

**Northern Ireland Practice and Education Council
for Nursing and Midwifery**

***NIPEC's response to comments received on its
Equality Scheme and Audit of Inequalities***

September 2011

(1) Equality Scheme

Consultee: Equality Commission NI	
Comment	Response
The Commission acknowledges and welcomes the fact that the approach taken by NIPEC in producing a revised scheme is one which is broadly consistent with the Commission's model scheme.	Comment noted
The Commission is pleased to note that the NIPEC has undertaken an audit of inequalities to inform the development of its draft Action Plan. for 2011- 2013.	Comment noted
Chapter 1 Introduction Section contains a picture of NIPEC's functions- would welcome additional information on NIPEC's employment and procurement functions	Comment noted and this has now been added to Equality Scheme
Chapter 2 Our arrangements for assessing our compliance with the section 75 duties <i>Action plan/action measures</i> The Commission welcomes the fact that the NIPEC carried out an audit of inequalities and used this information to inform the development of the action plan.	

Chapter 3 Our arrangements for consulting

The Commission notes that NIPEC has not committed to a programme of awareness raising with consultees and will only include a comprehensive explanation of its statutory duties including scheme commitments in consultations. NIPEC may wish to provide more detailed information for arrangements for awareness raising sessions

Original paragraph included

“NIPEC will produce an accessible document outlining the functions of the organisation and the commitments in our Equality Scheme.

In addition we will approach consultees with a proposal for the establishment of an Advisory Group.

If screening of a particular policy or decision identifies any external stakeholders who may not have the ability to respond to consultation effectively we will engage with the individual(s) in the first instance to find out how to best facilitate their input to the consultation, and where this is not effective or appropriate we will make contact with relevant Section 75 representative groups to find out how best we can encourage their input.”

The Equality Scheme references a further contact name for potential contact by consultees regarding the consultation list. The Commission recommends that this additional person’s contact is provided to consultees within the document

Contact information has now been added

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

We note NIPEC's arrangements for assessing, monitoring and publishing the impacts of policies and welcome the commitment to utilising the tools of screening and equality impact assessment for the assessment of policies.

Section 4.25

The Commission notes the statement at section 4.25 outlining the fact that the NIPEC will undertake a piece of work in collaboration with consultees to review the effectiveness of and adjust timescales accordingly with regard to issuing a screening report every 3 months.

The Commission recommends that screening reports should be issued on a 3 monthly basis to enable consultees adequate time to respond.

Screening reports developed in line with Commission guidance are not intended to be cumbersome or time consuming to produce and disseminate. The Commission recommends that the NIPEC consider this matter further.

Section 4.26

The Commission would welcome the additional information of NIPEC's normal, established and agreed communications methods.

The Equality Scheme now uses the text of the model scheme with no proviso.

Additional information has been added.

Chapter 5 Staff training Paragraph 5.3 reads, NIPEC will draw up/has drawn up a detailed training plan for its staff which will aim to achieve the following objectives'. It is unclear from this statement whether or not a detailed training programme has been drawn up or will be drawn up. The Commission recommends that NIPEC clarify this statement. <i>Section 5.4</i> The Commission recommends that NIPEC provide a summary of their equality scheme to staff. Bullet point three should be amended to clarify that staff in the NIPEC will receive a briefing on the equality scheme within six months of scheme approval. Commend the inclusion of additional monitoring and evaluation of staff training	The paragraph has been amended accordingly The paragraph has been amended accordingly The paragraph has been amended accordingly Comment welcome
Chapter 6 Our arrangements for ensuring and assessing public access to information and services we provide Commission recommends that NIPEC explores more innovative and contemporary means of communication such as mp3 and DAISY for providing information to children and young people and people with learning disabilities. The Commission acknowledges NIPEC draws	The paragraph has been amended accordingly

