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NORTHERN IRELAND AUDIT OFFICE

DRAFT EQUALITY SCHEME

Northern Ireland Audit Office
106 University Street
BELFAST
BT7 1EU

Approved by the Equality Commission for Northern Ireland on **[insert
date]**

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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.

In our Equality Scheme we set out how the Northern Ireland Audit Office 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 all our staff and Board Members are made fully aware of our Equality Scheme and understand the commitments and obligations within it.

As Comptroller and Auditor General for Northern Ireland, I am fully committed to effectively fulfilling our Section 75 statutory duties across all our functions 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 we will 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 the Northern Ireland Audit Office, I am pleased to support and endorse this Equality Scheme, which has been drawn

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up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.

KJ Donnelly
Comptroller and Auditor General

[Date]

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Chapter 1 Introduction

Section 75 of the Northern Ireland Act 1998

- 1.1 Section 75 of the Northern Ireland Act 1998 ('the Act') requires the Northern Ireland Audit Office ('the NIAO') to comply with two statutory duties:
- (i) 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; and
 - persons with dependants and persons without.
- (ii) 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 (as set out in Section 98(1) of the Northern Ireland Act 1998), which includes our employment and procurement functions.

How we Propose to Fulfil the Section 75 Duties in Relation to the Relevant Functions of the Northern Ireland Audit Office

- 1.2 Schedule 9 4(1) of the Act requires the NIAO 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.

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- 1.3 The NIAO is committed to the discharge of the obligations under Section 75 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 Comptroller and Auditor General for Northern Ireland (C&AG), who is head of the Northern Ireland Audit Office (NIAO), is responsible for:
- authorising the issue of money from the Northern Ireland Consolidated Fund to enable Northern Ireland Departments to meet their necessary expenditure and ensuring that there are adequate arrangements for the collection of revenue; and
 - the external audit of central government bodies in Northern Ireland, including Northern Ireland Departments and their Executive Agencies and a wide range of other public sector bodies, including health trusts and other non departmental public bodies.
- 1.5 The status, functions and main duties of the C&AG, who is wholly independent of government, are set down in legislation, including the Audit (NI) Order 1987, the Northern Ireland Act 1998, the Government Resources and Accounts Act (Northern Ireland) 2001 and the Audit and Accountability (NI) Order 2003. He is supported by his Office, the NIAO, in fulfilling his functions.
- 1.6 One senior member of NIAO staff is designated by the Department of the Environment, with the consent of the C&AG, as the Local Government Auditor. This member of staff has responsibility for the external audit of District Councils. The principal legislative authority for the responsibilities of the local government auditor is contained in the Local Government (Northern Ireland) Order 2005 and the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006.

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1.7 The NIAO has a Management Board which currently comprises the C&AG, Assistant Auditors General and Non-Executive Directors.

1.8 Operationally, it has three Divisions:

- Financial audit (see paragraph 1.9)
- Value for money audit (see paragraphs 1.10 to 1.12)
- Corporate Services (see paragraph 1.13).

Each Division is headed by an Assistant Auditor General who reports to the Comptroller and Auditor General. An Organisation Chart is included at **Appendix 1**.

1.9 The key objectives of financial audit are to:

- provide reasonable assurance that the financial statements audited by the Office give a true and fair view, have been prepared in accordance with the relevant accounting and other requirements and are in accordance with the authorities that govern them;
- identify, assess and examine risks to regularity, propriety and financial control in audited bodies and report on significant weaknesses; and
- provide audited bodies with constructive advice that will help them improve their corporate governance, financial management, control and reporting.

Financial audit is conducted in accordance with applicable law and the International Standards on Auditing (UK and Ireland). Those standards require compliance with the Auditing Practices Board Ethical Standards for Auditors.

1.10 In carrying out value for money audit, the NIAO seeks to promote better value for money by examining and reporting on whether public bodies spend public money economically, efficiently and effectively. NIAO also suggests ways in which public bodies can achieve their aims and objectives more cost-effectively, using accepted audit methodologies.

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A structured approach is adopted in selecting topics for examination, based on factors including an assessment of risk, the potential for improving value for money and public interest.

