

## Reporting Template

### EQUALITY COMMISSION FOR NORTHERN IRELAND

#### Public Authority Five Year Review Report

This report template includes a number of self assessment questions under the twelve key elements of an equality scheme. Please enter information at the relevant part of each Section in the template and ensure that it is submitted to the Commission electronically (by completing this template) **and** in writing, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive (or equivalent).

Name of Public Authority

Department of Enterprise, Trade and Investment (DETI)

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#### Executive Summary

Please provide some main conclusions in terms of:

a) To what extent has your public authority's approved scheme provided a workable basis for mainstreaming the need to promote equality of opportunity and good relations into policy-making over the past five years?

DETI's first Equality Scheme was published in April 2001 and its revised Scheme in June 2003. The Department considers that the commitments made in the first and revised Schemes, and the structures established to ensure delivery of those commitments, have provided a solid basis for mainstreaming equality considerations as part of the standard policy development process.

The establishment of an Equality Unit (later renamed Equality & Diversity Unit) responsible for drawing up the Department's Equality Scheme and overseeing its effective implementation, together with the creation of an Equality and Diversity Steering Group (chaired at top management level) and an Equality and Diversity Working Group (attended by equality practitioners from all DETI Divisions and NDPBs), has established an effective framework for disseminating advice and best practice on Section 75-related issues throughout the Department.

The roll-out of a comprehensive training programme has ensured that all staff are aware of the Section 75 statutory equality duties and provided with the knowledge/expertise needed to address these duties effectively.

Progress on meeting the commitments made in the DETI Equality Scheme has been carefully monitored and will continue to be reviewed in line with any developments on best practice.

b) What key lessons have been learnt over the past five years in terms of effectively implementing the approved equality scheme?

The key lessons that have been learnt by the DETI over the past five years include:

- (i) The importance of top management support and commitment in facilitating the effective implementation of equality commitments;
- (ii) The importance of high quality training in ensuring that staff fully understand and appreciate the issues involved in carrying out equality screening exercises and impact assessments;
- (iii) The need to integrate equality considerations at an early stage of policy development and to ensure that staff are equipped as

appropriate to make effective and informed screening decisions;  
and

- (iv) Need to give further consideration as to how best to consult with key stakeholders in order to alleviate consultation 'overload' while facilitating their input to the policy development process.

c) What more needs to be done to achieve outcomes for individuals from the nine equality categories?

DETI welcomes the provision of the Equality Commission's July 2007 monitoring guidance which should prove a useful tool for the Department as we seek to re-assess the information we gather, particularly with a view to developing more comprehensive data on all Section 75 groups where possible.

The Department would also welcome further guidance from the Equality Commission on equality screening of high level policies as we seek to improve this aspect of equality mainstreaming.

DETI will review its equality consultation practices in order to determine how best to reduce the burden on key stakeholders while facilitating their effective engagement in the policy-making process.

The Department will also consider whether some 'refresher' training on the Section 75 statutory duties might be helpful for staff at this point in order to maintain best practice and build on achievements to date.

### **1. A general introductory statement specifying the purpose of the scheme and the public authority's commitment to the statutory duties.**

DETI's Equality Scheme was finalised in April 2001 and revised in June 2003 with the aim of clearly identifying how the Department would implement its statutory equality obligations under Section 75 of the Northern Ireland Act 1998. The Scheme made a series of specific commitments in relation to equality screening, carrying out EQIAs, consulting with key stakeholders and staff training.

1a) To what extent were senior management involved in ensuring scheme compliance over the 5 year period and what further steps could be undertaken to ensure effective internal arrangements?

*Prompts – Identify any changes to arrangements for managing scheme implementation, and what were the lessons learnt in terms of enablers and impediments to monitoring scheme implementation?*

A framework for the effective implementation of DETI's Equality Scheme was put into place at an early stage with the establishment of the appropriate structures and procedures to support mainstreaming of equality issues. Senior management have played an important role in this process, particularly in the earliest days when new internal arrangements were needed to support the development and delivery of the Equality Scheme. These arrangements included:

- (i) The establishment of a dedicated Equality Unit, later re-named Equality and Diversity Unit (EDU), to oversee development and implementation of the Scheme;
- (ii) The establishment of an Equality & Diversity Steering Group (EDSG), chaired at Deputy Secretary (Grade 3) level and attended by all Heads of Divisions and representatives from the Department's four NDPBs (Invest NI, Northern Ireland Tourist Board, General Consumer Council for Northern Ireland and the Health and Safety Executive for Northern Ireland). The role of EDSG is to guide strategic decisions on implementation of DETI's Equality Scheme and the Schemes produced by its four NDPBs. EDSG met on 14 occasions over the period 2001/02 - 2007/08;
- (iii) The establishment of an Equality & Diversity Working Group (EDWG) made up of Heads of Branches or their deputies from across the Department and its NDPBs. The role of EDWG is to discuss equality-related issues, best practice and the delivery of the statutory equality duties at Branch level. The EDWG met on 14 occasions over the period 2001/02 – 2007/08.

