categories, systems to ensure that there are effective means of communicating information to young people and those with learning disabilities and will consider using approaches such as “Plain English”, and large print in written documentation, providing papers/documentation in advance of meetings, consulting within schools/youth clubs (subject to permission), encouraging the participation of individuals and representative organisations in the Council’s consultative fora.

We will respond to requests for information in alternative formats in a timely manner, usually within 5 working days or as soon as is reasonably practicable depending on the format requested.

6.4 In disseminating information through the media we will seek to advertise in the press where appropriate.

 **Access to services**

6.5 Derry City and Strabane District Council is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories. Together with producing information in relation to Council services in alternative formats on request, Council disseminates its information through its website which is fully accessible with Browse-Aloud and Large Text functions.

Derry City and Strabane District Council also adheres to the relevant provisions of current anti-discrimination legislation.

**Assessing public access to information and services**

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

6.7 We will monitor this in the following ways:-

 • Monitoring of complaints

 • Reviewing statistical information, such as the baseline profile of Derry City and Strabane District Council area, which is used in the development of Council’s corporate planning process.

 • Monitoring number of reasonable adjustments for staff with specific needs

• Monitoring of the requests received for information in alternative formats.

**Chapter 7 - Timetable for measures we propose in this equality scheme *(Schedule 9 4. (3) (b))***

7.1 Appendix 6 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.

7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment it is listed in the timetable of measures at Appendix 6. For information on these action measures please see above at 2.9 – 2.18.

**Chapter 8 - Our complaints procedure *(Schedule 9 10.)***

8.1 Derry City and Strabane District Council is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.

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

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

8.3 A person wishing to make a complaint that Derry City and Strabane District Council has failed to comply with its approved equality scheme should contact:

**Chief Executive**

**Derry City and Strabane District Council**

**Telephone   : 028 71 253253**

**Text Phone:  028 71 376646**

 **Email:** john.kelpie@derrycityandstrabanedistrict.com

8.4 We will in the first instance acknowledge receipt of each complaint within 5 working days giving details of the Officer who will be dealing with the complaint.

8.5 The Chief Executive will forward the complaint to the appropriate Chief Officer who will be tasked to carry out an internal investigation of the complaint. The Chief Officer will respond substantively to the Chief Executive within one (1) month of the date of receiving the letter of complaint.

 Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

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

8.7 Once the Chief Executive has received and approved the findings of the investigation surrounding the complaint he/she will contact the complainant. It is intended that the complainant should be in receipt of the notification of outcome within 40 working days of the complaint being received by Derry City and Strabane District Council.

8.8 In any subsequent investigation by the Equality Commission, Derry City and Strabane District Council will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, Derry City and Strabane District Council will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.

8.9 Derry City and Strabane District Council will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

 (See Appendix 9 for Summary of Complaints Handling Procedure)

**Chapter 9 - Publication of our equality scheme**

 ***(Schedule 9 4. (3) (c))***

9.1 Derry City and Strabane District Council’s equality scheme is available free of charge in print form and alternative formats.

9.2 Our equality scheme is available by contacting:

**Policy Officer (Equality)**

**Derry City and Strabane District Council**

**Telephone  : 028 71 253253**

**Text Phone :  028 71 376646**

 It is also available on our website.

9.3 The following arrangements are in place for the publication in a timely manner of our equality scheme to ensure equality of access:

* We will make every effort to communicate widely the existence and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
* We will email a link to our approved equality scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. We will respond to requests for the equality scheme in alternative formats in a timely manner, usually within 5 working days or as soon as is reasonably practicable depending on the format requested.
* Our equality scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats ( CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.

Council will implement systems to ensure that there are effective means of communicating information to young people and those with learning disabilities and will consider using approaches such as providing papers/documentation in advance of meetings, consulting within schools/youth clubs (subject to permission), encouraging the participation of individuals and representative organisations in the Council’s consultative fora.

9.4 A full list of our stakeholders and consultees detailed in Appendix 3. This list can also be obtained from the Policy Officer (Equality) (See Paragraph 9.1 for contact details).

**Chapter 10 - Review of our equality scheme**

 ***(Schedule 9 8. (3))***

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.

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

10.2 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public by notification being sent to all consultees (See Appendix 3) or via Council’s website.

A copy will also be made available in printed form or in alternative format on request.

The review report will also be sent to the Equality Commission.