on the support of relevant organisations such as NI Youth Forum in creating and using alternative formats. <i>Section 6.3 paragraph 4</i> Please outline any arrangements you have in place for providing information to children and young people, and people with learning disabilities.	Comment now added in Equality Scheme to read: “For children and young people we aim to produce information in a language and in a format that meet their needs. In such cases, we also seek to draw on the support of relevant organisations including Participation Network. For people with learning disabilities we aim to produce information in Easy Read format.”
Chapter 7 Para 7.2 refers to Appendix 4 as including NIPEC’s commitment to develop an action plan. The Commission recommends that Appendix 4 also includes a measure ‘to implement/deliver an action plan’ with timescales as indicated in section 2.14 of your draft scheme.	Noted. The Action Plan at Appendix 4 now includes an action point which reads: Implementation of Actions - Lead Responsibility: Chief Executive/Senior Management Team - Timetable: May 2011-March 2013
Chapter 8 Complaints Would welcome further clarification on the integration of Section 75 complaints into NIPEC’s general complaints process. Integration runs contrary to the aspiration suggested at 8.3	NIPEC is committed to ensuring Section 75 complaints are integrated into its general Complaints Procedure, and has included this within the Action Plan in Appendix 4

<u>Appendix 6</u> The Commission will not consider the content of action plans/action measures as part of the approval process for equality schemes. The Commission recommends that the NIPEC equality scheme makes it clear within the equality scheme at the appropriate place, that the action plan/action measures, will not form part of the approved equality scheme. Essential that the targets in the Action Plan are Specific, Measurable, Achievable, Realistic and Time-based. The Action Plan could be more specific in this regard, particularly in detailing expected outcomes for each s.75 group.	As noted previously this has been amended NIPEC's Action Plan will reflect this suggestion.
Conclusion The Commission welcomes the approach taken by NIPEC, particularly with regard to use of the Commissions Model Equality Scheme and the new Guide to the Statutory Duties. This response is made without prejudice to any consideration or determination which the Commission might make in performance of its statutory function to investigate individual complaints under Schedule 9 of the 1998 Act or conduct any other investigation under that Schedule.	Comments noted

Consultee: Older People's Advocate	
Equality scheme should be user-friendly especially in the use of language.	We will produce an accessible document (an easy to read and understand version) following scheme approval.
Equality schemes need to identify internal vs. external actions	Comment noted
Consultee: Unison	
Welcome that NIPEC has followed to a large extent the Model Equality Scheme produced by the Equality Commission NI. A number of key issues which we believe must be addressed	Comment noted
The Scheme needs to clarify the precise relationship between the s.75 equality duty and the good relations duty	Paragraph 1.1 of the scheme refers to Good Relations the importance of both duties is also reiterated in the course of staff training
The Scheme requires a section to outline the social, economic and health context within which NIPEC and wider health and social care system operates	We do not feel that the degree of change suggested is consistent with the model scheme proscribed by the Equality Commission. Pursuing such change would necessitate complex discussions with the Equality Commission and consequently delay our ability to gain the necessary approval for our Scheme.

	We feel that the suggestions can be more appropriately addressed by inclusion in other documentation.
UNISON recommend that NIPEC use the data and information available to it much more systematically to expose, analyse and then monitor inequalities	Comment noted The audit of existing information systems will examine gaps, produce baseline information and result in the development of actions to fill gaps. A regular review will also be incorporated.
Foreword Must make clear that The Foreword and Appendices form an integral part of the Scheme	These elements are part of the Contents page hence an integral part of the entire document
Foreword Suggest that a common definition of functions is used throughout the Scheme - specifying that functions includes powers and duties, is of wide import and includes service provision, employment and procurement functions.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
Foreword NIPEC should make it clear that the existence of the Action Plan does not detract from its statutory responsibility to ensure that all its functions and policies are scrutinised to determine where equality of opportunity can be promoted and inequality tackled.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme

Decision-makers should utilise all available qualitative and quantitative data, including the Audit of Inequalities, when applying s75 to the organisation's functions and policies not contained within the Action Plan.	All data/information identified in the course of the audit is to inform screening exercises in the future
Suggest that the Foreword states the organisation's commitment to taking, all <i>necessary</i> steps to ensure that it complies with its statutory duty and the effective implementation of the Equality Scheme.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
Introduction Wording in the Foreword to the draft Scheme commits NIPEC to providing "the necessary resources" to effectively implement the duty. However, the wording of para 1.3 waters down this commitment by stating a commitment to 'the necessary available resources' is required. This is a weak formulation of words and should be amended to that contained in the Foreword.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
Chapter 2: Arrangements for Assessing Compliance Include examples of <i>how</i> compliance will actually be assessed in practice.	These arrangements are articulated at paragraph 2.10
recommend to make clear in para 2.12 that the Audit is a living document and requires an ongoing and comprehensive 'analysis' of inequalities	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme

