



# **Equality Scheme**

**for the**

## **North West Regional College**

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

**This document is available in a range of formats on request. Please  
contact us with your requirements (see page 10 for contact details).**

**North West Regional College  
78 – 80 Strand Road  
Londonderry  
BT48 7AL**

Approved by the Equality Commission for Northern Ireland on **25 January 2012**

## 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<sup>1</sup>.

In our Equality Scheme, which was approved in January 2012, we set out how the North West Regional College proposed to fulfil the Section 75 statutory duties.

We will continue to 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 continue to develop and deliver programmes of communication and training with the aim of ensuring that all our staff and Governing Body are aware of its obligations.

We, the Chair of the Governing Body and the Principal and Chief Executive of the College, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our Equality Scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our Equality Scheme demonstrates our commitment to the promotion of equal opportunities and good relations. It also offers the opportunity to people who perceive that we have not complied with our Equality Scheme to make a complaint.

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<sup>1</sup> See section 1.1 of our Equality Scheme.

On behalf of North West Regional College and our staff we are pleased to support and endorse this reviewed Equality Scheme which has been drawn up in accordance with Section 75 of and Schedule 9 to the Northern Ireland Act 1998 and with reference to Equality Commission guidelines.

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**Mr G Finnegan**  
Chairperson  
Governing Body

\_\_\_\_\_  
**Mr L Murphy**  
Principal and Chief Executive

Date: \_\_\_\_\_

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*For clarification the Foreword and Appendices 3 and 4 form part of this Equality Scheme.*

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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 North West Regional College to comply with two statutory duties.

#### Section 75 (1)

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

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

#### 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<sup>2</sup>. This includes our employment and procurement functions. Please see below under “Who we are and what we do” for a detailed explanation of our functions.

### **How we propose to fulfil the Section 75 duties in relation to the relevant functions of the North West Regional College.**

- 1.2 Schedule 9 4. (1) of the Act requires the North West Regional College 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

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<sup>2</sup> Section 98 (1) of the Northern Ireland Act 1998.

of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

- 1.3 We are committed to the discharge of our Section 75 obligations in all parts of our organisation and we will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our Equality Scheme can be implemented effectively.

### **Who we are and what we do**

- 1.4 The North West Regional College was established in August 2007 as a result of a merger of the North West Institute of Further and Higher Education and Limavady College of Further and Higher Education. It is located within the Derry City and Strabane District Council and Causeway Coast and Glens Borough Council areas. The College provides a wide range of education and training programmes at Levels 1 – 7 across a wide range of vocational areas.

- 1.5 The strategic aims of the College are to ensure that:

- Our Curriculum is fit for purpose;
- Our Learners are at the centre of the organisation;
- Our People are empowered and developed to achieve the vision;
- Our Economic Engagement unlocks the potential of the city and region to create prosperity;
- Our Resources base underpins and allows us to do all of the above

- 1.6 The functional areas of the College based on the current structure are as follows:

- a) Administration
- b) HR Services
- c) Student Services
- d) Curriculum

- e) Information Services
- f) Finance
- g) Estates
- h) Marketing and PR
- i) Business Support Centre
- j) Quality

To give effect to its functions, the College engages in a range of corporate activities which include the recruitment of staff, the maintenance of the College's estate, the delivery and development of services and the procurement of services, goods and equipment.

## Chapter 2

### **Our arrangements for assessing our compliance with the section 75 duties**

(Schedule 9 4. (2) (a))

- 2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this Equality Scheme.

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 ensuring effective implementation of our Equality Scheme lies with the Principal and Chief Executive who is accountable to the College's Governing Body for ensuring the development, implementation, maintenance and review of the Equality Scheme in accordance with Section 75 and Schedule 9 to the Northern Ireland Act 1998, any good practice or guidance that has been or may be issued by the Equality Commission and for the mainstreaming of equality throughout the functions within the College.
- 2.4 The Principal and Chief Executive established an Equality Working Group made up of a cross section of staff. The College's Director of HR and Learner Services has a key oversight and reporting role on behalf of the Principal and Chief Executive and Governing Body and through links with various managers in the College and other regional Colleges (NI Further Education Equality Forum) keeps the Principal and Chief Executive and Governing Body apprised of progress and compliance on a quarterly basis and a formal report will be presented to the Governing Body at year end.

Arrangements exist to ensure that any non-compliance issues are escalated to the Principal and Chief Executive outside these timescales if required.

- 2.5 The Principal and Chief Executive will keep the current reporting and management arrangements under review and take action to improve the current arrangements when necessary.
- 2.6 If you have any questions or comments regarding our Equality Scheme, the main contact for equality issues, in the first instance, is the Director of HR and Learner Services at the address given below. You will be responded to as soon as possible.