**Appendix 1**

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

***Please note, this list is not exhaustive.***

|  |  |
| --- | --- |
| **Category** | **Example groups** |
| Religious belief | Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.For the purposes of Section 75, the term “religious belief” is the same definition as that used in the *Fair Employment & Treatment (NI) Order*[[9]](#footnote-9). Therefore, “religious belief” also includes any *perceived* religious belief (or perceived lack of belief) and, in employment situations only, it also covers any *“similar philosophical belief”.* |
| Political opinion[[10]](#footnote-10) | 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.  |
|  |  |

**Appendix2**

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**Trans Manifesto—Background**

Trans issues have been gaining increasing coverage in the British and Irish media over recent years.  This mirrors increasing political debate over trans rights, including the Equality Act 2010, evidence presented at the Leveson Inquiry and the debates over same-sex marriage.  The Westminster Government issued the first ever Transgender Action Plan in 2011 and many politicians were contacted regarding press coverage of trans people following the suicide of Lucy Meadows in 2013.  In Ireland we have been fighting for many years to have proper Gender Recognition Legislation introduced.  Sinn Fein was the first party in An Oireachtas to propose a draft Gender Recognition Bill to be passed by the legislature.

The idea of a Trans manifesto was first raised in the UK in discussions with Conservative, Labour, Liberal Democrat and Green politicians during the summer of 2013, and the idea was enthusiastically received. **FOCUS: THE IDENTITY TRUST** simultaneously attempted to engage in dialogue with politicians in Northern Ireland. Accordingly a number of trans groups met in the autumn, and three core statements were unanimously agreed:

* **Respect trans people as equal citizens with equal rights.**

There is a feeling that trans peoples’ rights are sometimes subsidiary to those enjoyed by others. The passing of same-sex marriage legislation means that trans people who married in England, Scotland and Wales no longer need to end their marriage should they wish to seek gender recognition. However in England and Wales the process requires the written consent of the spouse — the so-called spousal veto. Married trans people in Northern Ireland still have to end their marriage prior to gender recognition. The Equality Act seemed to reverse some of the protections previously enjoyed by trans people, with some controversial exemptions specified.

* **Empower trans individuals to be authorities on all aspects of their own lives.**

Provision of healthcare to enable trans people to transition to their new gender has been enshrined in case law since 1997, but many see the NHS process, usually provided through Gender Identity Clinics, as demeaning. The process of gender recognition requires medical reports, meaning that many have no alternative to the NHS process. However recent statements from NHS leaders indicate an acceptance that people who live with long-term conditions, such as gender dysphoria, quickly become experts with knowledge that matches or even exceeds that of medics. The gender recognition process also indicates that the state owns your gender, with trans people having to convince the state to change it. Those who don’t see themselves as male or female (non-binary people) are also becoming more visible, but those two genders remain the only ones recognised in law and in government statistics and documents.

* **Develop diverse, representative, realistic and positive portrayals of trans individuals.**

Trans people feel that media coverage has often been exploitative and sensational, rather than reflecting their real lives or issues that they face. Representations of trans women dominate, leading to the relative invisibility of trans men and non-binary people. Government could take a lead in de-exoticising trans people by including

images of and stories from trans people in publications that don’t necessarily have any trans focus.

While two specific requests have been made, the real hope is that politicians of all parties will subscribe to a paradigm shift in the way trans people are viewed. By ensuring that all policy decisions are viewed through these three statements, the inequalities that trans people still face (including but not restricted to family law, immigration, education, employment and healthcare) will start to be naturally eliminated.

**The intention has never been that trans people should have more rights than anyone else, but instead have the same rights that others take for granted.**