Recommend re-wording para 2.16 to make it clear that monitoring can take place at an earlier stage than every 12 months if new data or information is received.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
Welcome more information on the <i>specific discussions</i> NIPEC is entering into with users of the services and their representatives, in particular affected s.75 groups and service users in TSN areas	These take place in the context of screening exercises and may in the future include user fora (see also the respective point in the Action Plan).
Comments on Chapter 3 Consultation arrangements Encourage NIPEC to follow the advice of (and resource) groups with specialist knowledge in this domain, including about how, when, and who to approach; people with disabilities could be involved in developing the consultative methods to be used and involved in delivering that training. However, the primary responsibility must remain with NIPEC itself to do the necessary work, and to reach out beyond organised groups. Some of the legacy health bodies have in the past undertaken an inclusive consultation process but approach needs to be revisited on a system-wide basis Although the consultation list is comprehensive, organisation needs to ensure it is constantly reviewed	We currently engage with representative groups on a range of issues and will continue to take advice in the area of consultation and training. We have involved people with disabilities and other equalities categories in training and awareness activity and will continue to build on this good practice. We will continue to liaise with representative groups and individuals. Consultation mechanisms and consultation lists will be regularly reviewed to ensure that they are both effective and contemporary, and build on past good practice.
Para 3.1 should be amended to ensure that the Audit of Inequalities will be consulted upon in addition to the	The current draft Audit of Inequalities was consulted upon at the same time as the Equality Scheme but it is

Scheme, action measures and Equality Impact Assessments.	not NIPEC's intention to commit to annual formal consultation on the Audit of Inequalities and Action Plan
Scheme must set out a clear procedure to ensure that the consultees' views have been fully considered and either incorporated into the decision-making process or where not reasons are given for their exclusion	This is articulated in the Equality Scheme at 3.2.11 but for point of clarity we can advise that arrangements for dealing with consultation responses are: • Log of consultees responses • Copies of original responses made available on or NIPEC's website as part of the consultation report • Consultation report will include issues and organisational response and made available on or NIPEC's website • Final documents with amendments highlighted made available on NIPEC's website
Essential that consultations on all matters involve all designated groups and individuals; therefore essential that any 'targeted approach to consultation' as specified in paragraph 3.2.1 does not create a 'hierarchy' of consultation and excludes groups from inclusive participation.	Comment noted. This view will be articulated in screening and consultation training
Comments on Chapter 4: Arrangements for assessing, monitoring and publishing the impact of policies The Scheme needs to impart a sense of what the policies mean and how someone could identify if relevant	The scheme includes details on functions.

In setting out its functions, duties and powers: the Scheme must be more explicit about who else is involved, particularly in the mixed economy of health care delivery including contractors and sub contractors Must set out clearly arrangements on how it will ensure that decisions or directives from others both ‘upstream’ and ‘downstream’ in the will be independently assessed to fully comply with its section 75 obligations; Must ensure that when functions overlap with another public body or agency there is clarity on the action required by each to discharge their statutory obligations.	Policy authors are advised of the importance of clarifying their policy area in jargon free language and of identifying all the key stakeholders in their initial discussion of their policy area. We do not feel that the degree of change suggested is consistent with the model scheme proscribed by the Equality Commission. Pursuing such change would necessitate complex discussions with the Equality Commission and consequently delay our ability to gain the necessary approval for our Scheme. We feel that these suggestions can be more appropriately addressed by other methods for example NIPEC will explore the value of a document to articulate in easy to understand language the functions of NIPEC including its linkages with other health and social care organisations, other public bodies and other key independent, community and voluntary providers. Responsibilities for screening both upstream and downstream are clearly articulated in screening training activity.
UNISON welcome a more explicit recognition by NIPEC that many practices are not the subject of written policy documents, but are nevertheless established policies. Consequently need indicate measures that will be put in place to reflect this more systematically for the purposes of screening and impact assessment.	NIPEC follows the model scheme, see para 4.1 . This is reinforced in screening training, template and guidance.