Mrs Kate Duffy  
Director of HR and Learner Services  
North West Regional College  
78 – 80 Strand Road  
LONDONDERRY  
BT48 7AL

Tel/SMS: 02871 276060  
Email: [kate.duffy@nwrc.ac.uk](mailto:kate.duffy@nwrc.ac.uk)  
Textphone: 02871 276167  
The College welcomes calls via Text Relay

- 2.7 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans<sup>3</sup>.
- 2.8 Employees' job descriptions will reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme.
- 2.9 Lecturing staff will have the opportunity to reflect on and provide evidence of examples of how they promote equality, inclusion and learning in the curriculum through the 'Improving Quality: Raising Standards' self evaluating process.
- 2.10 The College will prepare an annual report on the progress we have made on implementing the arrangements set out in this Equality Scheme to discharge our Section 75 statutory duties (Section 75 annual progress report).

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<sup>3</sup> See Appendix 4 'Timetable for measures proposed' and section 2.14 of this equality scheme.

- 2.11 The Section 75 annual progress report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission.
- 2.12 Our Section 75 annual progress report is available on our website at [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) or by contacting the named Equality contact at 2.6.
- 2.13 The College will liaise closely with the Equality Commission to ensure that progress on the implementation of our Equality Scheme is maintained.

### **Action plan/action measures**

- 2.14 The College has developed an Equality Improvement Plan to promote equality of opportunity and good relations. This Equality Improvement Plan is set out in Appendix 6 to this Equality Scheme but will not form part of the approved Equality Scheme.
- 2.15 To enable the College to link its Equality Improvement Plan with the Corporate Planning cycle, the Equality Improvement Plan will be reviewed and updated annually in keeping with the College's business planning cycle.
- 2.16 We have consulted on our Equality Improvement Plan as part of the consultation process for the Equality Scheme.
- 2.17 We will monitor our progress on the delivery of our action measures annually and update the Equality Improvement Plan as necessary to ensure that it remains effective and relevant to our functions and work. The College will inform the Equality Commission of any changes or amendments to the Equality Improvement Plan through the Annual Progress Report.
- 2.18 Our Section 75 annual progress report will incorporate information on progress we have made in implementing our Equality Improvement Plan action measures.
- 2.19 Our Equality Improvement Plan will be available on our website [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) or by contacting the named contact person at 2.6 above.

If you require it in an alternative format, please contact us on the details provided at 2.6.

## Chapter 3

**Our arrangements for consulting (Schedule 9.4 (2) (a)) on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted). (Schedule 9.4 (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.**

3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our Equality Scheme, equality impact assessments and other matters determined by the College to be relevant to the Section 75 statutory duties.

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

3.2.1 Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of both our and our consultees' resources, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc.

3.2.2 Consultation with stakeholders will begin as early as possible and periodically seek their views on their preferred consultation methods. Methods of consultation could include:

- Face-to-face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires
- Information/notification by email with an opportunity to opt in/opt out of the consultation

- Internet discussions or
- Telephone consultations.

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

3.2.3 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process for all affected groups and individuals.

Information will be made available, on request, in alternative formats<sup>4</sup>, in a timely manner.

3.2.4 Where necessary, training will be provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.2.5 The consultation period lasts 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 implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments<sup>5</sup>.

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

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<sup>4</sup> See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

<sup>5</sup> Please see below at 4.26 to 4.30 for details on monitoring.

- 3.2.7 In some circumstances consideration will be given to the extension of the consultation period, for example, during holiday periods.
- 3.2.8 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.
- 3.2.9 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.
- 3.2.10 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.
- 3.2.11 We provide feedback to consultees who responded to the consultation in a timely manner. A feedback report is prepared which includes information on the policy consulted upon, comments received and our consideration of and response to these comments. The feedback will be provided in formats suitable to consultees. (Please see also 6.3).
- 3.3 A list of our consultees is included in this Equality Scheme at Appendix 3. It can also be obtained from our website at [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) or by contacting the named Equality person at 2.6.
- 3.4 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.

3.5 We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the named Equality person at 2.6 to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

## Chapter 4

### **Our arrangements for assessing, monitoring and publishing the impact of policies**

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

### **Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity**

(Schedule 9 4. (2) (b))

- 4.1 In the context of Section 75, 'policy' is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this Equality Scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g, 'draft', 'pilot', 'high level' or 'sectoral'.
- 4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9, 9 (2) of the Northern Ireland Act 1998.
- 4.3 The College uses the tools of screening and equality impact assessment 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 also take cognisance of the Equality Commission guidance:
  - the guidance on screening, including the screening template, as detailed in the Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*' and
  - on undertaking an equality impact assessment as detailed in the Commission's guidance '*Practical guidance on equality impact assessment (February 2005)*'.

## Screening

- 4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.
- 4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.
- 4.6 The Policy Developer has responsibility for ensuring that the policy is equality screened and must take the lead role in the screening of a policy as she/he has the authority to make changes to that policy. However, screening should also involve other relevant team members, for example, equality specialists and those who implement the policy.
- 4.7 The following questions are applied to all our policies as part of the screening process:
- 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)
  - Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?
- 4.8 In order to answer the screening questions, we will consider all relevant information and data gathered, both qualitative and quantitative. In taking this evidence into account we will consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.