**Appendix 3**

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|  **Appendix 4** **Section 75 Address List** |
| --- |
| **Name** | **Address 1** | **Address 2** | **Town** | **Postcode** |
| Action on Hearing Loss | Embassy Building | 3 Strand Road | DERRY | BT48 7BH |
| Action on Hearing Loss NI | Harvester House | 4-8 Adelaide Avenue | BELFAST | BT2 8GA |
| Active Citizens Engaged | c/o 11 Manning Way | Waterside | DERRY |  |
| African Carribean Group | c/o One World Centre | 4 Shipquay Street | DERRY |  |
| Age NI | 3 Lower Crescent |  | BELFAST | BT7 1NR |
| All Saints Caring Association | 21 Glendermott Road | Waterside | LONDONDERRY | BT47 6BB |
| Alliance Party of Northern Ireland | 88 University Street |  | BELFAST | BT7 1HE |
| An Munia Tober | 12/2 Blackstaff Complex | 77 Springfield Road | BELFAST | BT12 7AE |
| Ancient Order of Hibernians | 23 Foyle Street |  | DERRY | BT48 6AL |
| Apprentice Boys of Derry | Memorial Hall | Society Street | LONDONDERRY | BT48 6PJ |
| Autism Northern Ireland (PAPA) | Donard, Knockbracken Healthcare Park | Saintfield Road | BELFAST | BT8 8BH |
| Aware Defeat Depression | Philip House | 123-137 York Street | BELFAST | BT15 1AB |
| Baha' I Faith | Baha'I Centre | 5 Clarendon Streeet | DERRY | BT48 7EP |
| Ballymacgroarty and Hazelbank Community Partnership | 19 Merriman Court | Ballymagroarty | DERRY | BT48 02G |
| Ballymagroarty Community Assoc/Youth Assoc. | Ballymagroarty Community Centre | Shaw Court | DERRY |  |
| Belfast Islamic Centre | 5 Fortwilliam Gardens |  | BELFAST |  |
| Bob Harte Memorial Trust | 16-18 George's Street |  | LONDONDERRY | BT48 6RP |
| Bond Street Community Association | 16 May Street |  | LONDONDERRY | BT47 1HA |
| Bridge Accessible Transport | 58 Strand Road |  | DERRY | BT48 7AJ |
| CALMS | 12 Asylum Road |  | DERRY | BT48 7DX |
| Cancer Focus Northern Ireland | 40 - 44 Eglantine Avenue |  | BELFAST | BT9 6DX |
| Cara Friend | 9-13 Waring Street |  | BELFAST | BT1 2DX |
| Carers National Association | 58 Howard Street |  | BELFAST | BT1 6PJ |
| Carnhill Community Centre | 100 Caw Hill Park | Waterside | DERRY | BT48 6WY |
| Carnhill Resource Centre | Racecourse Road | Carnhill | DERRY | BT48 8BA |
| Caw Centre | 68 Seymour Gardens | Waterside | LONDONDERRY | BT47 6MD |
| Caw Nelson Drive Action Group | 205-211 Sperrin Park | Waterside | LONDONDERRY | BT47 6NQ |
| Charity Commission for Northern Ireland | 257 Lough Road | Lurgan | CRAIGAVON | BT66 6NQ |
| Cheshire House | Kinsale Park | Waterside | LONDONDERRY | BT47 6YX |
| Childrens Law Centre | 3rd Floor - Philip House | 123-137 York Street | BELFAST | BT15 1AB |
| Chinese Welfare Association | 1 Stranmillis Embankment |  | BELFAST | BT7 1GB |
| Church of Ireland | The See House | Culmore Road | LONDONDERRY | BT48 8JF |
| Church Of Jesus Christ of Latter Day Saints | 11 Manning Way | Waterside | LONDONDERRY | BT47 6GL |
| Churches Trust Ltd | 74a Duke Street |  | LONDONDERRY | BT47 6DQ |
| Citizens Advice Bureau | Embassy Court | 3 Strand Road | DERRY | BT48 7BH |
| City of Londonderry Grand Orange Lodge | 514 Glenshane Road | Claudy | CO. LONDONDERRY | BT47 4BT |
| Claudy Rural Development Group | The Diamond Centre, 630 Barnailt Road | Claudy | DERRY | BT47 4EA |
| Clooney Estate Residents Association | 51 B Shearwater Way, | Clooney | LONDONDERRY | BT47 6LG |
| Clooney Family Centre | 34 Clooney Terrace | Waterside | LONDONDERRY | BT48 1AP |
| Coalition on Sexual Orientation | 64 Donegall Street |  | BELFAST | BT1 2GT |
| Committee on Administration of Justice | 2nd Floor, Sturgen Building | 9-15 Queen Street | BELFAST | BT1 6EA |
| Community Development Learning Initiative | 10 Bishop Street |  | DERRY | BT48 6PW |
| Community Relations Council | Glendinning House | 6 Murray Street | BELFAST | BT1 6DN |
| Community Restorative Justice (NW Region) | 1 Westend Park |  | DERRY | BT48 9JF |
| Council for the Homless (NI) | 79 Strand Road |  | DERRY | BT48 7BW |
| Creggan Enterprises Ltd | Rath Mor Centre | Blighs Lane | DERRY | BT48 0LZ |
| Creggan Neighbourhood Partnership | Creggan Community Centre | Central Drive | DERRY | BT48 9QG |
| Creggan Pre-School and Training Trust (CPTT) | 13 Cromore Gardens | Creggan | DERRY | BT48 9TF |
| Culmore Area Forum | 40 Clonliffe Park | Culmore village | DERRY | BT48 8NT |
| Cultúrlann Uí Chanáin | 37 Morshraid Sheamais |  | DOIRE | BT48 7DF |
| Cumann Gaelach Chnoc na Ros Doire | 13 Cook Terrace |  | DOIRE | BT48 5UA |