- 1.11 Draft reports are cleared with the audited body and, where appropriate, relevant third parties.
- 1.12 The NIAO receives enquiries from members of the public on a range of financial management and value for money issues. It cannot undertake investigations on behalf of individuals as its responsibility is to report to the Assembly. However, in determining its programme of work, the Office does take concerns and issues raised into consideration.
- 1.13 The Corporate Services Division supports the delivery of the above functions, having responsibility for resources (finance and human resources), equipment, supplies and other services.
- 1.14 The results of the C&AG's work are reported to the Northern Ireland Assembly and published as Assembly documents. The Assembly's Public Accounts Committee takes evidence from senior officials on these reports and, following consideration of evidence, reports its findings and recommendations to the Assembly. The Northern Ireland Executive is required to respond to the Committee's recommendations, specifying the action which the audited body intends to take in response. The NIAO then monitors the actions taken.
- 1.15 The results of work undertaken by the Local Government Auditor are reported to the Department of the Environment. These reports are copied to the District Councils and are available for inspection by the public.
- 1.16 Finally, two further dimensions of the role of the NIAO are as follows:
 - (1) Under the Public Interest Disclosure (NI) Order 1998, the C&AG has been prescribed as a person to whom protected disclosures can be made. He has a role in

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relation to the proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally-funded public services. The Local Government Auditor has been similarly prescribed in relation to local government bodies.

- (2) Provisions inserted in the Audit and Accountability (Northern Ireland) Order 2003 by the Serious Crime Act 2007 enable the C&AG to conduct data matching exercises for the purpose of assisting in the prevention and detection of fraud. He uses this power to participate in the National Fraud Initiative.

1.17 Further information on the above can be found on the Office's website (www.niauditoffice.gov.uk) or by contacting the Office using the contact details given in this document.

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Chapter 2 NIAO's Arrangements for Assessing Our Compliance with the Section 75 Duties

2.1 Some of the arrangements for assessing compliance with the Section 75 statutory duties are outlined in other relevant parts of this Equality Scheme. In addition we have the following arrangements in place for assessing our compliance:

Responsibilities and Reporting

- 2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work.
- 2.3 Overall responsibility for the effective implementation of our Equality Scheme lies with the Comptroller and Auditor General. The Assistant Auditor General of Corporate Services Division has responsibility at Board level for the development, implementation, maintenance and review of the Equality Scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, taking full consideration of 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 us using the following details in the first instance, and we will respond to you as soon as possible:

Title [To be inserted]
Address Northern Ireland Audit Office
106 University Street
BELFAST
BT7 1EU
Tel No: 028 9025 xxxx
Fax No: 028 9025 1051/028 9025 1106
E-Mail: [To be inserted]

2.5 Objectives and targets relating to the statutory duties are integrated into NIAO's business plans. Progress is

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monitored and reported to NIAO's Management Board on a regular basis.

- 2.6 The personal objectives of those directly engaged in this work reflect their contributions to the discharge of the Section 75 statutory duties and the implementation of the Equality Scheme, and are subject to appraisal in the annual performance review. In addition, a commitment to the statutory duties is included in all job descriptions.
- 2.7 On request from the Equality Commission, the NIAO prepares an annual report recording the progress made on implementing the arrangements set out in its Equality Scheme to discharge its Section 75 statutory duties (the Section 75 Annual Progress Report). The Equality Commission receives a copy of this by 31 August each year, and it follows the guidance on annual reporting issued by the Equality Commission.
- 2.8 We also make reference to Section 75 statutory duties in the NIAO Annual Report published with the Office's annual accounts.

Action Plan/Action Measures

- 2.9 The NIAO has developed an Action Plan to promote equality of opportunity and good relations. This Action Plan is set out in **Appendix 6** to this Equality Scheme.
- 2.10 The Action Measures contained in this Action Plan relate to our organisational functions. These measures have been developed and prioritised on the basis of an audit of inequalities.
- 2.11 The Action Measures identified are specific, measurable, linked to achievable outcomes, realistic and time-bound, and include performance indicators and timescales for their achievement.
- 2.12 Our Action Plan may cover a period of up to three years to align with our business plans. Implementation of the action measures will be incorporated into our business planning processes.

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- 2.13 We consult on the Action Plan prior to its submission to the Equality Commission.
- 2.14 Progress on the delivery of the Action Measures will be monitored annually and the Action Plan will be updated as necessary to ensure that it remains effective and relevant to our work activities.
- 2.15 The NIAO will inform the Equality Commission of any changes or amendments to this Action Plan and will also include this information in its Section 75 Annual Progress Report requested by the Commission. This Progress Report will record progress made in implementing the Action Plan.
- 2.16 Once finalised, this Action Plan will be available by using the contact details in paragraph 2.4, or from the NIAO website at www.niauditoffice.gov.uk. If you require this in an alternative format, please contact us to discuss your requirements further.

