



# **Agri-Food and Biosciences Institute (NI)**

## **Equality Scheme**

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

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**Approved by the Equality Commission for Northern Ireland on  
27 February 2013.**



This Equality Scheme can be made available in a range of formats on request.

Please contact us with your requirements (see below for contact details):

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## Version Control

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Version 1	Updated to include approval date	8-Mar-13	LG
Version 2	Amendment to Appendix 4 re timescale; List of Consultees updated	11-Mar-13	LG
Version 3	Updated to reflect changes to AFBI's Organisational Structure from 1-Apr-13	9-May-13	LG
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Version 6	Appendix 1 updated to reflect changes to AFBI Board.	1-Aug-14	LG
Version 7	List of Consultees updated for 14/15	31-Oct-14	LG

*Note: The changes above do not alter the commitments given by AFBI in the Scheme. As agreed with the ECNI, resubmission of the scheme is not required in these circumstances.*

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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<sup>1</sup>.

In our equality scheme we set out how the Agri-Food and Biosciences Institute (AFBI) 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. We will develop a programme of awareness raising for our consultees on the Section 75 statutory duties and our commitments in our equality scheme.

We, the Chair and the Chief Executive Officer of AFBI, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with

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

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



A handwritten signature in blue ink, appearing to read 'Sean Hogan'.

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*Mr Sean Hogan  
Chair of AFBI Board*

*Date 31<sup>st</sup> October 2012*



A handwritten signature in black ink, appearing to read 'Seamus Kennedy'.

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*Dr Seamus Kennedy  
Chief Executive Officer*

*Date 31<sup>st</sup> October 2012*

## **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 Agri-Food and Biosciences Institute (AFBI) to comply with two statutory duties:

#### ***Section 75 (1): Equality of Opportunity***

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): Good Relations***

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.

Further information on the Section 75 duties and the relationship between the Equality duty (S75(1)) and the Good Relations duty (S75(2)) can be found in the ECNI publication “Section 75 of the NI Act 1998 – A Guide for Public Authorities”.

### **How we propose to fulfil the Section 75 duties in relation to the relevant functions of AFBI.**

**1.2** Schedule 9 4. (1) of the Act requires AFBI as a designated public authority to set out in an equality scheme how it proposes to

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



fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

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

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

AFBI is a Non-Departmental Public Body (NDPB) that was established under the Agriculture (Northern Ireland) Order, 2004 (the Order).

AFBI was established on 1 April 2006 as an amalgamation of the Department of Agriculture and Rural Development (DARD) Science Service and the Agricultural Research Institute of Northern Ireland (ARINI).

AFBI is sponsored by the Department of Agriculture and Rural Development (DARD), to undertake assigned work programmes on its behalf. These programmes include statutory, analytical, surveillance and Research and Development (R&D) activities.

AFBI may also carry out scientific work for any person (including DARD or any other government department) on such terms and conditions as may be agreed between the institute and that person. The Order refers to this scientific work as commercial activities. Revenue from commercial activity (including income from royalties) is expected to account for 25% of AFBI's budget over the next 4-years.

This revenue makes a very significant contribution to the institute's operating overheads, reducing the overall cost of delivering services to DARD.

As well as underpinning the delivery of DARD's policy priorities, the activities of AFBI, through its assigned work programme and commercial activities, make a significant contribution to innovation in the agri-food and rural sector. This contribution is vital to

maintaining and promoting productivity and sustainability across the sector in Northern Ireland.

### **AFBI Board**

AFBI is managed by a Non-Executive Board which has responsibility for providing strategic leadership for the institute, ensuring that it fulfils the delivery objectives set by DARD and for promoting the efficient and effective use of staff and other resources by AFBI.

### **AFBI Executive Senior Management Team**

AFBI's Executive Senior Management Team is led by the Chief Executive and Accounting Officer.

The Chief Executive and Accounting Officer is responsible to the AFBI Board, and accountable to the Northern Ireland Assembly, for the institute's use of resources in carrying out its functions as set out in the Financial Memorandum. The Chief Executive and Accounting Officer must also provide assurance to the DARD Permanent Secretary, as Principal Accounting Officer, that the institute has adequate financial systems and procedures in place to promote the efficient and effective conduct of its business and to safeguard financial propriety and regularity.

### **AFBI Staff**

AFBI has a staff complement of 810, comprising Non-Industrial (scientific & administrative) and Industrial with an annual budget of approximately £53 million across its seven specialised sites throughout Northern Ireland.