| CUNAMH | Bishop Street |  | DERRY | BT48 6UJ |
| Currynieran Community House | 42 Tullymore Road | Currynieran | DERRY | BT47 3DQ |
| DCAL | Level 8 Causeway Exchange | 1 - 7 Bedford Street | BELFAST | BT2 7EG |
| Democratic Unionist Party | 91 Dundela Avenue |  | BELFAST |  |
| Derry Northside Development Trust | Northside Village | Glengalliagh Road | DERRY | BT48 8NN |
| Derry Travellers’ Support Group | Ballyarnett Park | 141 Racecourse Road | DERRY | BT48 8NG |
| Derry Well Women | 17 Queen Street |  | DERRY | BT48 7EX |
| Derry Youth and Community Workshop | 6 Society Street |  | DERRY | BT48 6PJ |
| Destined | 45 Great James Street |  | DERRY | BT48 7DF |
| Destined (Feeny) | Unit 5 Feeny Village Centre | Feeny | DERRY | BT47 4FD |
| Disability Action | 58 Strand Road |  | DERRY | BT48 7AJ |
| Disability Equality NI |  |  |  |  |
| Disability Equality NI |  |  |  |  |
| Dove House Community Trust | 32 Meenan Square |  | DERRY |  |
| Down's Syndrome Association NI | Unit 2 Marlborough House | 348 Lisburn Road | BELFAST | BT9 6GH |
| Drumahoe Community Association | 8 Hazelbank Drive | Drumahoe | LONDONDERRY | BT47 3NS |
| Eglinton Community Association | 44 St. Canice's Park | Elginton | DERRY | BT47 3DH |
| EGSA | C/O Central Library | Foyle Street | DERRY | BT48 8PQ |
| Employers Forum on Disability | Banbridge Enterprise Centre | Scarva Road Industrial Estate | BANBRIDGE | BT32 3QD |
| Equality Commission for Northern Ireland | Equality House | 7-9 Shaftesbury Square | BELFAST | BT2 7DF |
| Equality Unit, OFMDFM | Block E, Castle Buildings | Stormount | BELFAST | BT4 3SG |
| First Housing Aid and Support Services (FHASS) | 28a Bishop Street |  | DERRY | BT48 6PP |
| Fountain Community Forum | 190 The Fountain |  | LONDONDERRY | BT48 6PW |
| Foyle Cruse Bereavement Care | 4 Dacre Terrace |  | DERRY | BT48 6JU |
| Foyle Deaf Centre | 16 Bishop Street |  | DERRY | BT48 6PW |
| Foyle Downs Syndrome Trust | 1st Floor Shared Future Centre | Cityview, 61 Irish Street | DERRY | BT47 2DB |
| Foyle Haven | 23a John Street |  | DERRY | BT48 6JY |
| Foyle New Horizons | Health & Training Unit | Unit 13 Springtown Industrial Estate | DERRY | BT48 OLY |
| Foyle Trust for Integrated Education | c/o Oakgrove Integrated Primary School | 19 Limavady Road | DERRY | BT47 6JY |
| Foyle U3A | Paschal McDonald House | Gransha Park | DERRY | BT47 1TG |
| Foyle Women's Aid | Pathways | 24 Pump Street | DERRY | BT48 6JG |
| Foyle Women's Information Network | DiverseCity Community Partnership | 8 - 14 Bishop Street | DERRY | BT48 6PW |
| fpaNI | 2nd Floor | 67 Carlisle Road | DERRY | BT48 6JL |
| Free Presbyterian Church | Larch Hill |  | BELFAST |  |
| Gael Phobal | Ionad Ghaelphobail | 1A Bóthar Ui Mhaoil Mhín | AN SRATH BÁN | BT82 9PP |
| Galliagh Community Development Group | 55 Fergleen Park | Galliagh | DERRY | BT48 8LE |
| Gasyard Development Trust | 128 Lecky Road |  | DERRY | BT48 6NP |
| Gingerbread (NI) | 7 Bayview Terrace |  | DERRY | BT48 7EE |
| Greater Shantallow Area Partnership | Unit C3 and C4 Northland Village Centre | Glengalliagh Road | DERRY | BT48 8NN |
| Habinteg Housing Association | 2 Abercorn Road |  | DERRY | BT48 |
| Hands That Talk | 72 Main Street | Dungiven | DERRY | BT47 |
| Holywell Trust | 10-12 Bishop Street |  | DERRY | BT48 6PU |
| Hungarian-Irish Network | 7 Kerrs Terrace |  | DERRY | BT48 9BY |
| HURT | 14 Clarendon Street |  | DERRY | BT48 7ES |
| Ilex URC | Exchange House | Queen's Quay | Derry |  |
| Inner City Trust | 12-14 Bishop Street |  | DERRY | BT48 6PW |
| Irish Council of Churches | 48 Elmwood Avenue |  | BELFAST | BT9 6AZ |
| Irish Street Community Association | 19A Bann Drive | Waterside | LONDONDERRY |  |
| Irish Street Youth and Community Association | Bann Drive | Waterside | LONDONDERRY | BT47 2HQ |
| Jehovahs Witnesses | 55 Fallowlea Park |  | DERRY | BT47 1YP |
| Law Centre NI | 9 Clarendon Street |  | DERRY | BT48 7EP |
| Leafair Community Association | 59a Leafair Park |  | DERRY | BT48 8JT |
| Learmount Community Development Group | School Lane | 192 Learmount Road | DERRY | BT47 4BA |
| Lettershandoney and District Development Group | Mullabuoy Centre | Lettershandoney | Co DERRY | BT47 3HY |
| Lilliput Theatre |  |  |  |  |
| Limavady Road Residents Association | 53a Limavady Road |  | LONDONDERRY | BT47 6LP |
| Lincoln Courts Community Centre | 186A Lincoln Courts | Waterside | LONDONDERRY | BT47 5NN |