Procurement

NIPEC must clearly acknowledge throughout its scheme that procurement is a function to which the equality duty applies.

As a minimum standard for the full promotion of equality, it is also essential that NIPEC commits to implementing the 2008 joint *'Equality of Opportunity and Sustainable Development in Public Sector Procurement'* Guidance produced by the Equality Commission NI and the Northern Ireland Central Procurement Directorate

- Acknowledge responsibility to ensure that commissioning documents and reviews to which it is a party contain a proper process of equality assessment
- commit both the provider and purchaser to delivery and review of the service in light of the equality groups in the legislation
- commit to a specific and integral reporting framework by which the purchaser and provider can publicly account for the equality proofing and performance of commissioned services
- where procurement is through purchasing consortia commit to developing its partnership and influence with such bodies to ensure contracts in which it participates test at listing and award stage the competence and capability of suppliers in respect of the equality categories
- commit within its Scheme to participating with such

Comment noted. Services in relation to procurement are purchased from the Business Services Organisation on a Service Level Agreement. All the issues raised in this response in respect of procurement and equality issues will be raised directly with the Business Services Organisation.

We will engage with the BSO and other HSC organisations to explore further the roles and responsibilities of procuring organisations vis-à-vis the BSO Procurement and Logistics Service with regards to opportunities for further mainstreaming equality in procurement processes.

bodies to specific initiatives to brief existing suppliers as to the obligations and standards they need to develop

- develop awareness amongst potential (and in particular local) suppliers of equality good practice to assist them in participating in contracting, particularly when such participation would promote equality in e.g. TSN areas
- where NIPEC contracts directly it should state within the Scheme a defined materiality threshold over which the competence of suppliers in demonstrating their adherence and understanding of the equality groups is mainstreamed into the processes of advertisement, listing, award and contract review
- commit to promoting suppliers awareness and participation as described above
- procurement of services and works, it should commit within the Scheme to the following:
 - ensuring that any advisors/Consultants/Supervisors retained have an appropriate understanding of the legislation and the Scheme;
 - reflecting the requirements of the legislation and Scheme in all contractual documentation;
 - ensuring the testing of provider equality competencies is mainstreamed into advertisement, listing, award and monitoring processes;
 - specifically testing employment policy, employment practice and provider track record against the equality groups, including consideration of adverse findings in the courts or at tribunals over statutory factors

Employment

NIPEC must make a specific commitment in its Scheme to discharging the equality obligation in its function of employment.

The above should include:

- a commitment to the systematic creation and review of employment policies covering all the designated equality groups;
- a clear commitment in the Scheme to equality of treatment between the different groups, and the avoidance of any hierarchy, including any distinction between statutory and non statutory discrimination;
- recognition within policies and the Scheme of the nature of multiple oppression and discrimination;
- a clear commitment to link a policy-driven employment framework to equality of pay and remuneration;
- a recognition that all training and development should reflect mainstreamed equality as per the Scheme, not just Scheme-specific training.
- a commitment to the visible integration of equality policy/practice and Health and Safety policy/practice given such strategic links as sexual harassment;
- a commitment that section 75 obligations will form part of the induction training of all BSO members and employees;
- integration where appropriate between the section 75 employment obligation and professional practice

Services in relation to employment are purchased from the Business Services Organisation on a Service Level Agreement. All the issues raised in this response in respect of employment and equality issues raised in this response will be raised directly with the Business Services Organisation.

