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NORTHERN IRELAND HUMAN RIGHTS COMMISSION

EQUALITY SCHEME 2001-2006

Introduction

1. The Northern Ireland Human Rights Commission (NIHRC) is a statutory body set up by section 68 of the Northern Ireland Act 1998. It is listed in Schedule 2 to the Parliamentary Commissioner Act 1967. As such it has been designated by the Secretary of State for Northern Ireland under section 75(3)(a) of the Northern Ireland Act 1998 as a “public authority” on which the duties set out in section 75(1) and (2) of that Act are imposed. The purpose of this Equality Scheme is to set out how the NIHRC proposes to fulfil those duties in relation to all of its functions, powers and duties in Northern Ireland.
2. The Commission is fully committed to ensuring that effective internal arrangements are in place to implement this Equality Scheme, to comply with the duties imposed by section 75 and to ensure that progress relating to the duties is monitored and reviewed. It is also committed to ensuring that the necessary resources allocated will be used to ensure that the Equality Scheme is drawn up and implemented effectively. There is a commitment as well to the development and delivery of a planned programme of communication and training on the Equality Scheme.

Queries about the Scheme

3. The Commission has designated the Chief Executive (Ms Paddy Sloan) as the main contact point for anyone who has a query in relation to the Scheme. She can be contacted at the Commission's premises (Temple Court, 39 North Street, Belfast BT1 1NA; tel: 028 9024 3987). The Commission is committed to having systems in place to ensure that information about the Equality Scheme, and about

the Commission's policies and activities, is available in accessible formats in a timely fashion.

Genesis of the Scheme

4. The Scheme is a final version of a Draft Equality Scheme which was issued for consultation by the NIHRC at the end of April 2000. At that stage the NIHRC was under the belief that a final version would need to be submitted to the Equality Commission by 30 June 2000, but because the NIHRC was not designated until early July 2000, that turned out not to be the case.
5. The Draft Scheme was widely distributed. It was sent to all groups with which the NIHRC had been in contact since its establishment on 1 March 1999, as well as to a range of other groups and individuals (details were provided in Appendix 1 to the Draft Scheme, which is reproduced as Appendix 1 to this document). It was also placed on the Commission's website. Over 30 organisations submitted comments on the Draft Scheme. The substance of the comments was that the NIHRC had not followed closely enough the Equality Commission's *Guide to the Statutory Duties* (March 2000): the Draft Scheme did not, for example, say that a version was available for persons with learning disabilities and it did not provide enough details on how the NIHRC would monitor progress in implementing the Scheme or deal with complaints about the Scheme; queries were also raised over the criteria used to screen policies for a full impact assessment (the Draft Scheme said that one criterion would be whether the policy was found to have *significant* implications for the equality of opportunity duty) and over the lack of detail concerning the NIHRC's policies on publications, employment and procurement.
6. The Commission carefully considered the responses to its Draft Scheme and decided to distribute a Revised Draft Scheme for further consultation in October 2000. One of the changes made to the Revised Draft Scheme was that it committed the NIHRC to conducting impact assessments of *all* of its policies.

This was sent to those groups and individuals specified in Appendix 2 to that document, which is reproduced as Appendix 2 to this document. Twelve responses were received. None of them referred to the Commission's decision to impact assess all of its policies. The Scheme which was submitted to the Equality Commission in January 2001 took the comments on the Revised Draft Scheme fully into account and accepted most of them. The Equality Commission returned its comments on the Revised Draft Equality Scheme in June 2001 and, having accepted all of those comments and made the necessary adjustments to the Scheme, the NIHRC submitted a Second Revised Draft to the Equality Commission in August 2001.

The statutory duties

7. Section 75(1) of the Northern Ireland Act 1998 requires a designated public authority, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:
 - (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - (b) between men and women generally;
 - (c) between persons with a disability and persons without; and
 - (d) between persons with dependants and persons without.

The NIHRC is clear that in this context "persons with a disability" includes persons with a learning disability. As regards persons of different age, the NIHRC pays particular attention to young people (under the age of 18) and to older people (over the age of 60).