4.9 Completion of screening and taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

1. the policy has been 'screened in' for equality impact assessment
2. the policy has been 'screened out' with mitigation<sup>6</sup> or an alternative policy proposed to be adopted
3. the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening concludes that the likely impact of a policy is 'minor' in respect of one, or more, of the equality of opportunity and/or good relations categories, we will consider measures that will mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations. In certain circumstances it may be necessary to proceed with an equality impact assessment rather than mitigate the impacts.

4.11 Where we mitigate we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy.

4.12 This screening decision will be 'signed off' by those involved in equality screening the policy within the College.

4.13 If our screening concludes that the likely impact of a policy is 'major' in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to an equality impact assessment if the College still decides to proceed with that policy. This screening decision will be 'signed off' by those involved in equality screening the policy within the College.

4.14 If our screening concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a

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<sup>6</sup> Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and / or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken. This screening decision will be ‘signed off’ by those involved in equality screening the policy within the College.

- 4.15 On all occasions as soon as possible following the completion of the screening process, the screening form will be signed off and approved by those involved in the equality screening process. At an appropriate time the equality screening form will be made available on our intranet for internal policies and on our website at [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) for external/customer facing policies, and on request from the Equality contact person detailed at 2.6.
- 4.16 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

### **Equality impact assessment**

- 4.17 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.
- 4.18 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance if we decide to proceed with this policy. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.
- 4.19 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).

## **Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity**

(Schedule 9 4. (2) (d); Schedule 9 9. (1))

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

### **What we publish**

#### 4.21 Screening Reports

The College will develop a screening template as a standard for all screening exercises. Once completed, this template will be known as the College Screening Form for each screening exercise.

The College will publish all equality screening forms following each screening exercise to facilitate the communication of the outcome of this exercise.

These are published once completed. Screening Forms detail:

- A statement of the aim(s) of the policy/policies to which the assessment relates;
- Consideration given to measures which might mitigate any adverse impact;
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Screening decisions, ie:
  - whether the policy has been 'screened in' for equality impact assessment;
  - whether the policy has been 'screened out' with mitigation or an alternative policy proposed to be adopted;
  - whether the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted;
- Where applicable, a timetable for conducting equality impact assessments.

## 4.22 Equality impact assessments

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

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

### **How we publish the information**

4.23 All information published will be accessible and can be made available in alternative formats on request. Please see 6.3 below.

### **Where we publish the information**

4.24 Screening Forms and the results of equality impact assessments will be available on our website at [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) or by contacting the Equality contact person detailed at 2.6.

4.25 In addition to the above, screening forms (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 3-month period, will be available to those consultees who wish to receive a copy on a quarterly basis.

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

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

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 College follows guidance

from the Office of the Information Commissioner and takes cognisance of the Equality Commission's monitoring guidance.

4.27 We are committed to monitoring policies with identified adverse impacts and to identifying opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

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

- The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories (where possible) on an ongoing basis;
- The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis;
- An audit of existing information systems within one year of approval of this Equality Scheme to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions;
- Undertaking or commissioning new data if necessary.

4.29 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 review our EQIA monitoring information on an annual basis, together with other monitoring information.

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

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

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

- 4.32 EQIA monitoring information is published as part of our Section 75 annual progress report (see 2.10).
- 4.33 All monitoring information published is accessible and can be made available in alternative formats on request from the Equality contact person (contact details are set out at 2.6 above). Please see below at 6.3 and 6.4 for details.

## **Chapter 5      Staff training**

(Schedule 9 4. (2) (e))

### **Commitment to staff training**

- 5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.
- 5.2 Our Governing Body and Principal and Chief Executive wish to positively communicate the commitment of the College to the Section 75 statutory duties, both internally and externally.

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

### **Training objectives**

- 5.3 The College will provide training for its staff which will aim to achieve the following objectives:
- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our Equality Scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff fully understand their role in implementing the Scheme;
  - to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively;
  - to provide those staff who deal with complaints in relation to compliance with our Equality Scheme with the necessary skills and knowledge to investigate and monitor complaints effectively;
  - to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively;
  - to provide those staff involved in the implementation and monitoring of the effective implementation of the College's Equality Scheme with the necessary skills and knowledge to do this work effectively.

## **Awareness raising and training arrangements**

5.4 The following arrangements are in place to ensure all our staff and the Governing Body are aware of and understand our equality obligations.

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

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

5.6 In order to share resources and expertise, the College will, where possible, work closely with other bodies and agencies in the development and delivery of training.

## **Monitoring and evaluation**

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

- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives;
- The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.

## Chapter 6

### **Our arrangements for ensuring and assessing public access to information and services we provide**

(Schedule 9 4. (2) (f))

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

#### **Access to information**

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

In particular:

- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
- Children and young people may not be able to fully access or understand information.

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

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

6.5 The College liaises with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.

6.6 We will respond to reasonable requests for information in alternative formats usually within 10 working days.

- 6.7 The College will take cognisance of the needs of children and young people, people with learning disabilities and minority ethnic communities when providing information.
- 6.8 In disseminating information publicly we will seek to advertise in the press where appropriate.
- 6.9 We seek to ensure that our website is accessible and provides information in an accessible format.