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Chapter 3 NIAO's Arrangements for Consulting

- 3.1 We recognise the importance of consultation in the implementation of our statutory equality duties. We will consult on our Equality Scheme, Action Plan, Equality Impact Assessments and other matters relevant to the Section 75 statutory duties.
- 3.2 Consultations will seek the views of those directly affected by a matter or policy, being 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 or policy, as appropriate.
- 3.3 Initially all consultees (see **Appendix 3**), as a matter of course, will be notified (by e-mail or post) of a 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 with those consultees that may have a particular interest in a matter/policy being consulted upon and to whom it is of particular relevance. This might include regional, local, sectoral or thematic consultation.
- 3.4 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 about their preferred consultation methods and give consideration to these, which might include:
- face-to-face meetings;
 - focus groups;
 - written documents with the opportunity to comment in writing;
 - questionnaires;
 - telephone consultations; or
 - information/notification by e-mail with an opportunity to opt in/opt out of a consultation exercise.

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- 3.5 We will also consider the accessibility and format of each consultation method used in order to remove barriers to the consultation process. Specific consideration will be given to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities. We will take account of existing and developing good practice, including relevant guidance issued by the Equality Commission.
- 3.6 Information will be made available, on request, in alternative formats in a timely manner (see **Chapter 6** for details). We will ensure that such consultees have sufficient time to respond.
- 3.7 Specific training will be provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.
- 3.8 The consultation period will last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example, protecting health and safety or complying with court judgements), we may shorten the timescale to eight weeks or less before policy implementation takes place. We may continue consultation thereafter and will take account of comments as part of our monitoring commitments (see paragraphs 4.26-4.30). Where, under these exceptional circumstances beyond NIAO's control, we must carry out policy implementation immediately, we may consult following this in order to ensure that any impacts of the policy/policies are considered.
- 3.9 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 a policy under consideration is particularly complex, we will consider the feasibility of allowing a longer period for the consultation.
- 3.10 We are conscious 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, having considered, for example, the

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time of day; the appropriateness of the venue (particularly disabled access); how the meeting is to be conducted; the use of appropriate language and whether a signer and/or interpreter is necessary.

- 3.11 We will also consider how best we can make all relevant information available to consultees to ensure meaningful consultation, including detailed information on the policy/matter being consulted upon.
- 3.12 In making any decision with respect to a policy which has been or is planned to be implemented, we will take into account any assessment and consultation carried out in relation to that policy.
- 3.13 We will provide feedback to consultees in a timely manner and in alternative formats on request, where reasonably practicable. A Feedback Report will be prepared which includes summary information on the policy/matter consulted upon; as well as consultees' comments and our consideration of and response to consultees' input in a summary form.
- 3.14 A list of our consultees is included at **Appendix 3**. It can also be obtained from our website at www.niauditoffice.gov.uk or by contacting:

Title ***[To be inserted]***
Address ***Northern Ireland Audit Office***
 106 University Street
 BELFAST
 BT7 1EU
Tel No: ***028 9025***
Fax No: ***028 9025 1051/028 9025 xxxx***
E-Mail: ***[To be inserted]***

- 3.15 Our consultee list is not exhaustive and is reviewed annually to ensure its ongoing relevance to our work. We also welcome enquiries from any individual/organisation wishing to be included in this list - please use our contact methods in paragraph 3.14 to do so (telling us also if it would be helpful for you to have information provided in a particular format

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/language), and also if you would like your contact details amended or removed.

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Chapter 4

NIAO's Arrangements for Assessing, Monitoring and Publishing the Impact of Policies

Arrangements for Assessing the Likely Impact of Policies Adopted or Proposed on the Promotion of Equality of Opportunity

- 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; practice and/or decision, whether written or unwritten and irrespective of the label given to it, such as 'draft', or 'pilot'.
- 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 NIAO uses the tools of **Screening** and **Equality Impact Assessment** (EQIA) to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments, we will relate them to the intended outcomes of the policy in question and will take fully into consideration published Equality Commission guidance on the screening process and completion of the screening template, and undertaking an EQIA.

Screening

- 4.4 The purpose of screening is to identify those policies which are likely to have an impact on equality of opportunity and good relations.
- 4.5 The lead role in a policy screening process is taken by the policy-maker with authority to make alterations. However, screening can also involve equality specialists, those who implement the policy and staff generally.