Without prejudice to its obligations under section 75(1), a designated public authority must, under section 75(2), have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or

racial group. In interpreting this provision the NIHRC has paid attention to the fact that "persons of different political opinion" can refer to the difference between those persons who voted "Yes" in the referendum on the Belfast (Good Friday) Agreement of May 1998 and those who voted "No".

Equality Commitment Statement

8. In preparing this Equality Scheme the NIHRC has been aware that the new statutory duties are designed to make equality issues central to the whole range of public policy decision-making in Northern Ireland. They mean that an equality perspective is to be incorporated in public authority policies at all levels and at all stages. In short, equality issues are to be “mainstreamed”.
9. The NIHRC as a whole is committed to providing the necessary resources (in terms of people, time and money) to ensure that the statutory duties are complied with. The NIHRC’s Strategic Plan for 2002-2005 and its annual Business Plans for the next five years will also reflect this commitment. All of these plans will contain objectives and targets relating to the statutory duties and these will be operationalised through questionnaires, monitoring forms and consideration within the Commission's committees as to what more needs to be done to ensure that the section 75 obligations are met and the Equality Scheme complied with. Further resources will be provided than those planned for if this becomes necessary. “Necessary” in this paragraph includes “necessary to allow consultees to consider and respond to issues on which the NIHRC is consulting”.
10. To help ensure that adherence to the section 75 obligations is taken seriously by Commissioners and staff alike, an Equality Commitment Statement has been approved by the NIHRC and circulated to all staff. Amongst other things, this Statement reminds Commissioners and staff to refer to the NIHRC’s commitment to equality at all appropriate times in meetings, presentations, documents and speeches. It also reminds Commissioners and staff to take account of the

NIHRC's commitment to equality when taking and implementing decisions. The Equality Commitment Statement reads in full as follows:

EQUALITY COMMITMENT STATEMENT

The Northern Ireland Human Rights Commission is committed to ensuring that in everything it does it will pay due regard to the importance of promoting equality of opportunity for all persons in Northern Ireland. All individual Commissioners and staff within the Commission are determined that at all levels at which policies and decisions are made and implemented equality of opportunity will be taken fully into account as a very important factor bearing upon the content and effects of those policies and decisions.

All Commissioners and staff within the Commission pledge that they will refer to the Commission's commitment to equality at all appropriate times in meetings, presentations, documents and speeches. Staff will report on their success in achieving equality of opportunity when submitting reports to the Chief Executive or to committees of the Commission.

Where a failure adequately to promote equality of opportunity is identified at any level of the organisation, steps will be taken to draw this to the attention of the Commission as a whole through the Commission's Equality Committee, of which the Chief Commissioner and Chief Executive shall be members.

Other indicators of a commitment to equality

11. The NIHRC wishes to develop a culture of equality both internally and externally. In doing so it will be aware of the special problems experienced by persons who may be disadvantaged on more than one ground, *e.g.* single mothers under the age of 18 or members of ethnic minorities who have a disability. The NIHRC will have regard to its section 75 obligations when devising annual Business Plans and longer-term Strategic Plans. Action in relation to section 75 duties will be included in all such plans.
12. As a further demonstration of its commitment to ensure that people who use the NIHRC's services can judge for themselves whether the persons dealing with

them are impartial, the NIHRC maintains a *Register of Interests* for all Commissioners. Any member of the public is free to examine this Register during normal working hours or to ask for a copy of any part of it.

13. The NIHRC has functions which overlap with those of the Equality Commission for Northern Ireland. To ensure that the two organisations operate efficiently in those shared areas, they have jointly drawn up a Memorandum of Understanding. Copies of this are available from either Commission and it is on the NIHRC's website (www.nihrc.org).
14. The NIHRC will use all its endeavours to promote equality of opportunity in the human rights sphere in Northern Ireland by, for example, increasing information and knowledge and identifying and helping people who are without access to the legal system. It will keep a particularly close eye on the way in which the legal aid system is operating in Northern Ireland.

Commitment to good relations

15. The NIHRC is also firmly committed to the duty imposed on it by section 75(2) of the Northern Ireland Act 1998. To that end it proposes to assess its compliance with that duty by:
 - including questions about good relations in any questionnaire it delivers as part of its impact assessments undertaken for the purposes of section 75(1) of the Northern Ireland Act 1998;
 - surveying the views of community groups on this particular issue, perhaps by organising focus groups;
 - consulting with political representatives on the issue; and
 - taking the advice of the Community Relations Council and of organisations such as the Northern Ireland Council on Ethnic Minorities on how best to promote good relations.