### **Access to services**

- 6.10 The College is committed to promoting equality for all those who use our services and will do our utmost to make our services as accessible as possible to all service users across the Section 75 categories.
- 6.11 The College also adheres to the relevant provisions of current anti-discrimination legislation.

### **Assessing public access to information and services**

- 6.12 The College has in place a Learning Link Team who assess students with a disability who require reasonable adjustments to access further and higher education.
- 6.13 The College has monitoring arrangements in place across all its functions to monitor our service delivery, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.

## Chapter 7

### **Timetable for measures we propose in this Equality Scheme**

(Schedule 9 4. (3) (b))

7.1 Appendix 4 outlines our timetable for all measures proposed within this Equality Scheme. The measures outlined in this timetable will be incorporated into our business planning cycle.

7.2 This timetable is different from and in addition to our commitment to developing action /action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our Equality Scheme a commitment to develop an Equality Improvement Plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.14 to 2.19.

## Chapter 8

### Our complaints procedure

(Schedule 9 10.)

- 8.1 The College is responsive to the views of members of the public and 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 College to comply with its approved Equality Scheme.
- 8.3 If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.
- 8.4 A person wishing to make a complaint that the College has failed to comply with its approved Equality Scheme should contact the Equality contact person named at 2.6 of this document.
- 8.5 We will in the first instance acknowledge receipt of each complaint within 5 working days from receipt.
- 8.6 The Director of HR and Learner Services will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.
- 8.7 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.

- 8.8 If dissatisfied with the outcome an appeal can be made to the Principal and Chief Executive of the College who will review the complaint or nominate a senior manager to review the complaint.
- 8.9 In any subsequent investigation by the Equality Commission, the College will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.
- 8.10 Similarly, the College 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.
- 8.11 The College will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

## Chapter 9

### Publication of our Equality Scheme

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

- 9.1 Our College's Equality Scheme is available free of charge in print form and alternative formats from the Equality contact person named at 2.6 of this document.
- 9.2 Our Equality Scheme is also available on our website at: [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/).
- 9.3 The following arrangements are in place for the publication in a timely manner of our Equality Scheme to ensure equality of access:
- We will make every effort to communicate widely the existence of our Equality Scheme to all groups. This may include a press release, advertisement in the press and through internet and intranet, publications, posters, induction materials, prospectus and information leaflets.
  - We will email a link to our approved Equality Scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the Scheme is available on request. We will respond to requests for the Equality Scheme in alternative formats in a timely manner, usually within 10 working days.
  - Our Equality Scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats (CD, mp3, Daisy) and in minority languages to meet the needs of those not fluent in English.
- 9.4 For a list of our stakeholders and consultees please see Appendix 3 of the Equality Scheme, visit our website at [www.nwrc.ac.uk/equality/](http://www.nwrc.ac.uk/equality/) or contact the named Equality contact at 2.6 of this document.