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4.6 The following questions are applied to all our policies as part of the screening process and are formulated in the context of a screening template:

- *What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)*
- *Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?*
- *To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none); and*
- *Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?*

4.7 In order to answer the screening questions, we gather all relevant qualitative and quantitative data and information and consider this in the context of the differing needs, experiences and priorities for each of the Section 75 equality categories – this also forms the basis for completing the screening template and reaching a screening decision.

4.8 From a consideration of the answers to the screening questions set out above, one of three possible outcomes will result:

(a) the policy is ‘*screened in*’ for EQIA;

(b) the policy is ‘*screened out*’ with mitigation¹ or an alternative policy is proposed for adoption; or

(c) the policy is ‘*screened out*’ without mitigation or an alternative policy proposed for adoption.

¹ Mitigation – where a screening assessment reveals that a particular policy has an adverse impact on equality of opportunity/ good relations, a public authority must consider ways of delivering the policy outcomes in a way which will have a less adverse effect on the relevant Section 75 categories

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- 4.9 If our screening concludes that the likely impact of a policy is 'minor' in respect of one or more of the equality of opportunity/good relations categories we may, on occasion and depending on the policy, decide to proceed with an EQIA. If an EQIA is not to be conducted we will, nonetheless, consider measures which may mitigate the policy impact, as well as alternative policies that might better achieve the promotion of equality of opportunity/good relations.

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. This screening decision will be 'signed off' by the appropriate policy lead within NIAO.

- 4.10 If our screening concludes that the likely impact of a policy is 'major' in respect of one or more of the equality of opportunity/good relations categories, we will consider subjecting the policy to an EQIA. This screening decision will be 'signed off' by the appropriate policy lead within NIAO.
- 4.11 If our screening concludes that the likely impact of a policy in respect of all of the equality of opportunity/good relations categories is 'none', we may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity/good relations, we will give details of the reasons for the decision taken. This screening decision will be 'signed off' by the appropriate policy lead within NIAO.
- 4.12 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on our website at www.niauditoffice.gov.uk and on request using the contact details at paragraph 2.4. Paragraphs 4.18-4.20 set out how the results of the assessment will be published.
- 4.13 If a consultee raises a concern about a screening decision based on supporting evidence, we will take steps to review this decision.

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- 4.14 We will also publish screening reports bringing together the results of individual policy screening work on our website on a six monthly basis.

Equality Impact Assessment

- 4.15 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of its scope. 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 and to seek ways to more effectively promote equality of opportunity/good relations.
- 4.16 Once a policy is screened and NIAO has determined that an EQIA is necessary, we will carry this out taking fully into consideration Equality Commission guidance as part of the policy development process, before the policy is implemented.
- 4.17 EQIAs will be subject to consultation at the appropriate stage(s), using the arrangements set out in **Chapter 3**.

Arrangements for Publishing the Results of the Assessments of the Likely Impact of Policies Adopted or Proposed on the Promotion of Equality of Opportunity

- 4.18 We will make publicly available the results of our assessments of the likely impact of our policies on the promotion of equality of opportunity/good relations.

What We Publish

(i) Screening Reports

- 4.19 Our screening reports, published six monthly will detail:
- all policies screened by NIAO over the period;
 - screening decisions;
 - where applicable, a timetable for conducting EQIAs; and

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- a link to the completed screening template(s) on NIAO's website.

(ii) Screening Templates

4.20 Our arrangements for making these publically available are set out in paragraph 4.12.

(iii) Equality Impact Assessments

4.21 EQIA reports will be published once an Equality Impact Assessment has been completed and will include:

- a statement of the aim of the policy assessed;
- data and information 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; and
- future monitoring plans.

How and Where we Publish Information

4.22 All the documents which we publish are accessible and can, where reasonably practicable, be made available in alternative formats on request – see paragraph 6.3.

4.23 The results of our assessments will be available on our website at www.niauditoffice.gov.uk or by using the contact methods set out in paragraph 2.4.

4.24 In addition, screening reports (electronically or in hard copy on request) which include all policies screened over a six month period, will be sent directly to all consultees with the same frequency.

4.25 Where appropriate, we may inform the general public about the availability of this material through the internet and press releases.

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Arrangements for Monitoring any Adverse Impact of Policies we have Adopted on Equality of Opportunity

- 4.26 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 NIAO will take fully into consideration guidance from the Information Commissioner's Office and the Equality Commission.
- 4.27 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted.
- 4.28 The systems which we have established to monitor the impact of policies involve:
- the collection, collation and analysis of existing relevant quantitative and qualitative data across the Section 75 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; and
 - undertaking or commissioning new data if necessary.
- 4.29 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.
- 4.30 We will review EQIA monitoring information on an annual basis, while other monitoring information is reviewed on an ongoing basis.