AFBI currently operates under the Northern Ireland Civil Service (NICS) Terms and Conditions of employment.

### **AFBI Structure**

AFBI is based at seven sites across the province, with its Headquarters at Newforge Lane, Belfast.

The AFBI sites are located at Newforge Lane (Belfast), Crossnacreevy, Hillsborough, Stoney Road (Stormont), Loughgall, Bushmills and Omagh.

AFBI's organisational structure reflects three divisions:

- Sustainable Agri-Food Sciences Division (SAFSD)
- Veterinary Sciences Division (VSD)
- Finance & Corporate Affairs Division (FCAD)

### **AFBI Corporate Plan (2011-2015)**

AFBI's Corporate Plan (2011-2015) reflects its ambition and current position. It envisages a future which builds on and maximises the potential of AFBI's wide-ranging scientific expertise.

It seeks to deliver an organisation that

- i) will provide inspiration to its staff and peer organisations through demonstrable successes, and
- ii) is built on strong scientific capability, resourced from a financially sustainable position.

It prioritises its responsibilities as mandated in the Order and responds to the challenges associated with the current financial pressures.

The strategic direction of AFBI over the period 2011-2015 is focused on 6 themes:

- Delivery of scientific work assigned by DARD
- Helping government and industry to protect the NI economy and environment through AFBI's emergency response capability
- Actively managing the AFBI commercial portfolio
- Building AFBI's Knowledge Base
- Investing in our organisation's people, systems and processes
- Strengthening our financial base

AFBI's 4-year Corporate Plan centres on these themes which are articulated through its Goals, Priorities and Impact Indicators.

## **Procurement**

The Central Procurement Directorate (CPD) provides a procurement service to AFBI for a wide range of supplies and services to ensure best value for money, legal compliance and competitiveness. AFBI carries out its procurement activities by means of documented Service Level Agreements (SLA) with CPD.

AFBI is committed to implementing the “Equality of Opportunity and Sustainable Development in Public Procurement” Guidance produced by the Equality Commission and the CPD.

## **AFBI Culture, Vision, Mission and Values**

### ***Culture***

AFBI’s culture reflects a system of shared values and beliefs, underpinned by associated behaviours best suited to promoting AFBI’s relationships internally and with our customers and stakeholders. They are shared across the institute and are reflected in how we conduct our relationships in support of our business.

### ***Vision***

AFBI’s vision is “*Scientific excellence in Northern Ireland . . . serving the world*”.

### ***Mission***

AFBI’s mission is “*Supporting government policy and industry innovation across the agri-food and rural sector through the provision of high quality scientific services, advice and expertise*”.

### ***Values***

AFBI’s core values are:

- Customer First
- Scientific Excellence and Integrity
- Respecting People
- Honesty and Trust
- Innovative and Forward Looking

## **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, for example, arrangements for monitoring; assessment of impact of policies; consultation; training; publication; complaints; access to information and services, and review.

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** Primary responsibility for the effective implementation of our equality scheme lies with AFBI's Chief Executive Officer. The Chief Executive Officer is accountable to the AFBI Board for the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Act, including any good practice or guidance that has been or may be issued by the Equality Commission.

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

Linda Gogarty  
AFBI Equality Officer  
AFBI Headquarters  
18a Newforge Lane  
Belfast  
BT9 5PX

Tel: 028 9025 5055  
Email: [Linda.Gogarty@afbini.gov.uk](mailto:Linda.Gogarty@afbini.gov.uk)

**2.5** Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans<sup>3</sup>.

**2.6** Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant. The personal performance plans are subject to appraisal in the annual performance review.

**2.7** AFBI prepares an annual report on the progress we have made on implementing the arrangements set out in this equality scheme to discharge our Section 75 statutory duties (Section 75 annual progress report).

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

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

**2.8** The latest Section 75 annual progress report is available on our website [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality) or by contacting AFBI's Equality Officer, details at 2.4.

**2.9** AFBI liaises closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

**2.10** Section 75 equality and good relations obligations are mainstreamed across all aspects of AFBI business.

Directors and senior managers are responsible for ensuring that the Section 75 statutory duties are taken fully into account in developing, reviewing and implementing policy decisions across their business remit. Day to day responsibility for overseeing the AFBI's Equality Agenda and monitoring compliance across AFBI lies with Equality Branch, which is located within FCAD. The Head of Human Resources reports directly to the Chief Executive Officer on all aspects of equality across AFBI.

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<sup>3</sup> See Appendix 4 'Timetable for measures proposed' and section 2.11 of this equality scheme.