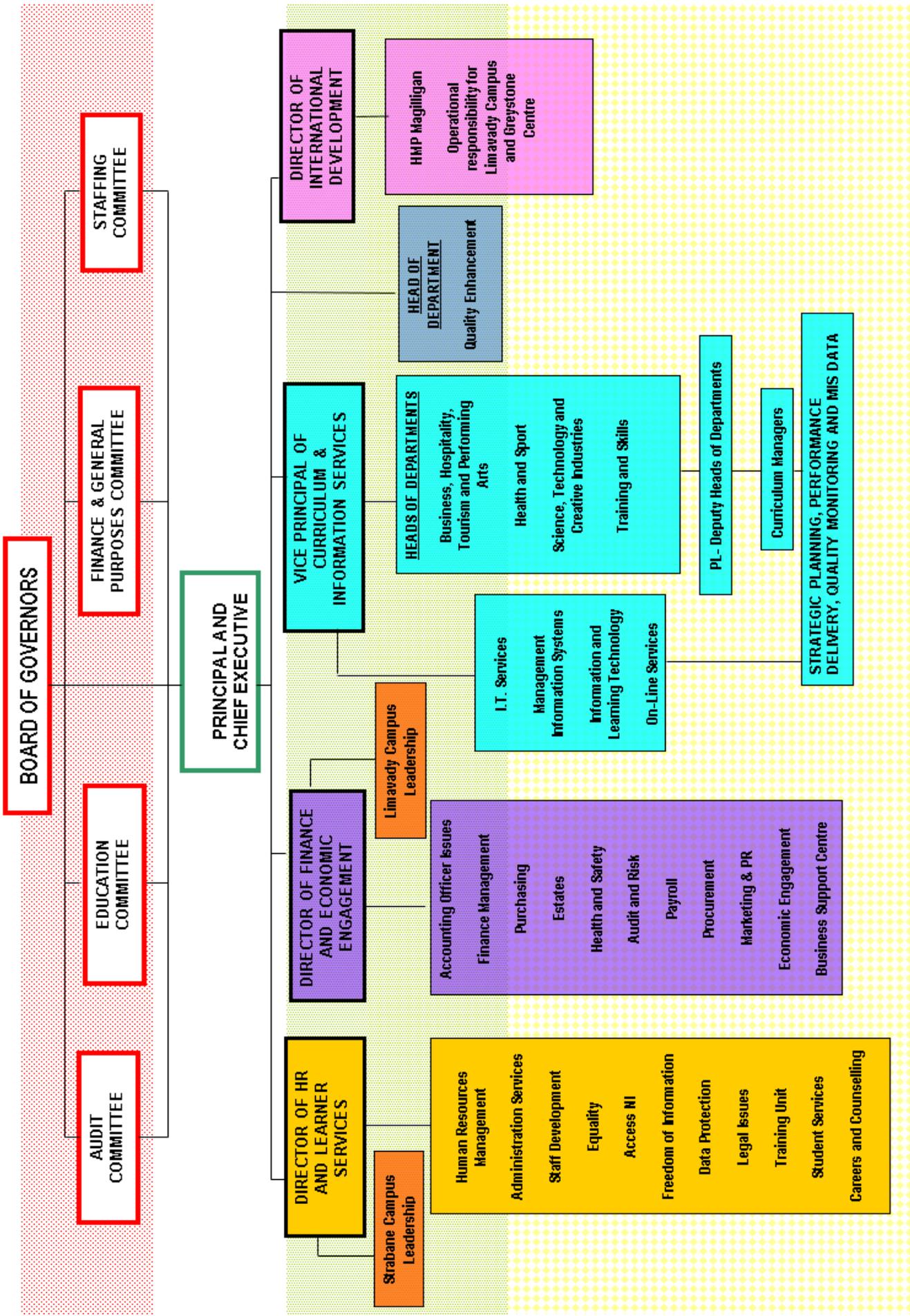
## **Chapter 10**

### **Review of our Equality Scheme**

(Schedule 9 8. (3))

- 10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this Equality Scheme. This review will take place either within five years of submission of this Equality Scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.
- 10.2 The review will evaluate the effectiveness of our Scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.
- 10.3 In undertaking this review we will take cognisance of the guidance issued by the Equality Commission. A report of this review will be made public and sent to the Equality Commission.

**NORTH WEST REGIONAL COLLEGE**



## Appendix 2

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

(Please note, this list is for illustration purposes only, it is not exhaustive)

Category	Example groups
Religious belief	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.  For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment &amp; Treatment (NI) Order</i> <sup>7</sup> . Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “ <i>similar philosophical belief</i> ”.
Political opinion <sup>8</sup>	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

<sup>7</sup> See Section 98 of the Northern Ireland Act 1998, which states: “*In this Act...*” *political opinion*” and “*religious belief*” shall be construed in accordance with Article 2(3) and (4) of the *Fair Employment & Treatment (NI) Order 1998*.”

<sup>8</sup> *ibid*

## **Appendix 3**

### **List of consultees**

(Schedule 9 4. (2) (a))

#### **Sector Consultees**

An Munia Tober  
Armagh City & District Council  
Belfast City Council  
Belfast Health & Social Care Trust  
Belfast Resource Centre  
Carrickfergus Borough Council  
CITB  
Coleraine Borough Council  
Committee on the Administration of Justice  
Cookstown District Council  
Council for Catholic Maintained Schools  
Craigavon Borough Council  
Craigavon Traveller Support Committee  
Department for Employment & Learning  
Disability Action  
Diversiton  
Equality Commission  
Labour Relations Agency  
Limavady Borough Council  
MENCAP  
National Union of Students  
Newry & Mourne District Council  
Newtownabbey Borough Council  
NIPSA  
North West Centre for Learning & Development  
Northern Health & Social Care Trust  
Northern Ireland Community Relations Council  
Northern Ireland Tourist Board  
Ofqual (NI)  
Probation Board for Northern Ireland  
PSNI  
Royal National Institute for the Blind (NI)  
Royal National Institute of Deaf People  
Shankill Women's Centre  
South Eastern Trust  
Southern Education & Library Board  
Staff Commission for Education & Library Boards  
Stranmillis University College  
Trademark  
UCU  
University of Ulster  
Women's News

Women's Resource & Development Agency  
Youth Link NI

## **North West Regional College Consultees**

Action Deaf Youth  
Ageing Well Roe Valley  
Aghanloo Community Association  
Alexander Road Community Association  
Al-Nur Craigavon Asian Association  
AMH New Horizons Foyle  
Arden Centre  
Ardgarvin Community Group  
Ballykelly Community Association  
Benedy Community Association  
Burnfoot Community Association  
COSO  
Disability Action  
Donal Collins, Equality Commission  
Drumachose Cross Community Association  
Drumboughil Community Association  
Drumsurn Community Association  
Dry Arch Centre  
Dungiven Community Hall  
Eglinton Village Association  
EGSA  
Faughanvale Community Project  
Faughanvale Women's Act Group  
Feeny Community Centre  
Foreglen Community Association  
Gingerbread Northern Ireland  
Glens Community Association  
Glenshane Community Association  
Glenullin Resource Centre  
GMB  
Gortnaghey Community Association  
Greysteel Community Association  
Greysteel Community Enterprises  
Greysteel Vale Centre  
Hollow Senior Citizens Club  
Largy Community Association  
Learmount Community Centre  
Limavady Community Development Initiative  
Limavady Women's Group  
Limegrove School  
Lisneal College  
Multicultural Group - Windsor Women's Centre  
NASUWT  
NI Council for Voluntary Action (NICVA)  
NI Filipino Association