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Arrangements for Publishing the Results of our Monitoring

- 4.31 Schedule 9 4(2)(d) of the Act requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. The results of our policy monitoring are published as follows:
- EQIA monitoring information is published as part of our Section 75 Annual Progress Report; and
 - we will make publicly available the outcome of any monitoring undertaken to measure the adverse impact of policies.
- 4.32 All information published is accessible on our website at www.niauditoffice.gov.uk and can be made available in alternative formats on request as detailed in **Chapter 6** and in a timely manner using the contact details at paragraph 2.4.

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Chapter 5 Staff Training

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 We wish to positively communicate our commitment to the Section 75 statutory duties, both internally and externally, and will ensure that our commitment to the Section 75 statutory duties is made clear in relevant NIAO publications.

Training Objectives

- 5.3 NIAO's training for its staff aims 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 involved in consultation processes with the necessary skills and knowledge to do this work effectively; and
 - to provide those staff involved in the implementation and monitoring of the effective implementation of NIAO's Equality Scheme with the necessary skills and knowledge to do this work effectively.

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Awareness Raising and Training Arrangements

- 5.4 The following arrangements will be taken forward to ensure that all our staff and Board 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 and ensure that any queries or questions of clarification from staff are addressed effectively;
 - all staff in the NIAO will receive awareness training on Scheme commitments;
 - the Section 75 statutory duties form part of induction training for all new staff;
 - focused training is provided for key staff within NIAO 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; policy screening; conducting EQIAs; consultation; monitoring and evaluation);
 - where appropriate, training will be provided to ensure that all staff are aware of the issues experienced by the range of Section 75 groups; and
 - when appropriate and on an ongoing basis, arrangements will be made to ensure that all 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 NIAO will, where appropriate, work closely with other bodies and agencies in the development and delivery of training.

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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 the set objectives; and
- the extent to which training objectives have been met will be reported on as part of the Section 75 Annual Progress Report sent to the Equality Commission.

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Chapter 6

NIAO's Arrangements for Ensuring and Assessing Public Access to Information and Services we Provide

- 6.1 NIAO 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 will 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 minority ethnic groups, who are not fluent in English, may have difficulties with information provided only in English; and
 - children and young people may not be able to fully access or understand the information.

Access to Information

- 6.3 To ensure equality of opportunity in accessing information, we will provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met, we will ensure a reasonable alternative is provided. Examples of alternative formats could include Easy Read; Braille; audio formats; large print or minority languages (to meet the needs of those who are not fluent in English).
- 6.4 We will aim to respond to requests for information in alternative formats in a timely manner. In addition, we will continue to monitor our arrangements for information provision and make any necessary improvements to ensure better public access to information.

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- 6.5 In disseminating information on our Equality Scheme generally, we may make use of the internet and press releases.

Access to Services

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

Assessing Public Access to Information and Services

- 6.7 We will take appropriate steps to monitor across all our functions in relation to access to information and services on an ongoing basis, to ensure that equality of opportunity and good relations are promoted.

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Chapter 7 Timetable for Measures we Propose in Implementing our Equality Scheme

- 7.1 **Appendix 4** outlines our timetable for the measures which we have proposed within this Equality Scheme – these will also be incorporated into our business planning processes.
- 7.2 This timetable is distinct from, and in addition to, our commitment to develop Action Plan(s)/Action Measures to specifically address inequalities and thereby further promote equality of opportunity and good relations, which has been set out at **Appendix 6**. Further information on these Action Measures can be found in paragraphs 2.9-2.16.

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Chapter 8 NIAO's Complaints Procedure

- 8.1 The NIAO 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 the NIAO has failed to comply with its approved Equality Scheme should refer to the 'Contact Us' section on our website at www.niauditoffice.gov.uk or use the contact details set out in paragraph 2.4.
- 8.4 We will, in the first instance, acknowledge receipt of each complaint within 5 working days.
- 8.5 The Director of Corporate Services Division will carry out an internal investigation of the complaint and respond substantively to the complainant within 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 2 months. In those circumstances, the complainant will be advised of the extended period within 1 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 In any subsequent investigation by the Equality Commission, the NIAO will co-operate fully, providing access in a timely

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manner to any relevant documentation that the Equality Commission may require.

Similarly, the NIAO 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.

- 8.8 The NIAO will make every effort to implement promptly and in full any recommendations arising out of any Commission investigation.