We will engage with the BSO to explore further the roles and responsibilities in employment matters of the organisation's managers vis-à-vis the BSO Human Resources Directorate with regards to opportunities for further mainstreaming equality in employment.

protocols involving employee obligations for fair treatment; • specific recruitment, grievance and disciplinary policies which reflect section 75 obligations; • specific training for all those charged with the operation of such policies; • appropriate and confidential facilities which allow individuals or groups facing discrimination to raise their concerns; • systematic audits of workforce composition and employment policy effectiveness; • clear and explicit policy measures, remedies and sanctions for acts of discrimination and harassment in respect of all designated groups; • a commitment to review and modernisation of policies in the light of positive legal developments that promote equality of opportunity; • effective consultation with stakeholders (e.g. recognised trade unions) over the implementation and ongoing review of all section 75 employment obligations; • a mainstreamed approach promoting equality within all bargaining structures; • a commitment in any screening process to incorporate specific consideration of employment factors; • acceptance that the employment function covers the definition of “worker” in the widest sense;	
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• commitment to measures to protect all employees from discriminatory violence or harassment from users of the its services.	
<i>Screening and Equality Impact Assessments</i> The lack of equality expertise amongst senior decision-makers has often led to the screening out of policies which have had implications for equality of opportunity It is essential that the decision on whether an equality impact is minor, major or none is subject to objective criteria; a report on all screening recommendations should be issued for endorsement by the Senior Management Team with the full participation of the organisation's Equality Unit at the earliest possible stage	NIPEC has made the commitment to ensure that all staff involved in screening have attended specialist training; staff will be supported on an on-going basis in strengthening their skills in screening effectively, such as through support, advice, guidance and feedback we consider it essential that the ownership of screening decisions rests with policy decision makers in order to genuinely progress the mainstreaming of equality in the organisation
NIPEC should commit to ensuring that affected groups are facilitated through whatever techniques are appropriate to participate in the screening process at the earliest possible stage	This issue is addressed in guidance notes for staff on screening which have been developed alongside the new screening template
Essential that NIPEC commits to informing consultees when screening forms are issued and posted on the organisation's website	We will explore the feasibility of facilitating this request in the context of designing a process for implementation. The outcome will be shared with consultees.
Essential that NIPEC makes it clear that financial considerations will not be a basis for restricting or limiting the impact of equality assessment	Being bound by its legal obligations regarding financial accountability NIPEC will inevitably need to take resource implications into consideration in considering

	the impact of equality assessment with regards to mitigation or consideration of alternative policies and decisions
Clarify the measures that it will undertake to ensure that practices that are not the subject of written policy documents but which are established policies of NIPEC are both screened and an impact assessments undertaken	Screening of policies and decisions covers both documented and undocumented practices
In Scheme strongly acknowledge that, policies which may appear at first glance to be devoid of equal opportunities implications require a fresh look in order to determine whether there are in fact implications for equality of opportunity. The screening of new and proposed policies must also be subject to this criteria	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
To enable us to understand whether we will achieve measurable outcomes it is essential that specific data is available and baselines established on specific impacts to establish how the NIPEC has related to the affected groups in the past and how it will relate in the future in the context of the Statutory duty.	Comment noted
Staff Training Scheme make more explicit that training will not be dependent on grade, responsibilities or any training needs assessment that will in any way dilute their obligations under the Guidelines. The resources for this should be set out in the scheme.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme

Access to Information and Services Must provide the <i>necessary resources</i> to ensure that both the information which is disseminated and, the services provided, are made accessible in a way which ensures equality of opportunity.	Comment noted. NIPEC follows the model scheme we will make the Commission aware of all comments received relating to the model scheme
More imaginative methods of distribution would be welcome such as in public libraries, stalls set up in local shopping centres etc.	Comment noted
Complaints Implementation of the Scheme should be constantly reviewed to ensure that S.75 groups are confident that they will get support and redress.	Comment noted
Consultee: Committee on the Administration of Justice (written submission)	
Encouraged to see NIPEC has used model scheme as basis, suggest a few additions	comment is welcome
Screening – would be useful for consultees to be informed as soon as screening forms are posted on websites, concerned about time lag, especially for policies for which ‘no’ or ‘minor’ impact is found	We will explore the feasibility of facilitating this request in the context of designing a process for implementation. The outcome will be shared with consultees.
Explain relationship between equality of opportunity duty and good relations duty	Paragraph 1.1 of the scheme refers to Good Relations the importance of both duties is also reiterated in the course of staff training