Both EDSG and EDWG met more often in the early days of the Equality Scheme when the statutory equality duties were relatively new and the Groups provided a valuable vehicle for discussing and developing best practice. Although the Groups have not met as frequently in more recent years, the membership still forms a useful network of equality contacts for disseminating equality updates and gathering information on equality-related activity. At present meetings are only convened

when an identified need arises, but consideration is being given to the merits of establishing a more formal structure of annual or six-monthly meetings to ensure that all business areas are fully updated on equality issues as appropriate.

- (iv) DETI representation on the OFMdfM-led Equality & Social Needs Steering Group (ESNSG) which is attended by representatives of senior management from all NI departments and at which strategic issues are discussed;
- (v) DETI representation on the OFMdfM-led Equality Practitioners Group (EPG) which comprises representatives from the various Departmental Equality Units where discussions on equality related issues are discussed at a more practical level;
- (vi) The establishment of a comprehensive training programme to ensure that all DETI staff fully understand the statutory equality duty and have the necessary knowledge to carry out equality screening exercises and EQIAs;
- (vii) The inclusion of DETI equality commitments in corporate and Divisional/Branch business planning objectives and targets and in personal development plans as appropriate;
- (viii) The inclusion of equality updates in the monthly staff brief and awareness articles on a number of Section 75 groups in Newline, DETI's internal staff magazine;
- (ix) The development and publication of Annual Progress Reports to the Equality Commission which are cleared at Permanent Secretary level and copied to the Minister.

1b) Outline annual **direct** expenditure of resources to ensure that the statutory duties were complied with, in terms of staff and money over the past 5 years, and comment on the extent that all necessary resources were allocated.

*Prompts – Identify costs related to equality unit staff, use of consultants, allocation of budgets to training/publications/research, extent of in-year bids and/or reallocation of resources. What were the lessons learnt in terms of enablers and impediments to monitoring resourcing? What could the public authority do in future to ensure effective allocation and monitoring of necessary resources?*

## Staff Resources

When established in 2000, EDU was staffed by a Head of Branch (Grade 7), two Deputy Principals, an Office Manager and a small administrative team. This staffing resource was designed to facilitate implementation of the statutory equality duties in the early days of the DETI Equality Scheme when expertise and best practice were being developed. The Unit was, and continues to be supported by the network of EDSG and EDWG contacts throughout the Department.

As equality practices have become embedded within the Department's activity, the number of staff within EDU has reduced and currently consists of a Head of Branch (Grade 7), one Deputy Principal, an Office Manager and one member of administrative staff. The EDU staffing budget for 2007/08 was £158,000 (salaries and expenses).

Screening and EQIAs on policies are carried out by relevant business area within DETI, with EDU providing advice and guidance as necessary. There are therefore further staffing costs associated with carrying out Section 75-related activities which are not possible to estimate outside of those associated with the EDU itself.

## Programme Resources

Year	Full Time Equivalent Staff	£'s
2001/02	8	0
2002/03	8	30,000
2003/04	7	60,000
2004/05	7	135,000
2005/06	6	30,000
2006/07	4	30,000
2007/08	4	30,000

The annual budgets listed on the table above refer to programme funds made available to EDU for the promotion of Section 75 and other equality related projects. Projects which have been funded include the Age Positive Campaign which was established to promote the business case for employing an age diverse workforce to employers (this Campaign was delivered with assistance from consultants which accounts for the larger programme budget in 2004/05).

## Training

In addition to the above programme expenditure, DETI has paid over £31,000 to consultants since the introduction of the statutory equality duties to deliver training on a range of equality related courses, i.e. on how to carry out equality screening, undertake an Equality Impact Assessment and consult with equality stakeholders.

### **2. An outline of how the public authority intends to assess its compliance with the Section 75 duties and for consulting on matters to which a duty under that section is likely to be relevant.**

2a) Outline impacts and outcomes (for the public authority and/or individuals from the nine equality categories) over the past five years and what further steps could be undertaken to build on these or address underreporting?

*Prompt – Were outcomes delivered for all of the nine equality categories? Were annual progress reports critically reviewed before or after submission to the Commission? What examples of good practice from other public authorities could be adopted?*

## Outcomes

DETI's Equality Scheme has helped to ensure that assessment of the equality implications of policies and programmes has become an integral part of the Department's policy development process. For those policies which have undergone an EQIA, the most common outcome has been an increase in the monitoring associated with the provision of services, such as consumer advice, in order to ensure that they are properly accessible to all Section 75 groups. DETI Insolvency Branch, for example, has introduced a monitoring questionnaire to capture further information on the impact of insolvency policies on Section 75 groups.

The introduction of high level equality impact assessment forms as part of the Comprehensive Spending Review in 2007 has further served to help mainstream equality considerations and ensure that equality is built into the Department's planning processes.

Specific equality-related outcomes which have been delivered to date include:

- (i) DETI's support for the NI Ageing Population Panel (NIAPP) helped to focus attention on issues arising from the increasing percentage of older people in the NI population. DETI worked closely with its key NIAPP partners, Age Concern and the Centre for Competitiveness, to alert/educate employers, small businesses and trade unions to the significance of the Northern Ireland age shift and the need for age diverse policies in the workforce.
- (ii) DETI funding of the Age Positive promotional campaign produced a practical handbook for employers and, through articles in business journals, posters in job centres and presentations at business events, helped to highlight the business case for an age diverse workforce to employers.
- (iii) DETI Consumer Affairs Branch (CAB)'s provision of a single point of contact for consumer advice services for Section 75 representative groups served to facilitate a stronger and more effective customer interface.
- (iv) DETI sponsorship of the Employers' Forum on Disability Employer Award Scheme, in liaison with OFMdFM and DEL, highlighted best practice within the workplace by recognising employers who are leading the way with measures to support people with disabilities.
- (v) Work with Invest NI and the Women's Stakeholder Forum helped to identify issues relevant to the under-representation by women and to design activities aimed at promoting female entrepreneurs.