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Chapter 9 Publication of NIAO's Equality Scheme

- 9.1 NIAO's Equality Scheme is available free of charge in print form and alternative formats where reasonably practicable, using the contact details set out in paragraph 2.4.
- 9.2 Our Equality Scheme is also available on our website at www.niauditoffice.gov.uk .
- 9.3 The following arrangements are in place for the publication of our Equality Scheme in a timely manner to ensure equality of access:
- we will make every effort to communicate widely the existence and content of our Equality Scheme, which may include using the internet and press releases;
 - we will send an electronic link to our approved Equality Scheme to those representative organisations on our consultee list, while other consultees without e-mail will be notified by letter that the Scheme is available on request;
 - our Equality Scheme will be available in alternative formats on request, where reasonably practicable. Where the exact request cannot be met, we will ensure that a reasonable alternative is provided. Alternative formats could include Easy Read; Braille; audio formats; large print or minority languages to meet the needs of those who are not fluent in English. We will respond to requests for the Equality Scheme in alternative formats in as timely a manner as possible.
- 9.4 For a list of our consultees please see **Appendix 3** of the Equality Scheme, visit our website at www.niauditoffice.gov.uk or use the contact details set out in paragraph 2.4.

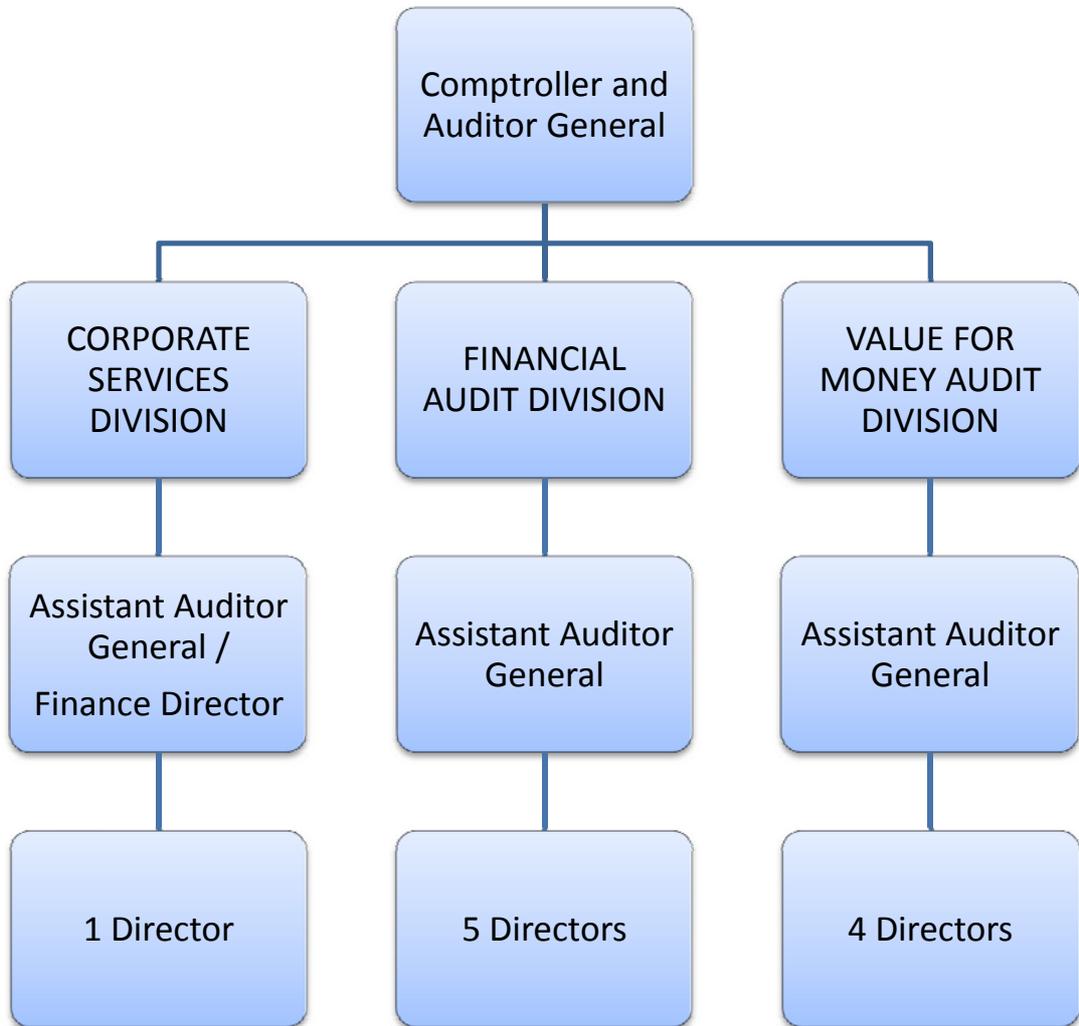
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Chapter 10

Review of NIAO's Equality Scheme

- 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 Scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.
- 10.2 The review will evaluate the effectiveness of the NIAO Scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.
- 10.3 In undertaking this review, we will follow any guidance issued by the Equality Commission. A report of this review will be made public on the NIAO website (www.niauditoffice.gov.uk) and sent to the Equality Commission.