Add statement to address common misunderstanding that 'universal application' implies a neutral impact on equality groups, when it can of course exacerbate inequalities	We share the Committee's view of the importance of clarifying this matter. This is addressed in the context of staff training. Also, we have recently developed a resource for our staff aimed at tackling common 'screening myths' which includes the one referred to by the Committee.
Add statement on positive action	We share the Committee's view of the importance of clarifying this matter. This is addressed in the context of staff training.
Verbal comments	
Any deviations from the model Scheme need to be highlighted and explanations provided as to why.	Any changes will be highlighted
Broad policy statement provided by the Equality Commission perceived as appropriate; organisations need to use a common sense approach to reduce burden on consultees	Comment noted.
Consultee: Northern Ireland Council for Ethnic Minorities (written submission)	
Disappointing in that Schemes repeat exactly the wording of the Model Scheme with minimal attempt to make the scheme a reflection of what the authority actually does so that groups can see relevance to them; particularly important for the less well-known health and social care bodies coordinated by the BSO	The need to follow the model scheme limits our scope for customising it. The main area of customisation foreseen by the Commission relates to the description of functions ('Who we are and what we do'). The status of the scheme poses further limitations as to specifying measures or arrangements that are of limited duration.

	Following approval, we will produce a summary version of the scheme that is easy to read and understand.
There should be one Equality Scheme from the DHSSPS that applies across to all health and social care bodies	Under Section 75 each public authority must develop their own scheme and action plan; each Chief Executive including NIPEC is accountable for their own scheme and plan and thus must have ownership; given the diversity of functions across Health and Social Care organisations, we would argue that each audit must reflect the consideration of equality issues against the specific functions of the respective organisation; the diversity of audits therefore reflects the diversity of functions across organisations
NIPEC should highlight deviations from Model Scheme with an explanation	Any deviations will be highlighted

(2) NIPEC Audit of Inequalities and Action Plan

Comment	Response
Consultee: Older People's Advocate	
Organisations should have picked 5 or 6 key areas that all could have worked on together. Format of action plans of the nine organisations should be uniform and consistent.	Comment noted. The nine HSC organisations will work together to identify those areas where joint action is feasible and meaningful.
plans need to be explicit on how information is used and progress reviewed on a regular basis	NIPEC will review its Audit and Action Plan on an annual basis.
include commitment to review audit and evidence base and undertake research to fill gaps; evidence base to go beyond Northern Ireland.	The audit of existing information systems will examine gaps, produce baseline information and result in the development of actions to fill gaps. A regular review will also be incorporated. Addressing the gaps is likely to be a longer term process.
audit should contain statistical evidence of main users and a profile of its staff, including breakdown of managerial roles / Board members particularly those S75 groups who might be under-represented	Comment noted, and will be progressed in the context of our audit of information systems, see Equality Scheme paragraph 4.29.
there needs to be more sharing of information and good practice across organisations.	This issue will be addressed in our joint equality fora with our partner organisations, facilitated by the BSO.

Employment females are in the majority of those employed within the agencies and this has an impact on designing timeframes for training, childcare / caring needs and maternity provision	Comment noted.
more action on employment needed particularly as staff are getting older need to also consider caring roles of staff, increasing in line with ageing population audit should have recognised that increased longevity and retirement age affects women more so than men, women will be working longer and older section of workforce will become increasingly female. Older women face particular difficulties in: returning to work after childcare, not being able to carry on with a job requiring physical strength, retraining to be able to diversify and use their skills differently as they grow older, requirements for flexible working hours and part time working. include actions to address particular training needs of older women	Comment noted NIPEC has in place a number of work-life balance policies that recognise the needs of carers, for example, carers leave, flexible working arrangements, employment break policy, special leave policy, equality of opportunity policy. Training needs are identified through the performance appraisal process. NIPEC will participate in any regionally agreed equality audit of pay and human resources issues. NIPEC will work with BSO and partner organisations to develop a line manager guide on reasonable adjustments for staff from a range of Section 75 groups
develop new ways of including under-represented S75 groups such as examining where positions are advertised, considering affirmative action, using different criteria such as experience and skills rather than	NIPEC uses widely-recognised media as sources of recruitment. Personnel specifications include equivalencies to qualifications in the form of experience.