### **Annual Reports to the Equality Commission**

DETI's Annual Reports to the Equality Commission were coordinated by EDU with input from all areas of the Department and reviewed at senior official level prior to clearance by the Permanent Secretary. These reports have helped EDU to identify and disseminate examples of good practice on equality issues across all DETI business areas.

## Sharing Good Practice and Information

Good practice has also been shared across NI departments through a series of inter-departmental groups which meet regularly to discuss areas of mutual interest. These include ESNSG, EPG and the Equality and Social Needs Research and Information Group. The opportunity to share information, discuss issues and, on occasion, to liaise/cooperate on equality-related consultations and other activities has been invaluable. For example, departments' sharing of forms developed to guide the equality screening process has helped DETI to refine its own screening form.

In addition, the ESNSG research programme which commissions research on a range of equality-related issues has provided DETI with some very useful information, including the 2005 NI Multiple Deprivation Measure (NIMDM). DETI used NIMDM to draw up its current Disadvantaged Area Maps which are now the focus for the Department's activities aimed at tackling poverty and social need.

2b) Outline the number of equality scheme related consultation exercises undertaken by your authority over the past five years. Set out the number and percentage related to screening exercises and to EQIAs and indicate the extent that your scheme helped you to engage with external stakeholders.

*Prompt – Identify your authority's most and least successful means of consultation in relation to s75 categories. Why were some means of consultation more or less successful in relation to particular equality categories?*

DETI has carried out ten formal Equality Scheme-related consultation exercises. Eight (80%) of these concerned EQIAs on major DETI policies which were screened as part of the development of DETI's first and revised Equality Schemes (these policies are listed at **Annex A**). The remaining two (20%) consultation exercises related to the development of the Department's original and revised Equality Schemes. Written consultation together with targeted meetings with key Section 75 representative organisations were the primary means of consultation.

The Department has also introduced procedures to informally consult on 'screened-out' policies by issuing a list of policies/legislation which have been 'screened out' to all those on its equality consultation list every six months.

Since the introduction of our Equality Scheme, equality screening forms have been completed on 53 policies/pieces of forthcoming legislation (listed at **Annex B**). All were screened out. Brief details on all of the policies screened out since January 2005 have been included in the six-monthly informal consultation exercise in order to provide stakeholders with an opportunity to comment on our decisions.

DETI's experience to date of Equality Scheme-related consultation exercises has indicated that written consultation alone sometimes has a disappointing response rate and elicits limited substantive feedback on policies. Furthermore, feedback from consultees on the consultation process indicates that a number of the Section 75 representative organisations have felt inundated with documents and, due to a lack of resources, have been unable to respond effectively. In response, DETI has amended its procedures and adopted the practice of writing to consultees to let them know that a consultation document is available for viewing on the Department's website or can be sent out in hard copy (including alternative formats) upon request. This has helped to reduce the amount of bulky documents sent out to organisations and allowed them to focus their attention on consultations of particular interest/relevance to them.

DETI has also sought to develop other ways in which to gather views on policies. When consulting upon the DETI Revised Equality Scheme, for example, EDU offered consultees face-to-face meetings for a more open and informal exchange of views on the draft document. Meetings were subsequently held with a number of Sector 75 representative organisations and proved very useful as the format allowed consultees not only to provide their views but also to ask questions and open up dialogue with the Department.

In addition to the ten Equality Scheme-related formal consultation exercises which have taken place, DETI has sought ongoing feedback from customers on a wide range of equality issues. Consumer Affairs Branch (CAB), for example, commissioned consultants MORI to carry out independent research into customer satisfaction levels with the Consumerline Service. This survey included, in the profile of respondents, a breakdown of the numbers of people contacting the Service who belong to some of the groups identified under Section 75 i.e. disability, ethnicity, age and gender. This allowed CAB to identify any groups who were under-represented in their use of consumer advice services.

CAB has also made use of a Section 75 user questionnaire to collect information about the type of consumers who are using the Consumerline service. A postal survey was sent to a random selection of consumers who had contacted Consumerline within the preceding six month period. The survey results revealed the extent to which the service is being used by people from each of the nine equality categories and therefore helped CAB to direct awareness raising activities more effectively. This improved information is helping CAB to improve accessibility of its services and ensure effective delivery to all Section 75 groups.

More recently, as part of the five year review of its Equality Scheme, DETI conducted a questionnaire survey of all Section 75 consultees to elicit feedback on the Department's performance in relation to equality screening, EQIAs and consultation. Feedback to date has been limited and further follow-up is under consideration. Consideration will also be given to other methods of enhancing DETI's relationship with Section 75 representatives and developing current lines of communication.