Please see 2.11, action plan/action measures below, which reflect AFBI's intention for promotion of equality of opportunity and good relations.

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

**2.11** AFBI is developing an action plan to promote equality of opportunity and good relations. This action plan is set out in Appendix 6 to this equality scheme.

**2.12** The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories<sup>4</sup> to identify the inequalities that exist for our service users and those affected by our policies<sup>5</sup>.

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

**2.14** We will develop any action plans for a period of between one and five years in order to align them with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process.

**2.15** We will seek input from our stakeholders and consult on our audit of inequalities and action plan before we send these to the Equality Commission and thereafter when reviewing the plan as per 2.16 below.

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

**2.17** AFBI will inform the Equality Commission of any changes or amendments to our action plan and will also include this information in our Section 75 annual progress report to the Equality Commission. Our Section 75 annual progress report will

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<sup>4</sup> See section 1.1 of this equality scheme for a list of these categories.

<sup>5</sup> See section 4.1 of this equality scheme for a definition of policies.

incorporate information on progress we have made in implementing our action plans/action measures.

**2.18** Once finalised, our action plan will be available on the Equality Section of the AFBI website, [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality), or by contacting AFBI's Equality Officer, details at 2.4.

If you require it in an alternative format please contact AFBI's Equality Officer, details at 2.4.



### **Chapter 3. Our arrangements for consulting**

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

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

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

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

**3.2.1** All consultations carried out by AFBI will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest. AFBI will monitor its approach to consultation to ensure that it is open and encourages participation.

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 resources from the perspective of both AFBI and consultees, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc.

**3.2.2** Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage

with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Methods of consultation could include:

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

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

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

We take account of existing and developing good practice, including the Equality Commission's guidance *Let's Talk Let's Listen – Guidance for public authorities on consulting and involving children and young people (2008)*, to try to meet the expectations and needs of all sections of the public to ensure equality of opportunity.

Information will be made available, on request, in alternative formats<sup>6</sup>, in a timely manner, usually within 20 working days. We will ensure that such consultees have equal time to respond.

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

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

**3.2.5** To ensure effective consultation with consultees<sup>7</sup> on Section 75 matters, we will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in our equality scheme by undertaking the following:

- Publish on the AFBI Internet and, as appropriate, circulate equality progress updates, and any commitments in key action plans to consultees
- Where required, arranging pre-consultation meetings with key Section 75 groups and representatives to discuss specific policy issues
- Formal communication to all consultees within one month of our Equality Scheme and Action Plan being approved by the Equality Commission

**3.2.6** 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>8</sup>.

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

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

**3.2.8** We realise 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.

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<sup>7</sup> Please see Appendix 3 for a list of our consultees.

<sup>8</sup> Please see below at 4.27 to 4.31 for details on monitoring.

We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.

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

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

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

**3.3** A list of our (potential) consultees is included in this equality scheme at Appendix 3. It can also be obtained from our website at [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality), or by contacting AFBi's Equality Officer, details at 2.4.

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

We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact AFBi's Equality Officer, details at 2.4, 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, eg, ‘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 Act.

**4.3** AFBI 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 also follow 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 lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. We will ensure that appropriate staff are adequately trained to enable screening to be completed consistently throughout AFBI. However, screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. Where possible we will include key stakeholders in the screening process.

**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 gather relevant information and data, both qualitative and quantitative. In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality

categories. Any screening decision will be informed by this evidence.

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

1. **‘screened in’** for equality impact assessment
2. **‘screened out *with* mitigation’**<sup>9</sup> or an alternative policy proposed to be adopted
3. **‘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 may on occasion decide to proceed with an EQIA, depending on the policy. If an EQIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

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

**4.11** If our screening concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to an EQIA.

**4.12** 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 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.

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<sup>9</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.*

All screening decisions will be ‘signed off’ by the appropriate policy lead within AFBI.

**4.13** As soon as possible following the completion of the screening process, the screening assessment form, signed off and approved by the senior manager responsible for the policy, will be made available on our website [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality) and on request from AFBI’s Equality Officer, details at 2.4.

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

**4.15** Our screening reports are published quarterly (see below at 4.20, 4.23. 4.24 for details). Details of these screening reports are sent out by email link to our consultees on a quarterly basis. A link to our screening assessments can also be provided on a monthly basis to those consultees who wish to receive this information on a more regular basis. To request a monthly update, please contact AFBI’s Equality Officer, details at 2.4.