| Local Government Staff Commission for NI | Commission House | 18-22 Gordon Street | BELFAST | BT1 2LG |
| Londonderry Methodist City Mission | Clooney Hall Centre | Clooney Terrace | LONDONDERRY | BT47 6AR |
| Londonderry YMCA | 51 Glenshane Road | Drumahoe | LONDONDERRY | BT47 3SF |
| Long Tower Youth and Community Centre | Anne Street |  | DERRY | BT48 6PB |
| Maiden City Family Heritage Centre | c/o 11 Manning Way | Waterside | LONDONDERRY |  |
| Maydown Ebrington Centre | Ebrington Gardens | Glendermott Road | Londonderry | BT48 7BG |
| MENCAP | 17-19 Bishop Street |  | DERRY | BT48 6PR |
| MENCAP NI | Segal House | 4 Annadale Avenue | BELFAST | BT7 3JH |
| Mens Action Network | 40 Carlisle Road |  | DERRY | BT48 6JW |
| Methodist Church in Ireland | 11 Clearwater | Waterside | LONDONDERRY | BT47 6BE |
| Methodist City Mission | 36 Clooney Terrace | Waterside | LONDONDERRY |  |
| Monreagh Ulster Scots Heritage Centre | Monreagh | Carrigans | CO. DONEGAL |  |
| Mrs Sue Divin | Community Relations Officer | Derry City Council |  |  |
| Multi-Cultural Resource Centre | 9 Lower Crescent |  | BELFAST | BT7 1NR |
| Multiple Sclerosis Society (Foyle Branch) | 58 Strand Road |  | DERRY | BT48 7AJ |
| NAISCOIL NA RINNE | 33e Cromore Gardens |  | DERRY | BT48 9TF |
| NASUWT | Ben Madigan House | Edgewater Road | BELFAST | BT3 9JQ |
| Newbuildings Community and Environmental Assoc | 4 Duncastle Road | Newbuildings | LONDONDERRY | BT47 2QS |
| NEXUS Institute | 38 Clarendon Street |  | DERRY | BT48 7ET |
| NI Association for Mental Health | 20 Clarendon Street |  | DERRY | BT48 7ET |
| NI Chest, Heart and Stroke Association | 21 Dublin Road |  | BELFAST |  |
| NI Chest, Heart and Stroke Association (Local) | 50 Maybrook Park |  | DERRY | BT48 7TP |
| NI Womens Aid Federation | 129 University Street |  | BELFAST | BT7 1HP |
| NIACRO | Amelia House | 4 Amelia Street | BELFAST | BT2 7GS |
| NIPPA | Unit 1 Glenaden Complex | Trench Road | DERRY | BT47 5XU |
| NIPSA | 30 Great James Street |  | DERRY | BT48 7DB |
| NIPSA Branch 536 | c/o Derry City Council | 98 Strand Road | DERRY | BT48 7NN |
| NISRA | McAuley House | 2-14 Castle Street | BELFAST | BT1 1SA |
| North West Housing Ltd | 18 Magazine Street |  | DERRY | BT48 6HH |
| North West Volunteer Centre | 22 Bishop Street |  | DERRY | BT48 6PP |
| Northern Ireland Anti-poverty Network | 3rd Floor Philip House | 123-137 York Street | BELFAST | BT15 1AB |
| Northern Ireland Assembly | Parliament Buildings |  | BELFAST | BT4 3XX |
| Northern Ireland Chest Heart and Stroke | Office 1 | Ballinska Road | DERRY | BT48 0LY |
| Northern Ireland Council for Ethnic Minorities | THE Old Church | Clarendon Street | DERRY | BT48 7ES |
| Northern Ireland Council for Voluntary Action | 127 Ormeau Road |  | BELFAST |  |
| Northern Ireland Gay Rights Association | 46 Malone Avenue |  | BELFAST | BT9 6ER |
| Northern Ireland Human Rights Commission | Temple Court | 39 North Street | BELFAST | BT1 1NA |
| Northern Ireland NEWPIN | 18 - 19 Jasmine Court |  | DERRY | BT47 2DZ |
| Northern Ireland Rural Women's Network | 15 Molesworth Street |  | COOKSTOWN | BT80 8NX |
| Northern Ireland Women's European Platform | 58 Howerd Street |  | BELFAST | BT1 6PJ |
| Northlands Centre | Shepherds Way | Dungiven Road | DERRY | BT47 2AL |
| NSPCC | 1 Waterside Centre | Glendermott Road | DERRY | BT47 6BG |
| NW Centre for Learning and Development | Unit 3-4 Hyde Business Park | Pennyburn Ind Est | DERRY | BT48 0LU |
| NW Community Network | 8 - 14 Bishop Street |  | DERRY | BT48 6PW |
| NW Forum of People with Disabilities | 58 Strand Road |  | DERRY | BT48 7AJ |
| Off The Streets | 131 Galliagh Park |  | DERRY | BT48 8DF |
| Older People North West | Malvern House | Chapel Road | DERRY | BT47 2AN |
| Outer North Neighbourhood Partnership | Unit 20 Northside Village Centre | Glengalliagh Road | DERRY | BT48 8NN |
| Outer West Neighbourhood Partnership | Springtown Training Centre | Springtown Industrial Estate | DERRY | BT48 0LY |
| Partnership Care West | 92 Spencer Road | Waterside | DERRY | BT47 6AG |
| Pat Finucane Centre | 1 West End Park |  | DERRY | BT48 9JF |
| Peace and Reconciliation Group | 18 - 20 Bishop Street |  | DERRY | BT48 6PW |
| Praxis | Flat 76/77 | 120 Rock Mills, Strand Road | DERRY | BT48 7AD |
| Presbytery of Derry and Donegal | 35 Glencosh Road | Dunamanagh | STRABANE | BT82 0LY |
| Probation Board for Northern Ireland | 8 Crawford Square |  | DERRY |  |
| Progressive Unionist Party | 182 Shankill Road |  | BELFAST |  |