2c) Indicate if your list of consultees was amended during the 5 year period and what further steps could be taken to develop your level of engagement and consultation?`

*Prompt - Outline the extent your authority did or did not move away from formal consultation and on what criteria was any such consultation targeted? To what extent were requests to be included and/or objections from those not included in the consultation process received and how were these addressed?*

## **Equality Consultation List**

DETI's initial equality consultation list was derived from the organisations included in the Equality Commission's Guide to the Statutory Duties as well as information provided by OFMdfM. Since this list was drawn up, DETI has continued to develop the list. All consultees are contacted on an annual basis to ensure that their details are up to date and that they wish to remain on the list. The names of further individuals and organisations have also been added in response to advice from a number of DETI business areas.

## Consultation Methods

As indicated under 2(b) above, early consultation exercises focused more heavily on written consultation methods while later exercises, such as the consultation associated with the development of DETI's revised Equality Scheme, sought to broaden our methods of seeking feedback in order to improve response rates and elicit more substantive comments. Alternative methods of consulting with customers have included face to face meetings.

The Department has also sought to improve dialogue with customers outside of the formal consultation process. For example, through its Outreach programme, CAB has met with representatives of a range of Section 75 groups, including disability groups, ethnic minorities and older people, in order to assess their needs and develop ways of combating any barriers to accessibility.

2d) To what extent did your authority consult directly with directly affected individuals as well as with representative groups, particularly in relation to young people and those with learning disabilities, and was this sufficient?

*Prompt – How effective was your authority at providing feedback to consultees as a result of consultation exercises? What were the lessons learnt in terms of enablers and impediments to consulting directly with affected individuals? What could your authority do in future to provide effective consultee feedback?*

Formal consultation exercises have drawn upon the DETI list of equality consultees which mainly includes contact details for Section 75 representative groups rather than names of individuals. There has been little direct contact with young people and those with learning disabilities. Procedures are, however, being kept under review and further consideration will be given to ways of broadening the Department's base of consultees with particular reference to the Equality Commission's recently produced guidance on consulting with children and young people.

DETI has sought to provide feedback to everyone who has responded to an equality-related consultation exercise. The final version of DETI EQIAs, for example, has included a section which identifies the main points raised by each respondent and the departmental response to each point.

### **3. The authority's arrangements for assessing and consulting on the impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity.**

3a) Outline and discuss the number of policies your authority subject to screening over the past five years, setting out the number and percentage of 'policies screened in' on the basis of equality considerations and the percentage 'screened in' on the basis of the good relations duty.

*Prompt - What were the lessons learnt in terms of enablers and impediments to screening in terms of, screening criteria and priority factors? Are there any other criteria which could usefully be included? What lessons are there regarding responsibility for screening at regional level and subsequent screening of local policy? What could your authority do in future to ensure effective screening arrangements? Set out in an appendix a list of all policies screened out during scheme implementation.*

In developing its original and its revised Equality Schemes, DETI considered the Department's full range of current policies and 'screened in' a total of 19 for EQIA – a number of these were subsequently merged for the impact assessment process. For example, the policies covering support delivered to existing industry and the attraction of inward investment (both delivered by the then Industrial Development Board on behalf of the Department) were progressed through the EQIA process together.

A further 53 policies or pieces of draft legislation were equality screened as part of the policy development process. All were screened out for EQIA. Brief details on these policies are attached at **Annex B**.

The screening form developed by DETI (with reference to similar templates developed by other departments) has proven a useful tool for quickly establishing whether or not the topic being considered has significant equality implications. When needed, EDU has offered advice and guidance to policy makers undertaking screening exercises and all completed screening forms are copied to EDU for information. While this process has generally been well embedded within the Department, we recognise the importance of continually monitoring and seeking to improve our systems to ensure that our policy development procedures are fully understood and as robust as possible. It has therefore been suggested that a 'refresher' round of equality screening training might be

appropriate at this time and action will be taken during 2008 to take this forward.

## **Impediments**

In terms of impediments to the screening (and EQIA) process, the main difficulty has been accessing appropriate data on all Section 75 categories to support the decision-making process. It has, for example, proven consistently difficult to obtain quantitative information for categories such as sexual orientation and political opinion. On these occasions, DETI has sometimes made use of 'proxy' data or qualitative or anecdotal information.

3b) To what extent did your authority's consideration of the screening criteria **not** identify equal opportunity implications on any of s75 categories, but for which consultees then highlighted problems?

*Prompt – Identify the extent the collection of quantitative and qualitative data informed screening processes. Outline the extent consultations with representative groups produced data to inform the screening process which was not otherwise available to your authority. Outline any difficulties in identifying policies and equality implications using the definition of policy set out in the Guide to the Statutory Duties.*

Consultation on the subject of screened out policies has, to date, only produced one query. On that occasion, the Department considered the issue raised and responded to the consultee to explain the reasoning behind the screening decision. This explanation was accepted and no further action was necessary.

## **Difficulties**

Any difficulties in identifying policies has largely related to the consideration of 'policies' versus 'strategies' in order to decide the most appropriate and productive level at which the full screening and seven step EQIA process should be applied. DETI recognises the importance of building equality considerations into policy development at an early stage but would welcome further guidance from the Equality Commission as to how this might be most effectively achieved when dealing with high level strategies. Experience would suggest that the current Equality Commission guidance is most usefully applied to the policies underlying a major strategy rather than the strategy itself.