## **Equality impact assessment**

**4.16** 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.

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

**4.18** Any EQIA will be subject to consultation at the appropriate stage(s). (For details see above at 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))*

**4.19** We will make publicly available the results of our assessments (screenings and EQIAs), and of the likely impact of our policies on the promotion of equality of opportunity and good relations.

## **What we publish**

### **4.20 *Screening reports***

These are published quarterly. Screening reports detail will include:

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

### **4.21 *Screening Assessment Forms***

For details on the availability of our screening assessment forms please refer to 4.13.

## **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 we publish is accessible and can be made available in alternative formats on request. Please see 6.3 below.

## **Where we publish the information**

**4.24** The results of our assessments (screening reports and completed forms, the results of equality impact assessments) are available on our website [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality) and by contacting AFBI's Equality Officer, details at 2.4.

**4.25** In addition to the above, screening reports (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 3 month period are also sent directly to all consultees on a quarterly basis.

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

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

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

**4.27** 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, AFBI follows guidance from the Office of the Information Commissioner and the Equality Commission.

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

**4.29** 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 and secondary 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.

**4.30** 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.

**4.31** We review our EQIA monitoring information on an annual basis. The Annual Progress Report to the Equality Commission includes an update on monitoring action undertaken and results.

Other monitoring information is reviewed on an on-going basis.

**Our arrangements for publishing the results of our monitoring**  
*(Schedule 9 4. (2) (d))*

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

- EQIA monitoring information is published as part of our Section 75 annual progress report (see 2.7)
- Our consultees will be advised by email when our Annual Progress Report is published. Hard copies can be made available on request.
- All information published is accessible and, where possible, can be made available in alternative formats on request. Please see below at 6.3 for details.

## **Chapter 5. Staff training**

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

### **Commitment to staff training**

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

**5.2** Our Chair and Chief Executive Officer wish to positively communicate the commitment of AFBI to the Section 75 statutory duties, both internally and externally.

To this end a key action for 2012/13 is to introduce 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** AFBI will draw up a detailed training plan for its staff which will aim to achieve the following objectives:

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

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

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

## **Monitoring and evaluation**

**5.6** Our training programme will be subject to the following monitoring and evaluation arrangements:

- 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.
- All training courses will be evaluated using post-course evaluation questionnaires completed by participants, the results of which will be analysed and any additional action required will be implemented.

## **Chapter 6. Our arrangements for ensuring and assessing public access to information and services we provide**

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

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

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

In particular:

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

### **Access to information**

**6.3** To ensure equality of opportunity in accessing and understanding 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.

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

AFBI will liaise with representatives of young people and disability and minority ethnic organisations and takes account of existing and developing good practice.

We will respond to requests for information in alternative formats in a timely manner, usually within 20 working days. If we envisage any delay in meeting the request within this time scale we will



advise our customer of the reason and any change to the timescale.

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

**6.5** Published information including corporate plans and annual reports will be displayed on the AFBI website and will be made available in alternative formats as appropriate.

### **Access to services**

**6.6** AFBI is committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories.

AFBI also adheres to the relevant provisions of current anti-discrimination legislation.

AFBI will ensure that relevant services (eg job & research opportunities, training) are open to all and permitted entry to buildings & sites is accessible.

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

**6.7** AFBI monitors annually across all its functions, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.

Such activity includes:

- Promotion through Internet to encourage feedback
- Monitoring of customer suggestions/complaints to consider the need for implementation of reasonable adjustments
- Staff surveys and feedback

**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 processes.

**7.2** This timetable is different from and is in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.18.

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

**8.1** AFBI is responsive to the views of members of the public and will endeavour to resolve all complaints made to us.

**8.2** Schedule 9 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 AFBI has failed to comply with its approved Equality Scheme should contact AFBI's Equality Officer, details at 2.4.

**8.4** AFBI will in the first instance acknowledge receipt of each complaint within 5 working days.

**8.5** AFBI will carry out an internal investigation of the complaint and will respond substantively to the complainant within one month of the date of receiving the written 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 months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

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

**8.7** In any subsequent investigation by the Equality Commission, AFBI will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, AFBI will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Act.

**8.8** AFBI 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** AFBI's Equality Scheme is available free of charge in print form and alternative formats from AFBI's Equality Officer, details at 2.4.

**9.2** Our equality scheme is also available on our website at [www.afbini.gov.uk/equality](http://www.afbini.gov.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 and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups representing the various categories in Section 75.
- We will email a link to our approved equality scheme to our consultees on our consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. We will respond to requests for the equality scheme in alternative formats in a timely manner, usually 20 working days.
- AFBI's 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.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality) or contact AFBI's Equality Officer, details at 2.4.