NIAO Organisation Chart



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Appendix 2

Example of Groups by Section 75 Equality Categories

Category	Example Groups
Religious belief	Protestants; Roman Catholics; Buddhists; Hindus; Jews; Muslims, Sikhs; people of no religious belief; other faith groups
Political opinion	For the purposes of Section 75, the term 'religious belief' is defined in the way used in Article 2(3) and 4 of the Fair Employment & Treatment (NI) Order 1998, to include any perceived/lack of religious belief and, in employment situations only, also covers any 'similar philosophical belief' Nationalists generally; Unionists generally; members/supporters of any political party; other
Racial group	White; Black; Chinese; Indian; Pakistani; Bangladeshi; people of mixed ethnic background; Polish; Roma; Travellers; any other ethnic group/nationality
Men and women generally	Men (including boys); women (including girls); transgendered people; transsexual people
Marital status	Married people; unmarried people; divorced or separated people; widowed people; civil partners or people in civil partnerships
Age	For most purposes, the main categories are those under 18; people aged between 18 and 65; and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
Persons with a disability	Persons with a disability as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
Persons with dependants	Persons with primary responsibility for the care of a child; with personal responsibility for the care of a person with a disability; primary responsibility for the care of a dependant older person
Sexual orientation	Heterosexual; bisexual; gay; lesbian

This listing is for illustrative purposes only

List of Consultees

Age NI
British Deaf Association NI
Carers NI
Childcare Northern Ireland
Church of Ireland
Coalition on Sexual Orientation
Committee on the Administration of Justice
Communities Relations Council
Dept of Agriculture and Rural Development
Dept of Culture, Arts and Leisure
Dept of Education
Dept for Employment and Learning
Dept of Enterprise, Trade and Investment
Dept of the Environment
Dept of Finance and Personnel
Dept of Health, Social Services and Public Safety
Dept for Regional Development
Dept for Social Development
Dept of Justice
Office of the First Minister and Deputy First Minister
Disability Action
East Belfast Community Development Agency
Equality Commission for Northern Ireland
First Division Association
Gingerbread
Local Government Staff Commission for NI
Mencap
Methodist Church
Multi-Cultural Resource Centre
NI Committee, Irish Congress of Trade Unions
NI Council for Ethnic Minorities
NI Council for Voluntary Action
NI Human Rights Commission
NI Political Parties
NI Women's Aid Federation
NI Public Service Alliance
Presbyterian Church in Ireland
Roman Catholic Church
Royal National Institute for the Blind (Northern Ireland)
Rural Community Network

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An Munia Tober
West Belfast Economic Forum
Youth Council for Northern Ireland
Royal National Institute for Deaf People

This consultee list is not exhaustive and will be reviewed annually to ensure its relevance

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Appendix 4

Timetable for Measures Proposed in Our Equality Scheme

Lead Responsibility for Implementing these Measures lies with the Corporate Services Directorate

Equality Scheme Measure	Timetable
Integration of Equality Objectives into NIAO's Business Plans [2.5]	Ongoing
Integration of Equality Objectives into Staffs' Objective Setting Process [2.6]	Ongoing
Preparation and Review of Section 75 Annual Progress Report on NIAO's Equality Scheme [2.7/2.15], including reporting on progress/changes to Action Plan	In Line with Equality Commission Request
Preparation of Consultee Feedback Reports, as Appropriate [3.13]	On a Timely basis
Review and Update of Consultee List [3.15]	Annually
Screening outcomes leading to decisions regarding EQIAs [4.9/4.10]	Ongoing
Provision of Completed Screening Templates for Public Access [4.12/4.19/4.21/4.24]	Ongoing
Publication of Screening Reports [4.14/4.19/4.20/4.24/4.25]	Biannually
Arrangements for EQIA Work; Consultation and Public Access to Outcomes [4.17//4.21//4.23/4.31]	As Required
Review and Publication of Monitoring Information on Adverse Impacts [4.31/4.32]	As Required
Review and Publication of EQIA Monitoring Information [4.31/4.32]	Annually