3c) Outline over the past five years how many EQIAs your authority commenced as a result of i) initial screening and ii) as a result of screening new/revised policies subsequently, and discuss the extent that your authority has become more effective at identifying equality of opportunity dimensions in its policies.

*Prompt – Were changes made to the screening process? Outline any examples of any changes made to policies to better promote equality of opportunity and/or good relations, rather than to address any perceived differential impact, as a result of screening policies that were ‘screened out’?*

## **EQIAs**

Eight EQIAs have been undertaken over the past five years, all of which were identified as part of the screening exercise carried out when the Department’s first Equality Scheme was being drawn up. A further EQIA on telecommunications policy (listed in DETI’s revised Equality Scheme) is currently being progressed and will issue shortly for consultation.

## **Screening Process**

DETI staff have, with training and experience, become increasingly more effective at undertaking screening exercises. Stability in the staffing of EDU has also helped by providing an experienced and knowledgeable source of advice on screening issues. However, to avoid complacency and ensure that screening is carried to high standard throughout all areas of the Department, plans are in train to organise a round of ‘refresher’ training on this subject.

## **Screening Form**

The introduction of a standard screening form for DETI policies at an early stage of the implementation of our Equality Scheme has played an important role in mainstreaming equality within the Department and ensuring consistency across different business areas. The form was recently revised to incorporate a reference to the new disability duties which were introduced in 2007.

3d) Outline over the past five year period the percentage of your authority’s initial EQIA timetable that reached i) stage 6 of the EQIA process i.e. decision making, and ii) stage 7 of the EQIA process i.e. annual monitoring & publication of results, and indicate the extent that your authority has become more effective at progressing EQIAs.

*Prompt – Explain any slippage that occurred and what was done to rectify it. To what extent did you notify representative groups of this slippage and what was their reaction? What were the lessons learnt in terms of enablers and impediments to monitoring EQIAs?*

## **DETI's First Equality Scheme**

Of the 16 policies 'screened in' in DETI's first Equality Scheme, 13 have reached stage 6 of the EQIA process. Monitoring has been carried out in line with Equality Commission guidance but the results have not been published.

The three policies listed in DETI's first Equality Scheme which did not progress as initially planned were as follows:

- (i) New Targeting Social Need policy: This policy was succeeded by Lifetime Opportunities, the OFMDFM-led new anti-poverty and social inclusion strategy;
- (ii) DETI-managed European Union Structural Funds programmes: Work on this policy was initially delayed due to a lack of data. Some action was taken centrally by DFP who commissioned a research project to examine ways of assessing the impact of EU programmes on section 75 groups. The need for further action by DETI will be kept under review.
- (iii) A flexible property policy to support existing and new companies: Following re-structuring and the subsequent revision of DETI's Equality Scheme, this policy was taken forward as part of Invest NI's Equality Scheme.

## **DETI's Revised Equality Scheme**

DETI's revised Equality Scheme listed ten key policies.

Two of the policies listed refer to New TSN policy and DETI-managed European Union Structural Funds programmes – the current position on these policies is outlined in the above section.

Four of the policies listed - a favourable regulatory climate for businesses, administering and investigating the affairs of bankrupts, maintaining a fair trading environment and securing a diverse, competitive and efficient energy market – had been included in the

Department's first Scheme and are among those listed in the above section as having reached stage 6 of the EQIA process.

The four remaining policies cover the social economy, telecommunications, financial infrastructure in support of economic development and the development and marketing of alternative energy sources. An EQIA on telecommunications policy is currently underway and will issue for consultation shortly. A new social economy strategy is currently in development and equality considerations are being built into this process. A range of energy policy-related screenings have been carried out and are listed among the screened out policies detailed at **Annex B**. Any remaining commitments will be followed up by EDU.

#### **4. The authority's arrangements for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.**

4a) To what extent were sufficient arrangements put in place to collect data relating to the nine equality categories to monitor the impact of policies and what could your authority do in future to develop monitoring arrangements?

*Prompt - What were the lessons learnt in terms of enablers and impediments to monitoring and developing new/additional quantitative data over the past five years? Did your authority consult its own employees or collaborate with other authorities to collect data? Did your authority engage with representative groups to develop monitoring arrangements?*

### **ESNRIG**

DETI is represented on the OFMdfM-led Equality and Social Need Research and Information Group (ESNRIG) and contributes towards the research budget which has been established to assess and guide the collection and use of Section 75 data. OFMdfM's own review report contains further information on the work of this Group.

### **Departmental Arrangements**

Following finalisation of DETI's first Equality Scheme, the Department's statisticians worked closely with policy-makers to research data for the initial run of EQIAs scheduled for completion. While significant progress was made in identifying quantitative information on a number of the

Section 75 categories, it has proven more difficult to obtain information on others, particularly in relation to sexual orientation, political opinion and religious belief. In seeking to fulfill the need for further information, the Department contacted Section 75 representative groups to discuss the availability of other data and/or qualitative information but this attempt to enhance our data sources was not always entirely successful.