| Protestant Interface Network (PIN) | c/o 128 The Fountain |  | Londonderry | BT48 6PW |
| Quakers Religious Society of Friends | Hilary Sidwell | 38 Great James Street | DERRY | BT48 7DB |
| R.E.A.L. Network | 12 Tosh Avenue | Brigade Road, Waterside | DERRY | BT47 6GJ |
| Rainbow Project | 37 Clarendon Street |  | DERRY | BT48 7ER |
| Residents Committee Park West | 3 Clooney Park West |  | DERRY | BT47 6LA |
| RNIB Resource Centre | Embassy Building | 3 Strand Road | DERRY | BT48 7BH |
| Roman Catholic Church | The Bishop's House | St. Eugene's Cathedral | DERRY | BT48 9AP |
| Rosemount Resource Centre | 1 Westway | Rosemount | DERRY |  |
| Royal British Legion | 33b Iona Terrace | Waterside | LONDONDERRY | BT47 3EY |
| Royal British Legion Women's Section | 38 Cloverhill Avenue | Drumahoe | LONDONDERRY | BT47 3SH |
| Royal National Institute for the Blind | Victoria House | 15-17 Gloucester Street | BELFAST | BT1 4LS |
| Rural Area Partnership in Derry | 2 Forglen Road | Kilaloo | DERRY | BT47 3TP |
| Rural North West Community Support | 12 TownHall Street | Newtownstewart | CO. TYRONE | BT78 4AX |
| SALT Community Association | 40 Teenaght Road | Claudy | LONDONDERRY | BT47 4AN |
| SDLP Local Office | 23 Bishop Street |  | DERRY | BT48 6PR |
| Sensory Support Service | Old Bridge House | Glendermott Road | DERRY | BT47 6AU |
| Sikh Cultural Centre | 12 Colby Avenue |  | DERRY | BT48 8PF |
| Simon Community | 15 Bonds Hill | Waterside | DERRY | BT47 6DW |
| Simon Community NI | Central Office | 57 Fitzroy Avenue | BELFAST | BT7 1HT |
| Sinn Fein | 53 Falls Road |  | BELFAST | BT12 4PD |
| Sinn Fein | Ráth Mór Business Park | Creggan | DERRY | BT48 0LZ |
| Sollus Centre | 231 Victoria Road | Bready | STRABANE | BT82 0EB |
| St Columb's Park House Peace & Reconciliation Centre | 4 Limavady Road | Waterside | DERRY | BT47 6JY |
| Staff Commission for Education and Library Boards | Forestview | Purdy's Lane | BELFAST | BT8 7AR |
| STEER | 13 Pump Street |  | DERRY | BT48 6JG |
| Strabane Ethnic Community Association | 32-36 Bridge Street |  | STRABANE | BT82 9AE |
| Strabane Volunteer Centre | 26 Market Street |  | STRABANE |  |
| Strand Foyer | 79 Strand Road |  | DERRY | BT48 7BH |
| Stroke Organisation | Rushmere House | 46 Cadogen Park | BELFAST | BT9 6HH |
| Talking Newspaper | Glenview Community Centre | Cedar Street | DERRY | BT48 0EG |
| The Cedar Foundation | Unit 4 the Vale Centre | Clooney Road | DERRY | BT47 3GE |
| The Guide Dog's for the Blind Association | Lanesborough House | 15 Sandown Park South | BELFAST | BT5 6HE |
| The Junction | 8 - 10 Bishop Street |  | DERRY | BT48 6PW |
| The Rainbow Project | 2-8 Commercial Court |  | BELFAST | BT1 2NB |
| The Women's Centre | Beibhinn House | 5 Guildhall Street | DERRY | BT48 6BB |
| Triangle Association | 9a Clooney Terrace |  | Londonderry | BT47 6AW |
| Triax Neighbourhood Partnership Board | Iona Business Park | Southway | DERRY | BT48 9LH |
| Tuar Ceatha Services | 23 Windsor Avenue |  | BELFAST | BT9 6EE |
| Tullyally and District Development Group | Tullyally Resource Centre | Church Brae | Londonderry | BT47 6HB |
| Ulster Scots Agency | The Corn Exchange | 31 Gordon Street | BELFAST | BT1 2LG |
| Ulster Scots Community Network | 1 - 9 Victoria Street |  | BELFAST | BT1 3GA |
| Ulster Unionist Party | Cunningham House | 429 Holywood Road | BELFAST | BT4 2LN |
| UNITE | 56-58 Carlisle Road |  | DERRY | BT48 6JW |
| USEL | 75 Strand Road |  | derry | BT48 7BW |
| Verbal Arts Centre | Stable Lane | Bishop Street Within | DERRY | BT48 6PU |
| Victim Support Northern Ireland | 7 Bayview Terrace |  | DERRY | BT48 7EE |
| VOYPIC | 29 Clarendon Street |  | DERRY | BT48 7ER |
| Waterside Area Partnership | 9A Clooney Terrace | Waterside | LONDONDERRY | BT47 6AW |
| Waterside Neighbourhood Partnership | Shared Future Centre | 61 Irish Street | Londonderry | BT47 2DB |
| Waterside Women's Centre | 170 Spencer Road |  | DERRY | BT47 1AH |
| WELB | Headquarters | 1 Hospital Road | OMAGH |  |
| West Bank Initiative | 22 Bishop Street |  | LONDONDERRY | BT48 6PP |
| Women's Information Group | 7 University Road |  | BELFAST | BT7 1NA |
| Women's Institute | 209-211 Upper Lisburn Road |  | BELFAST | BT10 0LL |
| Women's Institute | Palace Street |  | DERRY | BT48 6PS |
| Womens Support Network | 109-113 Royal Avenue |  | BELFAST | BT2 7BB |
| Youth Council for Northern Ireland | Forestview | Purdy's Lane | BELFAST | BT48 7AR |