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Equality Scheme Measure	Timetable
Development of Summary Equality Scheme Document for Distribution to NIAO Staff [5.4]	Within One Month of Approval of Scheme by Equality Commission
Provision of Access to Copies of Full Equality Scheme Internally and Address Queries as Required [5.4]	Within One Month of Approval of Scheme by Equality Commission
Inclusion of Coverage of Section 75 Statutory Duties in Induction Training for New Staff [5.4]	Ongoing
Provision of Focussed Training for Key Staff Involved in Policy Development; Screening and EQIA Processes; Consultation; Scheme Implementation, Monitoring and Evaluation Duties [5.4/5.5]	As Needs Require
Provision of Section 75 Update and Other Staff Awareness Training as Required [5.4/5.5]	In Line with Training Programme
Monitoring and Evaluation of Internal Staff Training on Equality Issues [5.6]	Ongoing
Monitoring of and Feedback on Public Access to Information and Services [6.7]	Ongoing
Provision of a Substantive Response to Any Complaint of Non-Compliance [8.3-8.6]	Within One Month of a Complaint, Subject to Complexity
Communication of NIAO Equality Scheme Publication to Consultee Organisations and the Public [9.3]	Following Scheme Approval
Review of the Equality Scheme document [10.1]	Within 5 Years of the Scheme Approval

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

Article 55 Review

Under the Fair Employment and Treatment (NI) Order 1998, all registered employers must conduct periodic reviews of the composition of their workforces and of their employment practices for the purposes of determining whether members of the Protestant and Roman Catholic communities are enjoying, and are likely to continue to enjoy, fair participation in employment in each employer's concern. These reviews, which are commonly known as 'Article 55 Reviews', must be conducted at least once every three years

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

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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 (i.e. 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

Discrimination

The anti-discrimination laws prohibit the following forms of discrimination - direct discrimination; indirect discrimination; disability discrimination; victimisation and harassment, which can be defined as follows:

Direct discrimination

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

This 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

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Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways:

- (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 than 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 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

This 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 (experiences of individuals) and qualitative data (numbers derived from a population in general or samples of that population)

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Equality of Opportunity

This is 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

Good Relations

Although not defined in the legislation, the Equality Commission has agreed the following working definition of good relations as *'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'*

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 collecting relevant information and evaluating policies. It is not solely about the collection of data and can also take the form of regular meetings and reporting of research undertaken. Monitoring also provides the data for the next cycle of policy screening

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Northern Ireland Act 1998

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Two of the relevant references are Schedule 9 and Section 75:

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

Screening

This is 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 them through a process of systematic review.

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Appendix 6

NIAO ACTION PLAN TO PROMOTE EQUALITY OF OPPORTUNITY AND GOOD RELATIONS

The NIAO has had an Equality Scheme in place since 2003. The scheme has provided a sound framework to mainstream equality of opportunity and good relations into policy making. All policies including audit related and HR have been screened on an ongoing basis and the Office has been satisfied that equality of opportunity and good relations have been and are being promoted. Given the extent of focus the Office has placed on its equality obligations over the past number of years, our audit of inequalities has not identified any major areas of concern.

However, it has highlighted two areas where there may be scope to further or better discharge our Section 75 statutory duties and these are set out overleaf. In accordance with the Equality Commission's Guide for Public Authorities on Section 75 we will review and update this plan over the lifetime of this Equality Scheme:

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Appendix 6 cont'd

Area of Focus	Inequality Identified	Action Measure Developed	Timescale	Performance Indicator
COMMUNICATIONS				
NIAO Website and Intranet	Ease of use and access to information to be fully considered in the design and contents of the Office website and intranet to ensure that equality of opportunity is addressed.	Progress the completion of the upgrade of the NIAO Website and Intranet.	31 March 2012	Systems fully operational meeting accessibility and diversity aims.
Communications Strategy	Communication structures and processes to be reviewed to ensure effective communication with all stakeholders.	Produce comprehensive communications strategy covering both internal and external communications.	31 March 2012	Implementation of communication strategy.
STAFF TRAINING AND SKILLS DEVELOPMENT				
Corporate Training Strategy	An office-wide strategic review of training should be conducted to ensure a co-ordinated and structured approach to training and development of staff.	Develop and implement a Corporate Training Strategy.	31 March 2012	Implementation of a comprehensive Corporate Training Strategy.