As a result of a number of the Department's early EQIAs, arrangements to collect more detailed information on a range of Section 75 groups have been put into place, for example by CAB (see section 2(b) above).

The Equality Commission's July 2007 monitoring guidance should prove a useful tool for the Department as we seek to re-assess information gathered, particularly with a view to developing more comprehensive data across all DETI business areas. EDU plans to instigate an exercise to examine programmes delivered throughout the Department in respect of data available/methods of collection in order to identify both best practice and any significant gaps. Once this information has been collected and analysed, consideration will be given to the need for a more comprehensive Monitoring Strategy.

**5. The authority's arrangements for publishing the results of equality impact assessments and of monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.**

5a) Indicate the number of reports published outlining the results of EQIAs and monitoring over the past five years, and outline what your authority could do in future in relation to improving the publication of EQIA results and monitoring.

*Prompt – Identify the number of reports that were provided in alternative formats. What were the lessons learnt in terms of enablers and impediments to publishing the results of EQIAs and monitoring?*

All eight EQIAs undertaken by DETI have been published in accordance with the guidance produced by the Equality Commission and in line with the commitments established in the Department's Equality Scheme. The Department's first Equality Scheme was made available in Braille and audio cassette as well as standard formats. Demand for alternative formats for this and subsequent documents has been very low but the Department remains committed to providing alternative formats upon request.

**6. A commitment that in making any decision with respect to a policy adopted or proposed to be adopted by it, that the public authority shall take into account any equality impact assessment and consultation carried out in relation to the policy.**

6a) In terms of the number of EQIAs that reached stage 6 i.e. decision making to what extent were mitigation measures and alternative policies adopted?

*Prompt - Outline the extent to which your authority produced EQIAs that did **not** identify adverse impact on any of s75 categories, but which consultees then gave an indication of adverse impact of s75 category and/or proposed mitigation measures or alternative policies.*

While DETI received a number of responses in relation to its EQIAs, none of the comments identified significant adverse equality impacts which the Department had over-looked. Many comments related to the need to ensure that the policy outlined was effectively implemented in order to avoid inequalities.

6b) To what extent did consideration of EQIAs and consultations contribute to a change in policy, as opposed to policy decisions which would probably have been made in any event by your authority?

*Prompt - Set out any key examples. What were the lessons learnt in terms of enablers and impediments to making a decision and taking into account an EQIA and consultation? What could your authority do in future to ensure decision making effectively takes these issues into account?*

None of the DETI policies which underwent EQIA were significantly changed as a consequence of comments received during the assessment and consultation process. However, some adjustments to the delivery of policies and programmes have been made in response to advice from Section 75 representative groups.

For example, in response to the EQIA of Insolvency Service policies, the Chinese Chamber of Commerce commented that the language barrier is a significant problem for Chinese business community and that they would welcome introduction of Cantonese translations of guidance leaflets. Insolvency Service subsequently translated a range of leaflets into Cantonese and has made a commitment to ensure that a translation of all future publications will be available as required.

## **7. The authority's arrangements for training staff on issues relevant to the duties.**

7a) To what extent were sufficient arrangements put in place to develop and deliver a training programme in accordance with scheme commitments?

*Prompt - Was the training programme focused on the initial period of scheme implementation or did it effectively cover all five years? To what extent were outside trainers from representative groups used in designing or delivering training? Was focused training for staff in management and roles associated with aspects of scheme implementation provided on an ongoing basis?*

Following the introduction of the statutory equality duty, a comprehensive training programme was put into place to ensure that all DETI staff were fully aware of the Section 75 statutory equality duties and armed with the necessary skills to implement these duties effectively:

- An 'Introduction to Section 75' training course was delivered to all staff with management responsibilities (provided by consultants);
- More detailed courses aimed at Office Managers and above were organised to train relevant staff on how to carry out equality screening, undertake an Equality Impact Assessment and conduct effective consultation (provided by consultants);
- A module on Section 75 and Human Rights was introduced into the induction training course for all new staff (provided in-house);
- A module on Section 75 was also introduced into all Management Development courses for new and existing managers (provided in-house); and
- Equality Awareness was introduced into Criteria Based Interviewing training programmes in line with the Civil Service Commissioners recruitment code.

DETI continues to provide in-house induction training which includes a section on equality issues and the Department can avail of the suite of equality training courses now provided by the Centre for Applied Learning. These courses include 'Equality Screening of Policies',

## ‘Conducting an Equality Impact Assessment’ and the ‘Consultation Process in Northern Ireland’.

7b) Have all staff received awareness training and what could your authority do in future to deliver an effective training programme?

*Prompt – Does the authority have evidence that over the past five years staff understood their role in implementing the scheme? What were the lessons learnt in terms of enablers and impediments to communication and training?*

DETI has ensured that Section 75 awareness training has been delivered to all staff throughout the Department and remains available as required.

In addition, more specialised training has been provided as required for customer-facing staff. For example, CAB sourced specific equality related training on deaf awareness for all customer-facing staff which was designed and delivered by a deaf person from the Royal National Institute for the Deaf (RNID). CAB staff also received Race & Ethnicity training which was delivered by a representative from a migrant workers project running in the Dungannon area.

Feedback from staff on all of these courses has been very positive.