**Appendix 5**

**Designated Working Group**

**Terms of Reference**

**Membership**

The Chief Executive will nominate a Director/Head of Service/Lead Officer to chair the working group dependant on the nature of the issue being addressed.

The working group will comprise of cross party elected representatives together with Council officers with particular expertise/interest to assist in addressing the matter/issue at hand.

**Purpose**

Council subjects all policies/service developments and reviews to a screening process as per its obligations under Section 75 Northern Ireland Act 1998. Through this process issues relating to good relations between Section 75 (2) categories (namely religious belief, political opinion and race) may be highlighted.

The purpose of the group is to consider opportunities to better promote good relations within these categories through tackling prejudice and/or promoting understanding. [[11]](#footnote-11)

The Group will consult with relevant stakeholders as part of its consideration, where this consultation is proportionate, relevant and enhances decision-making.

**Meetings**

The Group will be convened as and when required to address any issue highlighted through the Council’s screening process.

**Reporting Arrangements**

As appropriate, the recommendations of the Group will be reported in Council’s screening template which in turn will be presented to a relevant Council Committee for approve and full Council ratification.

The screening template will be publicly available on the website <http://www.derrystrabane.com/Council/Equality> after they have been ratified by full Council.

**Appendix 6**

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

|  |  |  |
| --- | --- | --- |
| **Measure**  | **Lead responsibility**  | **Timetable**  |
| Section 75 Annual Progress Report[2.7] | Chief Executive | 31 August (annually) |
| Consultation list reviewed and updated[3.4] | Policy Officer (Equality) | September (annually) |
| Screening timetable (See Appendix 5 for more detail)[4.4]Screening Reports[4.15] | Policy Officer (Equality)Policy Officer (Equality) | April (Annually)Quarterly  |
| EQIA timetable – (See Appendix 7 for more detail)[4.16] | Policy Officer (Equality) | April (Annually) |
| **Monitoring**Review of monitoring information[4.31]Publication of monitoring information[4.33;4.34] | Lead Officers/ Policy Officer (Equality) Policy Officer (Equality) | April ( Annually – for inclusion in Annual Progress Report)August (Annually – in approved Annual Progress Report) |
| **Training**Development of summary scheme[5.4]Development of overall training programme[5.5]Focussed training[5.4]Update training[5.4]Evaluation of training[5.6] | Policy Officer (Equality)Policy Officer (Equality)Policy Officer (Equality)Policy Officer (Equality)Policy Officer (Equality) | March 2020April 2020 – March 2023March 2020 and ongoingEvery 3 yearsOngoing from March 2020 |
| Assessing access to information and services[6.9] | Policy Officer (Equality) | Ongoing  |
| Communication of equality scheme[9.3]Notification of consultees [9.3] | Policy Officer (Equality)Policy Officer (Equality) | May 2020 (Induction and E-Learning)March 2020 |
| Develop Equality Action Plan  | Policy Officer (Equality) | March 2020 |
| Implement and deliver Equality Action Plan (7.2) | Chief Executive | Deliver actions over period 2020-2023 |
| Monitor Equality Action Plan  | Policy Officer (Equality) | Annually |
| Review of equality scheme[10.1] | Lead Democratic Services and Improvement Officer/ Policy Officer (Equality) | December 2023 |