academic qualifications (people with a disability and older women in particular), introducing shadowing or mentoring schemes, ensuring layout of buildings is suitable and convenient for staff	Consideration of proposals relating to recruitment may be limited in light of current recruitment restrictions and the impending removal of the default retirement age which is likely to result in a low staff turnover
joint training in respect of S75 groups should be ongoing and include engagement and delivery by S75 organisations; training should challenge ageist attitudes and include positive messages about older people	Learning and development opportunities will continue to be offered in respect of Section 75 groups and with their input.
Engagement need more evidence of actions to include engagement with service users	The organisation engages with users through the Patient and Client Council, careers websites with schools, and through its presence on facebook.
Board composition Need to consider how Section 75 categories get opportunities to participate on Boards. consider offering mentoring opportunities to skill up people for joining Boards consider making joint representation to Office for Public Appointments regarding (a) greater efforts to be undertaken to appoint diverse boards and (b) use of experience as equivalent to academic qualifications in appointment process to remove barriers for participation of people with a disability and older women in particular	The organisation will work with the BSO and partner organisations to make joint representation to the Office for Public Appointments in this regard.

Communication consideration should be given to the communication needs of older people, who may not have IT skills, or may have sensory impairments, learning disability or low literacy levels; also those in nursing home settings and those who live in isolation with little access to modern technology especially in rural areas	Staff IT skills will be reassessed in the context of the role out of the Business Services Transformation Project (HSC-wide). Staff will be reminded to advise the organisation of any particular needs.
Complaints work with other HSC organisations to provide overview information on how to raise a complaint and who to raise it with. It will often be the family of an older person who raises a complaint rather than the individual.	HSC organisations have developed information on how to make a complaint. We will work alongside HSC organisations including the Patient and Client Council to examine how to make this information more accessible to assist people in making a complaint.
Consultee: Committee on the Administration of Justice (written submission)	
Section 75 continues to apply in addition to action plan	NIPEC share CAJ's view that the mainstreaming duty under Section 75 requires us to give consideration to equality on an ongoing basis across all of our functions; we see screening as the key vehicle for doing so; this is also highlighted in training for staff
data gaps identified in the audit should be addressed; newly emerging inequalities may not be captured in original audit	NIPEC recognise that ultimately equality impacts can only be fully assessed if comprehensive data is gathered; at the same time, building a robust database is a long-term project
hope that audit will provide useful tool for policy-makers	NIPEC share CAJ's view of the potential of the data gathered to inform screening exercises more widely; to

when applying Section 75 beyond action plans	improve access to data for staff, the Equality Unit has created a website section which collates relevant research reports identified
Consultee: Northern Ireland Council for Ethnic Minorities (written submission)	
Essential that the comprehensive collection of evidence is undertaken under the revised Schemes submitted by organisations particularly for ethnic and religious minority communities. The audit across the Health Trusts places heavy reliance in the audit of ethnic minority inequalities on NICEM research.¹ Yet this research is not mentioned in the audit of the BSO-coordinated bodies. In both audits, we ask the question, ‘Where is the research commissioned by the health and social care sector?’	The audit of existing information systems will examine gaps, produce baseline information and result in the development of actions to fill gaps. A regular review will also be incorporated. Addressing the gaps is likely to be a longer term process. We appreciate the suggestion and will consider this research in the context of our organisation’s functions. The short timescales specified by the Equality Commission for the audit itself ruled out the option of undertaking new research. Comment noted

¹ At p 79, it is stated, “The majority of the issues below are also found in the NICEM Report “Black and Minority Health and Wellbeing Development Project for North and West Belfast” September 2006.” There is also reliance on our research report, Robbie McVeigh and Chris McAfee, “Za Chlebem’: The Impact of the Economic Downturn on the Polish Community in Northern Ireland”, Belfast: NICEM, 2009.