### **8. The authority’s arrangements for ensuring and assessing public access to information and to services provided by the authority.**

8a) To what extent were sufficient arrangements put in place to ensure and assess public access to information and to services provided by the authority?

*Prompt - Was an audit of information provision undertaken? To what extent did you provide accessible formats without specific requests? What were the lessons learnt in terms of enablers and impediments to ensuring and assessing public access to information and to services? What could your authority do in future to ensure equality of opportunity in public access to information and to services?*

### **Equality Communication Guide**

Drawing on the good practice guide issued by OFMdFM in 2003, EDU has developed a DETI Equality Communication Guide which sets out best practice on making information accessible to all nine Section 75

categories. The Guide was publicised widely throughout the Department and placed on the internal website for ease of reference. The Guide is scheduled for review and update during 2008/09.

## **Alternative Formats**

DETI has proactively translated a number of documents into other languages (e.g. Insolvency Service's Cantonese leaflets) and produced key equality-related publications in alternative formats (e.g. DETI's first Equality Scheme was provided in Braille and on audio cassette). Demand for alternative formats has, however, been very low. The Department has, therefore, undertaken to provide (at least) the executive summary of key published documents in other languages or formats upon request. All Departmental publications contain a statement to this effect. DETI will, of course, prepare advance copies on an accessible basis if the policy, programme or service in question is deemed to be of particular interest to groups likely to experience difficulties in accessing a standard version of a document.

## **DETI Website**

DETI's website has been developed as an alternative means of communication and for the provision of information. The DETI website meets the Web Content Accessibility Guidelines (WCAG) 'double A' standard specifications. The site has also been assessed by Bunnyfoot, an organisation who advise on the accessibility of websites. Amendments were made to the website to correct any issues raised.

## **9. The authority's timetable for measures proposed in the scheme.**

9a) Outline the extent to which measures set out in the original timetable have been implemented. Any detailed information should be included as an appendix to the report.

*Prompt – Update any progress previously reported as underway or delayed. Has a mechanism been developed to report by exception i.e. on specific issues that have not been progressed?*

The timetable established in DETI's first and revised Equality Schemes has been largely met though with some slippage, largely in relation to the completion of a number of EQIAs. Progress made in completing EQIAs is further detailed at section 3(d) above.

The Department's commitments to providing an annual report to the Equality Commission, developing and implementing a training plan and drawing up an Equality Communication Guide were all met.

9b) If your authority was to be reconstituted in the next five years what would be the main scheme actions/equality considerations that an incoming authority should address? Any detailed information should be included as an appendix to the report.

*Prompt – Outline what arrangements could be put in place to transfer equality scheme knowledge.*

DETI is not one of the main departments which will be impacted by the Review of Public Administration. However, should significant changes take place in the future, the experience of developing a revised Equality Scheme in response to structural changes to the Department in 2002/03, and of mainstreaming equality over the past 6-7 years, should prove invaluable.

## **10. Details of how the scheme will be published.**

10a) Were scheme commitments in this section delivered and what evidence supports this view?

The commitments given in DETI's first and revised Equality Schemes regarding publication were delivered. As stated previously, the first Equality Scheme was translated into several alternative formats and draft and final versions of both Schemes were announced in the local press and placed on the Department's website.

## **11. The authority's arrangements for dealing with complaints arising from a failure to comply with the scheme.**

11a) Outline the number and nature of complaints received by your authority, and what your authority could do in future to develop its complaints handling process and learn from complaints.

*Prompt – Outline the nature of complaints and scheme element e.g. screening, consultation. What effect did complaints have on the operation of your scheme?*

DETI has received a total of two formal complaints which were lodged under the Department's Equality Scheme. However, consideration of the complaints revealed that both concerned the operation of specific departmental policies and did not relate to how the Department had

administered the commitments set out in our Equality Schemes. On this basis, neither complaint was accepted as a failure on the part of DETI to effectively implement its Equality Scheme.

DETI has devised a specific complaints procedure for dealing with complaints received in relation to its schemes and a note was issued to all staff advising them of these procedures.

**12. A commitment to conducting a review of the scheme within five years of its submission to the Equality Commission and to forwarding a report of this review to the Equality Commission.**

12a) What has been your authority's experience of conducting this review? To what extent has the Commission's guidance been useful in undertaking the review?

EDU has undertaken this review with input from all DETI business areas and stakeholders. The review has helped to focus attention on a number of issues which will be given further consideration as we seek to continually improve our processes. Areas which will be given further thought include possible refresher training on screening for staff and the need to further enhance our approach to monitoring for Section 75 purposes.

**Equality Impact Assessments carried out by DETI**

1. The Industrial Development Bill (for the restructuring of the DETI Agencies)
2. An EQIA covering two policies to:
  - (i) encourage greater, sustainable growth by locally and externally owned internationally competitive companies in the manufacturing and tradable services sectors; and
  - (ii) attract new inward investment which will offer opportunities for enhanced job quality, paying particular attention to those areas designated as being disadvantaged
3. An EQIA covering two policies to:
  - (i) raise the level of research and development activity in companies to raise overall competitiveness; and
  - (ii) increase the use of new technologies in companies to increase competitiveness
4. An EQIA of policies to promote and maintain a fair trading environment in which consumers are protected against malpractice and responsible business activity is encouraged
5. Energy Bill: Energy (2003 Order) (Commencement No.1) Order (NI) 2003.
6. An EQIA of policies to encourage and maintain most favourable regulatory climate for growth of business industry and commerce.
7. An EQIA of policies to promote and maintain the integrity and working of the market place by administering and investigating the affairs of bankrupts and companies in compulsory liquidation and handling the disqualification of directors in all corporate insolvencies.
8. An EQIA of policies to promote and maintain a fair trading environment in which consumers are protected against malpractice and responsible business activity is encouraged.