## **Chapter 10. Review of our equality scheme** *(Schedule 9 8. (3))*

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

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

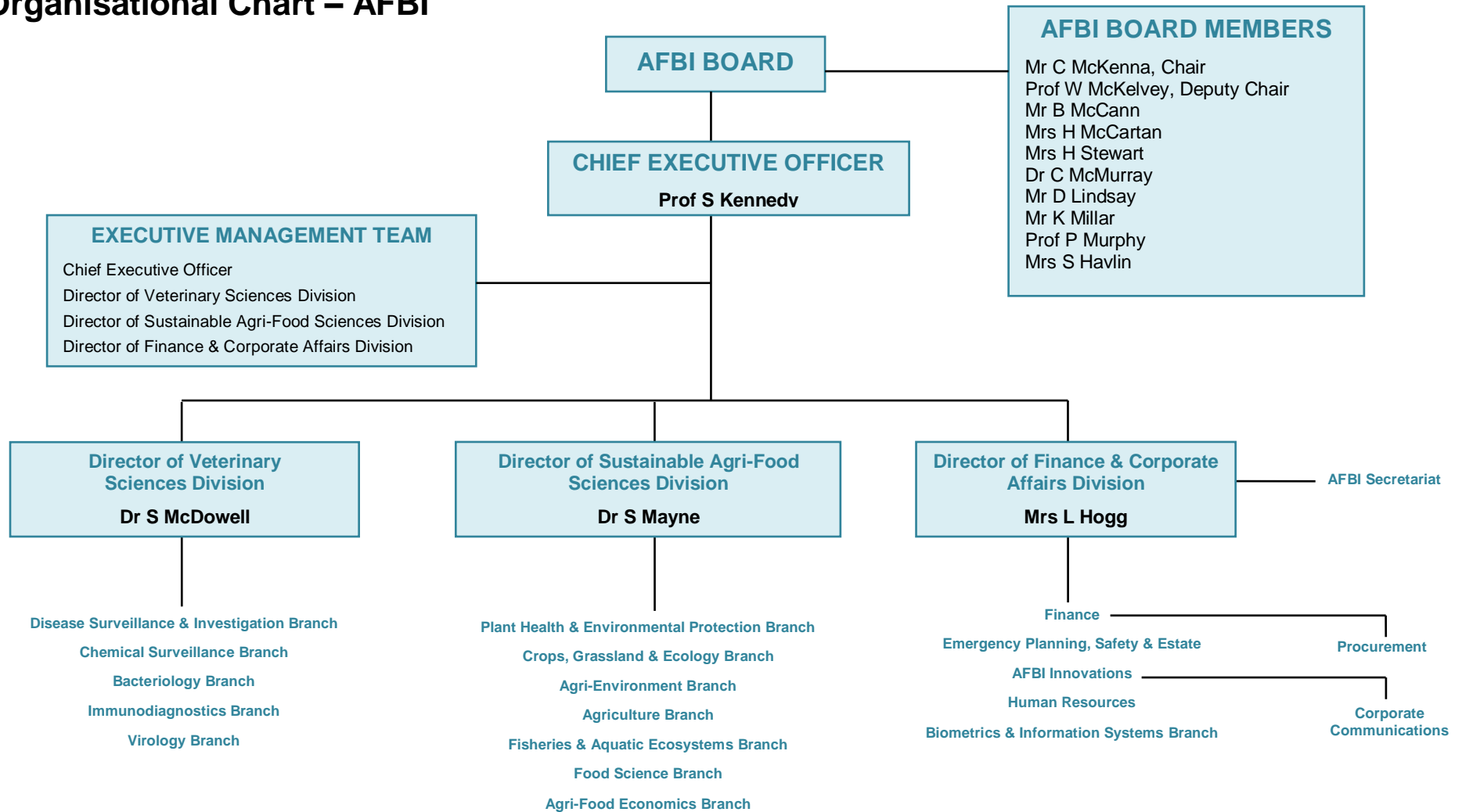
**10.2** In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public on AFBNI's website [www.afbini.gov.uk/equality](http://www.afbini.gov.uk/equality) and sent to the Equality Commission.