NI Human Rights Commission (NIHRC)  
NIACRO  
Northern Ireland Association for Mental Health  
North West Regional College – Joint Consultative Committee Membership  
North West Regional College, Student Services  
Park Women’s Group  
Rainbow Project  
Roe Valley Community Association  
Roe Valley Community Education Forum  
Roe Valley Enterprises  
Roe Valley Women’s Network  
Roe Valley Residents Association  
Salt Community Association  
Save the Children  
School Age Mothers Programme  
Society of St Vincent De Paul  
Stepping Stones  
St Finlough’s Community Group  
St Mary’s High School  
St Patrick’s & St Brigid’s School  
Strabane and Lifford LGBT  
Strabane Sure Start  
Strabane Ethnic Community Association  
The Cedar Foundation  
Traveller Movement Northern Ireland  
Unison  
Ulster University

\* Consultation List to be reviewed on an annual basis

## Appendix 4 Timetable for measures proposed

(Schedule 9 4. (3) (b))

### Year 1

Equality Scheme Ref	Action	Responsible Person
Foreword and 1.3	Continue to commit the necessary resources in terms of people, time and money to comply with Section 75 statutory duties and implement Equality Scheme	Principal and Chief Executive
	Review internal arrangements for ensuring effective compliance with the Section 75 statutory duties and for monitoring and reviewing progress	Principal and Chief Executive
	Continue to develop and deliver programmes of communication and training for staff and Governing Body members ensuring that staff and Governing Body members are aware of its obligations	Director of HR and Learner Services
2.7	Integrate objectives and targets relating to the statutory duties into strategic and operational business plans	Principal and Chief Executive
2.8	Continue to modify staff job descriptions to reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme	Human Resource Officer
2.9	Ensure SER process facilitates the reporting of examples to meet equality statutory obligation	Leadership and Management Team
2.10; 2.11	Draft and submit the annual report on progress to the Equality Commission by 31 August each year and post report on website	Director of HR and Learner Services
2.15	Review Equality Improvement Plan annually	Equality Working Group

<b>Equality Scheme Ref</b>	<b>Action</b>	<b>Responsible Person</b>
2.17	Establish process to monitor action measures and monitor progress	Equality Working Group
3.1	Consult on EQIAs and Equality Schemes	Administrator HR Services
3.2	Take into consideration Equality Scheme commitments and Equality Commission guidance for future consultations	Director of HR and Learner Services
3.4	Review consultation lists annually	Administrator HR Services
4.21	Publish screening forms as per commitments	Administrator HR Services
4.27	Monitor policies with an adverse impact	Director of HR and Learner Services
4.28	Identify the monitoring information required by the College and Sector and how this will be considered by management	Equality Forum
4.31	Establish process for publishing monitoring results	Administrator HR Services
5.3	Take forward training actions as stated in Equality Scheme 5.3 and 5.4	Director of HR and Learner Services
5.4	Make Equality Scheme available to all staff	Administrator HR Services
5.7	Establish process for monitoring the effectiveness of equality training	Senior Administrator HR Services
6.1	Review the accessibility of the information provided by the College	Administrator HR Services

Equality Scheme Ref	Action	Responsible Person
6.3	Establish/Review process for the provision of information in accessible formats	Director of HR and Learner Services
6.9	Ensure that the website is accessible and so also is any information posted on the website	Vice Principal of Curriculum and Information Services
6.13	Review process for monitoring in relation to the access of information and services	Director of HR and Learner Services
Chapter 8	Communicate complaints process and ensure process is accessible	Director of HR and Learner Services
Chapter 9	Publish the Equality Scheme and Equality Improvement Plan in keeping with Scheme commitments	Administrator HR Services

## Year 2

Equality Scheme Ref	Action	Responsible Person
Foreword and 1.3	Commit the necessary resources in terms of people, time and money to comply with Section 75 statutory duties and implement Equality Scheme	Principal and Chief Executive
2.7	Integrate objectives and targets relating to the statutory duties into strategic and operational business plans	Principal and Chief Executive
2.8	Monitor staff job descriptions to ensure they reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme	Human Resource Officer
2.9	Ensure SER process facilitates the reporting of examples to meet equality statutory obligation	Leadership and Management Team
2.10; 2.11	Draft and submit the annual report on progress to the Equality Commission by 31 August each year and post report on website	Director of HR and Learner Services
2.15	Review Equality Improvement Plan annually	Equality Working Group
3.1	Consult on EQIAs	Administrator HR Services
3.4	Review consultation lists annually	Administrator HR Services
4.21	Publish screening forms as per commitments	Administrator HR Services
4.27	Monitor policies with an adverse impact	Director of HR and Learner Services