There is nothing at all in the evidence base used in this audit on religious minorities. the important issue of the <u>causes of the inequalities identified</u> appears to be absent from both the ECNI guidance and HSC audits; unsure how the organisations can set out actions, outputs and outcomes on the basis of an audit of inequalities without some identification and analysis of the causes of the inequalities; ECNI should produce a model audit of inequalities, on the basis of this initial exercise. gap analysis should be included in the first year of the action plan of each organisation and efforts to collect quantitative and qualitative data on priority gaps should be included in the subsequent years of the action plan.	
We welcome the fact that the BSO-coordinated bodies have collaborated to identify inequalities.	Comment noted.
It seems curious to us that the audit of inequalities is an appendix to the draft action plan. We expected the action plan to flow from the audit. We are also puzzled that, despite an extensive 'evidence base' in an appendix, it is essentially a literature review and there is no connection between the identified inequalities and the evidence base.	Comment noted. The audit precedes the action plan in the consultation document.

We welcome the functional approach initially taken in the audit. But we are disappointed that the BSO-coordinated bodies have not followed the lead of the Health Trusts and identified separately inequalities in relation to each section 75 group.	It is important to note that the functions of many of the BSO co-ordinated organisations do not have a direct public impact, and therefore the audits needed to be wider than simply 'health inequalities'. This led to the joint approach to undertake a function based audit, to ensure as far as possible identification of all inequalities in all functions. Further concerns are noted.
We are equally disappointed that action plans are not group-specific.	
The action plans should make it transparent how the prioritisation of actions has been conducted.	Comment noted.
In our view, the action plans do not identify performance indicators, monitoring arrangements or areas of responsibility. They do not tell us when intended outcomes are to be achieved (not outcome-focused). Some 'intended outcomes' are not really outcomes. Some 'Issues to be Addressed' are not inequalities. What is the inequality?	Comment noted.
Consultee : NICEM, Barry Fitzpatrick	
Commended small agencies for their work in developing audit & schemes.	Comment noted.
Consultee: Unison	
The Audit at Annex 3 is not sufficiently robust. It does not give a full picture on the inequalities across functions	Comment noted

faced by Section 75 groups. This would have allowed Section 75 groups to easily identify the potential inequalities	NIPEC's interface with the users of health and social care services is extremely limited.
Annex 4 - there is no cross reference to the Audit findings in each item of the action plan to show why this is an equality measure. Difficult to establish an audit trail. Absence of Workshop links and use of qualitative data	
Tracking the evidence into the Action Plan is essential. We are aware that there are gaps in evidence around sexual orientation, dependants and political opinion	Comment noted
Did the NIPEC gather data on the inequalities faced by each s.75 group across each functional area? was a gap analysis undertaken? did the BSO consider commissioning its own research to ensure that the Audit and Action Plan were as comprehensive as possible? How was unmet need met in the past?	In its conduct of the audit NIPEC considered the opportunities for commissioning research and concluded that given the resource implications it would not be commensurate to the size of the organisation.
The Audit has a clear use over and above the action plan and should be used to inform screenings	Agree with this view. It corresponds with NIPEC's view
In the wider context we would request further information on whether the Audit of inequalities, and priorities identified, will inform the way in which NIPEC's budget is allocated in the future.	These will be considered alongside other financial requirements.

Action Plan Ask NIPEC to re-examine training programmes to ensure that key issues affecting Section 75 Groups are prioritised	NIPEC commits itself to rolling out a new eLearning programme on diversity to its staff.
clarify whether the actions contained in the Action Plan are in fact 'new' actions identified as a direct result of the Audit of Inequalities	These are new actions.
essential that the targets in the Action Plan are Specific, Measurable, Achievable, Realistic and Time-based. The Action Plan could be more specific in this regard, particularly in detailing expected outcomes for each s.75 group.	Comment noted
there is no clear description of how this process interacts with the corporate planning cycle – as stipulated by the Equality Commission	Chapter 5 'Monitoring and review of the action plan' refers, likewise specified linkages of individual actions with corporate objectives
little evidence of trade union involvement in the process	The BSO Director of Human Resources approached the four regional secretaries on several occasions to arrange a joint meeting dedicated to the audit, scheme and action plan. All trade unions received an invitation to attend one of four consultation events organised by the BSO and its partner organisations in different locations across Northern Ireland.



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