## **Appendices**

Appendix 1	Organisational Chart AFBI
Appendix 2	Example groups relevant to the Section 75 categories for Northern Ireland purposes
Appendix 3	List of consultees
Appendix 4	Timetable for measures proposed
Appendix 5	Glossary of terms
Appendix 6	Action plan/action measures

# Appendix 1

## Organisational Chart – AFBI



Updated 1-Aug-2014



## 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>10</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>11</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>10</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>11</sup> Ibid

### **Appendix 3    List of consultees** *(updated 31-Oct-14)* *(Schedule 9 4. (2) (a))*

Action on Hearing Loss (NI)
AFBI Staff
Age NI
Alliance Party of NI
Archbishop of Armagh & Primate of All Ireland
Autism NI
Belfast Islamic Centre
Bishop/Diocese of Down and Connor
British Deaf Association (NI)
Cara-friend
Carers NI
Cedar Foundation
Children's Law Centre
Chinese Welfare Association (CWA)
Church of Ireland
Commissioner for Older People NI (COPNI)
Democratic Unionist Party (DUP)
Department for Regional Development (DRD)
Department for Social Development (DSD)
Department of Agriculture and Rural Development (DARD)
Department of Culture Arts & Leisure (DCAL)
Department of Employment & Learning (DEL)
Department of Enterprise, Trade & Investment (DETI)
Department of Environment (DOE)
Department of Finance & Personnel
Department of Health, Social Services and Public Safety (DHSSPS)
Department of Justice (DOJ)
Disability Action
Dyslexia Association of Ireland
Employers' Forum on Disability (EFDNI)
Committee on the Administration of Justice (CAJ) / Equality Coalition
Equality Commission for NI (ECNI)
Food Standards Agency (NI)
Gingerbread NI
Green Party (NI)
Health and Safety Executive for NI (HSENI)

Irish Agriculture and Food Development Authority (TEAGASC)
Leonard Cheshire Disability
Livestock & Meat Commission for NI
MENCAP (NI)
Methodist Church in Ireland
Multi-Cultural Resource Centre
National Secular Society (UK)
NI Association for Mental Health (NIAMH)
NI Council for Ethnic Minorities (NICEM)
NI Public Service Alliance (NIPSA)
NI Women's Aid Federation
Office of the First Minister and deputy First Minister (OFMdFM)
Polish Association NI
Presbyterian Church in Ireland
Rainbow Project
Royal National Institute for the Blind (RNIB) – NI
Royal Society for the Protection of Birds
Sinn Fein
Social Democratic Labour Party (SDLP)
Ulster Farmer's Union (NI)
Ulster Supported Employment Limited (USEL)
Ulster Unionist Party (UUP)
UNISON
Women's Forum NI
Women's Resource & Development Agency (WRDA)
Women's Support Network
Young Farmers' Clubs of Ulster

## Appendix 4 Timetable for measures proposed

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

Scheme paragraph	Measure	Actions – How to ...	Lead Responsibility	Timetable
<b>2: Arrangements for assessing our compliance with the Section 75 duties</b>				
2.5	Imbed Section 75 objectives and targets in Corporate Business Plan and Business Areas' plans.	S75 objectives and targets will be integrated into strategic and operational business plans.	Equality Officer; Senior Management Team.	1-April 2013
2.6	Employees' job descriptions & performance plans to reflect S75 duties for key staff.	Job descriptions and personal performance appraisals updated accordingly.	Equality Officer; Line Management; Key Staff.	On-going
2.7	Section 75 Annual Progress Report.	Information collated throughout year for inclusion in Annual Progress Report.	Equality Officer.	Annually (31-Aug)
2.10	Quarterly reports to SMT and AFBI Board.	Progress report submitted to SMT/AFBI Board.	Equality Officer; HR Manager.	Quarterly in the first year.
<b>Action Plan (see note ** below)</b>				
2.11	Introduce an Action Plan which reflects AFBI's commitment to equality.	Undertake an Audit Of Inequalities to identify areas to be addressed.	Equality Officer; HR Manager; SMT.	December 2013
2.15	Consultation on draft action plan.	Consult with stakeholders before submission to ECNI.	Equality Officer.	September 2013
2.16	Arrangements for monitoring progress of action plan in place.	Identify progress against targets; update plan as necessary	Equality Officer.	On-going from December 2013
2.18	Publish final action plan.	Publish on Intranet and Internet, advise of its availability and take account of alternative formats etc.	Equality Officer.	January 2014