**Screening exercises carried out by DETI**

Insolvency (NI) Order 1989 (Amendment No. 2) Regulations (NI) 2002

The Administration of Insolvent Estates of Deceased Persons (Amendment) Order (NI) 2003

The Insolvent Partnerships (Amendment) (NI) Order 2003

Insolvency (NI) Order 1989 (Amendment) Regulations (NI) 2002

Companies (NI) Order 1986 (Electronic Communications) Order (NI) 2003

The Companies (Principal Business Activities) (Amendment) Regulations (NI) 2003

The Foreign Companies (Execution of Documents) Regulations (NI) 2003

Unfair Arbitration Agreements (Specified Amount) Order (Northern Ireland) 2003

Weights and Measures (Passing as Fit for use of Trade and Adjustment Fees) Regulations (Northern Ireland) 2003

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2003

Certification of tourist accommodation The Tourism (NI) Order 1992

Provisions in a proposed new Companies Bill (Order in Council) relating to the audit and accountancy profession

Weights and Measures (Intoxicating Liquor) (Amendment) Order (Northern Ireland) – Proposed

Measuring Equipment (Capacity Measure) (Amendment) Regulations (Northern Ireland) – Proposed

Price Marking Order (Northern Ireland)

Price Marking (Food and Drink Services) order

Primary legislation corresponding to the provisions of the Companies (Audit, Investigation and Community Enterprise) Bill in Great Britain

Renewables Obligations Order

Draft Weights and Measures (Standards Amendment) Regulations (Northern Ireland) 2004

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2004

The Electricity and Gas (Determination of Turnover for Penalties) Order (Northern Ireland) 2004

Weights and Measures (Passing as Fit for Use for Trade and Adjustment Fees) Regulations (NI) 2004

Draft Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 2005

Draft Weighing Equipment (Non-Automatic Weighing Machines) Regulations (Northern Ireland) 2005

Draft Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 2005

Draft Industrial and Provident Societies (Northern Ireland) Order 2005

Draft Weighing Equipment (Automatic Catchweighing Instruments) Regulations (Northern Ireland) 2005

Electricity Grants (Prescribed Purpose) Regulations (Northern Ireland) 2005

Electricity Directive 2003/54/EC (“the Directive”) and Regulation 1228/2003 (“the Regulation”) of the European Parliament and the Council.

Weights and Measures (Miscellaneous Foods) (Amendment) Order (Northern Ireland) - Proposed.

The Insolvency (Deposits) Order (Northern Ireland) 2005

The Insolvency (Fees) Order (Northern Ireland) 2005

The Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2005

The draft Energy Order 2003 (Supply of Information) Regulations (Northern Ireland) 2006 (“the Regulations”)

Electricity Order 1992 (Amendment) Regulations (Northern Ireland) 2005

A single screening form covering:

1. The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations (Northern Ireland) 2006
2. The Measuring Instruments (Beltweighers) Regulations (Northern Ireland) 2006

3. The Measuring Instruments (Automatic Catchweighing Instruments) Regulation (Northern Ireland) 2006
4. The Measuring Instruments (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland) 2006
5. The Measuring Instruments (Measures of Length) Regulations (Northern Ireland) 2006
6. The Measuring Instruments (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 2006
7. The Measuring Instruments (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 2006
8. The Measuring Instruments (Capacity Measures) Regulations (Northern Ireland) 2006

Company Law Reform Bill

The Insolvency Practitioners Regulations (Northern Ireland) 2005

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2006

Weights and Measures (Passing as Fit for Use for Trade and Adjustment Fees) Regulations (Northern Ireland) 2006

Draft Code of Practice for Traders on Price Indications Draft Consumer Protection (Code of Practice for Traders on Price Indications) Approval Order (Northern Ireland) 2006

The Insolvency (Northern Ireland) Order 1989 (Amendment) Regulations (Northern Ireland) 2006

Environment and Renewable Energy Fund, Household Programme

The Cross-Border Insolvency Regulations (Northern Ireland) 2007

Proposed Electricity (Single Wholesale Market) (Northern Ireland) Order 2007

Draft Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 2006

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2007

The Gas (Designation of Pipelines) Order (Northern Ireland) 2007

The Insolvency (Northern Ireland) Order 2005 (Disqualification from Office: General) Order 2007

Proposed Electricity (Class Exemptions from the Requirements for a Licence) Order (Northern Ireland) 2007

Proposed Electricity (Class Exemptions from the Requirements for a Licence) (Amendment) Order (Northern Ireland) 2007

The Measuring Instruments (Use for Trade) (Amendment) Regulations (Northern Ireland) 2007

UK Energy Bill – extension of provisions to Northern Ireland