<b>Equality Scheme Ref</b>	<b>Action</b>	<b>Responsible Person</b>
4.28	Review equality monitoring reports to inform management decisions	Equality Forum
4.31	Publish monitoring results	Administrator HR Services
5.3	Take forward training actions as stated in Equality Scheme 5.3 and 5.4	Director of HR and Learner Services
5.7	Monitor the effectiveness of equality training	Senior Administrator HR Services
6.1	Review the accessibility of the information provided by the College	Administrator HR Services
6.9	Continuously review website is accessible and the information posted on the website	Vice Principal of Curriculum and Information Services
6.13	Monitor access to information and services	Head of Academic / Non-Academic Departments
Chapter 8	Communicate complaints process and ensure process is accessible	Director of HR and Learner Services

### Year 3

Equality Scheme Ref	Action	Responsible Person
Foreword and 1.3	Commit the necessary resources in terms of people, time and money to comply with Section 75 statutory duties and implement Equality Scheme	Principal and Chief Executive
2.7	Integrate objectives and targets relating to the statutory duties into strategic and operational business plans	Principal and Chief Executive
2.8	Monitor staff job descriptions to ensure they reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme	Human Resource Officer
2.9	Ensure SER process facilitates the reporting of examples to meet equality statutory obligation	Leadership and Management Team
2.10; 2.11	Draft and submit the annual report on progress to the Equality Commission by 31 August each year and post report on website	Director of HR and Learner Services
2.15	Review Equality Improvement Plan annually	Equality Working Group
3.1	Consult on EQIAs	Administrator HR Services
3.4	Review consultation lists annually	Administrator HR Services
4.21	Publish screening forms as per commitments	Administrator HR Services
4.27	Monitor policies with an adverse impact	Director of HR and Learner Services

<b>Equality Scheme Ref</b>	<b>Action</b>	<b>Responsible Person</b>
4.28	Review equality monitoring reports to inform management decisions	Equality Forum
4.31	Publish monitoring results	Administrator HR Services
5.3	Take forward training actions as stated in Equality Scheme 5.3 and 5.4	Director of HR and Learner Services
5.7	Monitor the effectiveness of equality training	Senior Administrator HR Services
6.1	Review the accessibility of the information provided by the College	Administrator HR Services
6.9	Continuously review website is accessible and the information posted on the website	Vice Principal of Curriculum and Information Services
6.13	Monitor access to information and services	Head of Academic / Non-Academic Departments
Chapter 8	Communicate complaints process and ensure process is accessible	Director of HR and Learner Services

## Year 4

Equality Scheme Ref	Action	Responsible Person
Foreword and 1.3	Commit the necessary resources in terms of people, time and money to comply with Section 75 statutory duties and implement Equality Scheme	Principal and Chief Executive
2.7	Integrate objectives and targets relating to the statutory duties into strategic and operational business plans	Principal and Chief Executive
2.8	Monitor staff job descriptions to ensure they reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme	Human Resource Officer
2.9	Ensure SER process facilitates the reporting of examples to meet equality statutory obligation	Leadership and Management Team
2.10; 2.11	Draft and submit the annual report on progress to the Equality Commission by 31 August each year and post report on website	Director of HR and Learner Services
2.15	Review Equality Improvement Plan annually	Equality Working Group
3.1	Consult on EQIAs	Administrator HR Services
3.4	Review consultation lists annually	Administrator HR Services
4.21	Publish screening forms as per commitments	Administrator HR Services
4.27	Monitor policies with an adverse impact	Director of HR and Learner Services

<b>Equality Scheme Ref</b>	<b>Action</b>	<b>Responsible Person</b>
4.28	Review equality monitoring reports to inform management decisions	Equality Forum
4.31	Publish monitoring results	Administrator HR Services
5.3	Take forward training actions as stated in Equality Scheme 5.3 and 5.4	Director of HR and Learner Services
5.7	Monitor the effectiveness of equality training	Senior Administrator HR Services
6.1	Review the accessibility of the information provided by the College	Administrator HR Services
6.9	Continuously review website is accessible and the information posted on the website	Vice Principal of Curriculum and Information Services
6.13	Monitor access to information and services	Head of Academic / Non-Academic Departments
Chapter 8	Communicate complaints process and ensure process is accessible	Director of HR and Learner Services

## Year 5

Equality Scheme Ref	Action	Responsible Person
Foreword and 1.3	Commit the necessary resources in terms of people, time and money to comply with Section 75 statutory duties and implement Equality Scheme	Principal and Chief Executive
2.7	Integrate objectives and targets relating to the statutory duties into strategic and operational business plans	Principal and Chief Executive
2.8	Monitor staff job descriptions to ensure they reflect their contribution to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme	Human Resource Officer
2.9	Ensure SER process facilitates the reporting of examples to meet equality statutory obligation	Leadership and Management Team
2.10; 2.11	Draft and submit the annual report on progress to the Equality Commission by 31 August each year and post report on website	Director of HR and Learner Services
2.15	Review Equality Improvement Plan annually	Equality Working Group
3.1	Consult on EQIAs	Administrator HR Services
3.4	Review consultation lists annually	Administrator HR Services
4.21	Publish screening forms as per commitments	Administrator HR Services
4.27	Monitor policies with an adverse impact	Director of HR and Learner Services