Scheme paragraph	Measure	Actions – How to ...	Lead Responsibility	Timetable
<b>3: Arrangements for consulting</b>				
3.2	i. Consultation process in place and operational and in accordance with ECNI guidance. ii. Training offered to facilitators of consultations (3.2.4). iii. Undertake programme of awareness raising to ensure effective consultation with consultees (3.2.5).	i. Where appropriate, conduct: - Public meetings - Face-to-face meetings - Specialist meetings - Opinion surveys / questionnaires - Internet discussions ii. Specific training provided for those conducting consultations. iii. Develop and implement guidance on effective consultation with consultees.	Equality Officer; Learning & Development Unit	i. On-going ii. As required iii. June 2013  <i>Updated (11-Mar-13)</i>
3.4	Review & update of consultee list.	Current consultees written to and contact details and preferred method/format of communication updated on central consultation list; new consultees added.	Equality Unit	On-going ( <i>additions</i> ); Annually, September ( <i>current</i> ).
<b>4: Arrangements for assessing, monitoring and publishing the impact of policies</b>				
<b>SCREENING</b>				
4.5	Policies Screened.	Screen policies in accordance with process.	Screening Officers; Lead Policy Officer; Equality Officer.	On-going
4.6	Training of screening officers	Provision of training to screening officers.	Learning & Development Unit; Equality Officer.	As required

<b>Scheme paragraph</b>	<b>Measure</b>	<b>Actions – How to ...</b>	<b>Lead Responsibility</b>	<b>Timetable</b>
4.15	Quarterly publication of screening reports.	Published quarterly on Internet with links to each screening assessment form and issued to consultees as appropriate.	Screening Officers; Equality Officer.	Quarterly from March 2013
<b>EQIA</b>				
4.17	EQIAs on policies as necessary.	Carry out EQIAs on relevant policies in accordance with ECNI guidance and AFBI's policy development process.	Lead Policy Officer; Screening Officer; Equality Officer.	As required
<b>Publishing of Screening Reports and EQIAs</b>				
4.19 – 4.22	Screening reports and EQIAs published.	Screening reports and decisions will be published on the Internet.  EQIA reports and outcomes of consultation will be published on the internet and issued to consultees as appropriate.	Lead Policy Officer; Screening Officer; Equality Officer.	From approval of Scheme: Screening reports published quarterly; EQIAs published on completion.
<b>MONITORING</b>				
4.27 – 4.29	i. Compliance with agreed monitoring arrangements.  ii. Systems established to monitor impact of policies and identify opportunities to promote equality of opportunities and good relations.	i. Review arrangements in accordance with ICO and ECNI guidance.  ii. Carry out monitoring in accordance with ECNI guidance.	Equality Officer.	December 2013
4.30	Revision of policies as a result of monitoring	On-going review of impact of policy and adjust accordingly.	Equality Officer; Lead Policy Officer.	As required from approval of Scheme.

<b>Scheme paragraph</b>	<b>Measure</b>	<b>Actions – How to ...</b>	<b>Lead Responsibility</b>	<b>Timetable</b>
4.31	Review of EQIA monitoring information.	To ensure it is relevant and up-to-date in relation to the policy	Equality Officer; Lead Policy Officer.	Annually
<b>Publishing of Monitoring Results</b>				
4.32	i) Publication of monitoring information. ii) Consultees notified re publication of Annual Progress Report.	Monitoring information published in our S75 Annual Progress Report, on our website and will be made available in alternative formats on request	Equality Officer.	Annually
<b>5: Staff Training</b>				
5.3	Development and implementation of equality training programme	Provide relevant training to staff regarding: - Section 75 awareness; - Screening/EQIAs; - Complaints; - Consultation; - Implementation of Equality Scheme	Equality Officer; Learning & Development Unit.	Implemented by April 2013.
5.4	Raise awareness of obligations set out in Equality Scheme	<ul style="list-style-type: none"> <li>– Develop summary of Equality Scheme;</li> <li>– Make full scheme available</li> <li>– Briefing to staff on scheme</li> <li>– Include S75 in induction training;</li> <li>– Provide focused training for key staff</li> <li>– Awareness of S75 issues to staff</li> <li>– Ensure training and awareness up-to-date</li> </ul>	Equality Officer.	Summary developed within 2 months of Scheme approval.