**Appendix 7**

Outline of screening/EQIA timetable for key areas

**Outline Timetable of Policy Development activities and Associated Screening /EQIA Process (subject to change)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Policy Development Area** | **By April 2020** | **By Oct 2020** | **By April 2021** | **By Dec****2023** |
| Corporate Plan 2020/21 & Performance Improvement Plan 2020/21 |  |  |  |  |
| Finalise Local Development Plan (LDP) Strategy 2032&Draft LDP Local Policies Plan (LPP) aligned to community plan |  |  |  |  |
| Play Strategy |  |  |  |  |
| Development of cross Council operational policies |  |  |  |  |
| Ongoing policy review |  |  |  |  |

**Appendix 8**

**Glossary of terms**

**Action plan**

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

**Action measures and outcomes**

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

**Adverse impact**

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

**Affirmative action**

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

**Audit of inequalities**

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

**Consultation**

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

**Differential impact**

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

**Discrimination**

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

* Direct discrimination
* Indirect Discrimination
* Disability Discrimination
* Victimisation
* Harassment

Brief descriptions of these above terms follow:

**Direct discrimination**

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

**Indirect discrimination**

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

**Disability discrimination**

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

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

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

**Victimisation**

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

**Harassment**

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

**Equality impact assessment**

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

**Equality of opportunity**

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

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

**Equality scheme**

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

**Good relations**

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

**Mainstreaming equality**

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

**Mitigation of adverse impact**

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

**Monitoring**

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

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

**Northern Ireland Act**

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

**Policy**

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

**Positive action**

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

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

**Qualitative data**

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

**Quantitative data**

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

**Screening**

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

**Schedule 9**

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

**Section 75**

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

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

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

**Section 75 investigation**

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

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

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

**Appendix 9**

**Derry City and Strabane District Council**

**Complaints Handling Process - Equality**

**Complainant**

|  |
| --- |
| Complaint made in writing, orally or via representative organisation / individual to :**Chief Executive**Derry City and Strabane District Council98 Strand RoadDerry, BT48 7NNTel.: 028 71 253 253 E-mail: john.kelpie@derrycityandstrabanedistrict.com |

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**Chief Executive**

|  |
| --- |
| 1. forwards equality complaint to appropriate Chief Officer
2. written **reply\* to complainant** , acknowledging complaint, **within** **5 working days**
 |

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**Chief Officer**

|  |
| --- |
| 1. ensures departmental investigation of the complaint by the appropriate officer(s)
2. Chief Officer and / or appropriate officer(s) **may contact complainant for further information**
3. writes to inform Chief Executive of the outcome of the investigation, **within 30 working days**
4. Chief Officer and / or appropriate officer(s) will meet with the Chief Executive, if necessary
 |

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**Chief Executive**

|  |
| --- |
| 1. **writes\* to the complainant to inform of the outcome of the internal investigation within 40 working days of the complaint being received**
2. provides details of how to complain to the Equality Commission, if dissatisfied with the outcome of the Council’s investigation n
 |

Note :

**\* Replies in other formats will be available upon request**

1. See section 1.1 of our Equality Scheme. [↑](#footnote-ref-1)
2. Section 98 (1) of the Northern Ireland Act 1998. [↑](#footnote-ref-2)
3. See section 1.1 of this equality scheme for a list of these categories. [↑](#footnote-ref-3)
4. See section 4.1 of this equality scheme for a definition of policies. [↑](#footnote-ref-4)
5. See Chapter 6 of our equality scheme for further information on alternative formats of information we provide. [↑](#footnote-ref-5)
6. Please see Appendix 4 for a list of our consultees. [↑](#footnote-ref-6)
7. Please see below at 4.27 to 4.31 for details on monitoring. [↑](#footnote-ref-7)
8. Mitigation of adverse impact - Where assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact. (ECNI **Section 75 Northern Ireland Act 1998 – a Guide for Public Authorities (April 2010) p83**. [↑](#footnote-ref-8)
9. 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.”* [↑](#footnote-ref-9)
10. Ibid [↑](#footnote-ref-10)
11. 11 In relation to the Disability Duties, the purpose of the Group will be to consider opportunities to promote

positive perception of people with a disability and /or the participation in public life of people with a disability. [↑](#footnote-ref-11)