<b>Equality Scheme Ref</b>	<b>Action</b>	<b>Responsible Person</b>
4.28	Review equality monitoring reports to inform management decisions	Equality Forum
4.31	Publish monitoring results	Administrator HR Services
5.3	Take forward training actions as stated in Equality Scheme 5.3 and 5.4	Director of HR and Administration
5.7	Monitor the effectiveness of equality training	Senior Administrator HR Services
6.1	Review the accessibility of the information provided by the College	Administrator HR Services
6.9	Continuously review website is accessible and the information posted on the website	Vice Principal of Curriculum and Information Services
6.13	Monitor access to information and services	Head of Academic / Non-Academic Departments
Chapter 8	Communicate complaints process and ensure process is accessible	Director of HR and Learner Services
Chapter 10	Review Equality Scheme	Director of HR and Learner Services

## **Appendix 5 Glossary of terms**

### **Action plan**

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

### **Action measures and outcomes**

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

### **Adverse impact**

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

### **Affirmative action**

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

### **Consultation**

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

could, for example, include meetings, focus groups, surveys and questionnaires.

## **Discrimination**

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

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

### Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless:

(a) in an age discrimination case, the decision can be objectively justified, or

(b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

### Indirect discrimination

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

### Disability discrimination

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

(a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably 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 form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

### Harassment

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

## **Equality impact assessment**

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

## **Equality of opportunity**

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation. The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

## **Equality Scheme**

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

## **Good relations**

Although not defined in the legislation, the Commission has agreed the following working definition of good relations: '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'.

## **Mainstreaming equality**

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

## **Mitigation of adverse impact**

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must

consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

## **Monitoring**

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems. Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

## **Northern Ireland Act**

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

## **Policy**

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

## **Qualitative data**

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

## **Quantitative data**

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is

often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine 'significance' either in relationships or differences in the data.

## **Screening**

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

## **Schedule 9**

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

## **Section 75**

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

-

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

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

## **Section 75 investigation**

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

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

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

## Appendix 6 Equality Improvement Plan

Action	Timescale	Responsible Person(s)	Outcome/ Measure	Report	Equality Category
Create 6 opportunities for work placements in the College for those with a disability	Each year ending 31 August	Senior HR Officer	Survey outcome to assess impact on individuals and others	Equal Opportunities Report	Disability
Review the mechanism to improve communication with students regarding equality	To be in place by 1 September 2017 and monitored each semester	Head of Student Services	Identification of new mechanism following feedback from students	Progress Report	All
Assessing if equality is embedded into curriculum in new departments	To be assessed annually in June	Vice Principal – Curriculum and Information Services	Identification of gaps to be addressed	SER	All
Maximise the involvement of disabled people in internal groups within the College	September To be reviewed annually	Leadership and Management Team	Number of groups with representatives to show increased participation	Leadership and Management Team Minutes	Disability
Provision of Equality awareness training to all staff	Annually	Director of HR and Learner Services	Outcome of Evaluations	Staff Development Report	All
Implement annual student equality survey	April	Director of HR and Learner Services	Action Plans with evidence of improvement from previous years	Action Plan and Progress Report	All
Develop a programme of awareness raising for the year – Calendar of Events	September to August	Director of HR and Learner Services	Evaluation of Each Event	Evaluations	All
To maintain the “Louder than Words” Charter Mark	Academic year 2016/2017	LMT Members	Achievement of Award	Progress Report	Disability

<b>Action</b>	<b>Timescale</b>	<b>Responsible Person(s)</b>	<b>Outcome/ Measure</b>	<b>Report</b>	<b>Equality Category</b>
To achieve the Sensory Engagement Programme [SEP] Model of Excellence Award	Academic year 2016/17	LMT Members	Achievement of Award	Progress Report	Disability
Have dedicated Disability Champion (s), ie, Student members of Equality Working Group	December 2016	Head of Student Services	Identification of issues to be addressed to support disabled students	Disability Action Plan Progress Report	Disability
All staff to complete Online Equality training with new staff undertaking as part of induction	February 2017	Senior Administrator – HR	Increased awareness Review of evaluations	Staff Development outcomes	All
Provide Parenting workshops for staff	October 2016 December 2016	Administrator – HR	Raise awareness of support available for staff	Evaluations	Dependants
Establish support mechanisms in relation to refugees attending the College	September 2017	Head of Student Services Teaching and Learning Development Manager	Support provided	Progress Report	Race
Provide support for people with a disability to improve employability	February 2017	Careers Academy Manager	Increased awareness	Progress Report	Disability
Sign up to the Mental Health Charter (Equality Commission)	April 2017	Director of HR and Learner Services	Increased awareness	Progress Report	Disability
Positively engage with people with mental ill health and their representatives to identify and address barriers to employment	April 2017	Director of HR and Learner Services	Barriers identified and increase in applications from individuals with a mental health illness	Equal Opportunities Report	Disability