<b>Scheme paragraph</b>	<b>Measure</b>	<b>Actions – How to ...</b>	<b>Lead Responsibility</b>	<b>Timetable</b>
5.6	Evaluation of training	Ensure that all training needs were delivered and successfully applied.	Equality Officer; Learning and Development Unit.	On-going
<b>6: Arrangements for ensuring and assessing public access to information and services we provide</b>				
6.1	Ensure information disseminated and services provided are fully accessible to all parts of the NI community	Use of formal consultation process, Internet and Intranet	Equality Officer.	Annually
6.3	Provision of information in alternative formats where practicable.	Provide information in alternative formats as required.	Equality Officer.	As required
6.7	Monitoring of access to information and services	Review existing arrangements and adjust to ensure accessibility to information and services.	Equality Officer; IT Unit; H&S Unit.	Annually
<b>8: Complaints Procedure re Equality Scheme Compliance</b>				
8.1	Resolution of complaints regarding compliance of the Equality Scheme	Recording, solving, monitoring all complaints in accordance with AFBI's Equality Scheme Complaint process.	Equality Officer.	As necessary
<b>9: Publication of our equality scheme</b>				
9.3	Arrangements in place for publication and access of Equality Scheme	Promote communication of Equality Scheme; Notification to consultees; Make scheme available in alternative formats if required.	Equality Officer.	Within 3 months of Scheme approval.



Scheme paragraph	Measure	Actions – How to ...	Lead Responsibility	Timetable
<b>10: Review of our equality scheme</b>				
10.1	Review of Equality Scheme	Conduct a thorough review of the scheme in line with the Corporate/Business Planning cycle and in accordance with ECNI guidance.	Equality Officer; HR Manager.	Within 5 years

*\*\* The Action Plan will be developed following the Audit of Inequalities, which will complete by 31-March-2014. The ECNI are content for AFBI to have an extension to this timeline.*

*Update: The draft Audit of Inequalities /Action Plan is out for consultation until 15-Dec-2014.*

## **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**

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.

### **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 duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

### **Centres of Procurement Expertise (CoPE)**

These are business units set up within NICS to improve procurement, collaboration and partnering. This will deliver better and more efficient services across government and ultimately the wider public sector.

## 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.

## Differential impact

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

## Discrimination

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

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

Brief descriptions of these above terms follow:

### Direct discrimination

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

### Indirect discrimination

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

### Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-*

*related discrimination, and (b) failure to comply with a duty to make reasonable adjustments.*

- (a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably 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.

## **Functions**

Functions includes all the powers and duties of AFBI as a public authority. This covers all aspects of our business; for example our service provision, employment practices and procurement functions.

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

The Council of Europe has defined mainstreaming as:

*"the (re)organisation, improvement, development and evaluation of policy processes, so that a[n] ... equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making".*

## **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.

## **Multiple Identities**

Generally speaking, people can fall into more than one Section 75 category, for example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people. These are multiple identities.

## **Non-departmental public bodies (NDPB)**

A non-departmental public body (NDPB) is a national or regional public body, working independently of ministers to whom they are nevertheless accountable. They are not staffed by civil servants. There are two main types of NDPB.

- Executive NDPBs are those with executive, administrative, commercial or regulatory functions. They carry out set functions within a government framework, but the degree of operational independence varies. AFBI is an Executive NDPB.

- Advisory NDPBs are those set up by ministers to advise them and their departments on particular matters.

## **Northern Ireland Act**

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

## **Policy**

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

## **Positive action**

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

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

## **Qualitative data**

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

## **Quantitative data**

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.

## **Additional terms and information**

### ***Council of Europe***

The Council of Europe, based in Strasbourg, covers virtually the entire European continent, with its 47 member countries. Founded on 5 May 1949 by 10 countries, the Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

### ***Northern Ireland Human Rights Commission***

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

### ***Northern Ireland Statistics & Research Agency (NISRA)***

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP).

They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

***OFMdFM***

The Office of the First Minister and Deputy First Minister is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

***PAFT***

The Policy Appraisal and Fair Treatment (PAFT) Guidelines constituted the first non-statutory attempt at mainstreaming equality in Northern Ireland in January 1994. The aim of the PAFT Guidelines was to ensure that issues of equality and equity informed policy making and activity in all spheres and at all levels of government. PAFT has now been superseded by Section 75 of the Northern Ireland Act 1998.

***SACHR***

The Standing Advisory Commission on Human Rights (SACHR) has now been replaced by the Northern Ireland Human Rights Commission. SACHR, as part of its review of mechanisms in place to promote employment equality and reduce the unemployment differential, recommended that the PAFT Guidelines should be made a statutory requirement.



## **Appendix 6    Action plan/action measures**

AFBI will develop an action plan to address how we will promote equality of opportunity and good relations in compliance with the Section 75 duties.

AFBI will undertake an Audit of Inequalities in regard to the organisation in order to identify areas to be addressed.