Training

16. The NIHRC will ensure that all necessary resources are provided for the training of Commissioners and all staff on what is required by section 75 of, and Schedule 9 to, the Northern Ireland Act 1998. This is to be complemented by additional training on particular aspects of equality and promoting good relations, for example in the use of terminology concerning sexual orientation. Specific training will be given to staff engaged in consultation exercises so that they have the necessary skills. Training will be developed in consultation with the affected groups. All new staff will be similarly trained. The provision of training will not be dependent on grade, responsibilities or any training needs assessment which will in any way dilute the NIHRC's obligations.

17. The training delivered will pay particular attention to what is required by this Equality Scheme - including what is required concerning consultation, monitoring and evaluation - and will draw upon the expertise and experience of persons from outside the NIHRC in all nine categories affected by section 75. As a small organisation comprising at present 9 Commissioners and 17 staff, the NIHRC may search for training opportunities in conjunction with other designated public authorities. All staff and Commissioners will receive training sessions on equality at least twice per year. In the first year of the life of this Equality Scheme training sessions will be offered once in each quarter.

18. The NIHRC is committed to the development and provision of an effective communication and training programme on the content of the Equality Scheme for all staff and for all Commissioners. The objectives and key elements of this training programme will be:
 - raising awareness of current anti-discrimination legislation in Northern Ireland, including the provisions of section 75, Schedule 9 and section 76

- of the Northern Ireland Act 1998; this will include an explanation of the statutory duties and their implications for all staff and Commissioners;
 - providing those staff and Commissioners involved in the screening of policies with the necessary skills and knowledge to do this work effectively;
 - providing those staff and Commissioners involved in the equality impact assessment of policies with the necessary skills and knowledge to do this work effectively;
 - providing those staff and Commissioners who deal with complaints in relation to the implementation of the NIHRC's Equality Scheme with the necessary skills and knowledge to investigate and monitor the complaints effectively;
 - providing those staff and Commissioners involved in the consultation processes with the necessary skills and knowledge to do this work effectively;
 - providing those staff and Commissioners involved in the implementation and monitoring of the effective implementation of the NIHRC's Equality Scheme with the necessary skills and knowledge to do this work effectively;
 - evaluating the extent to which all participants in the training programme have acquired the necessary skills and knowledge to achieve each of the above objectives;
 - evaluating the training to assess the extent to which all staff and Commissioners fully understand their role in implementing the statutory duties.
19. The effectiveness of training will be monitored on an on-going basis, including by persons associated with each of the nine section 75 categories, and the training programme will be modified accordingly. It will be examined during appraisal interviews with staff and at discussions with Commissioners and will be discussed at staff meetings at least every six months. The NIHRC is committed to reporting

on the extent to which the objectives in paragraph 18 have been achieved and this information will be included in the annual review of the Scheme submitted to the Equality Commission.

20. A copy of this Equality Scheme has been provided to all staff within the NIHRC and the Chief Commissioner is committed to effective internal and external communication of his commitment to the statutory duties imposed by section 75 of the Northern Ireland Act 1998. A commitment and ability to implement the Scheme are being made core competencies in job descriptions for all posts in the NIHRC and (subject to trade union approval) effective implementation of the Equality Scheme is to be taken into account when staff performance is being reviewed. Staff performance in the Commission is monitored and reviewed through performance review arrangements. Sanctions will be applied for failure to comply with the NIHRC's equality duties.

Outline of assessment and consultation arrangements

21. The NIHRC has designated its Chief Executive as its Equality Officer and as the person responsible for promoting good relations. The Chief Executive can be contacted at the Commission's premises (Temple Court, 39 North Street, Belfast BT1 1NA; tel: 028 9024 3987). The Chief Executive will service and report to the NIHRC's Equality Committee, which consists of at least three Commissioners, including the Chief Commissioner, and meets at least once a quarter. The Equality Committee was responsible for producing a draft of this Equality Scheme (which was then approved by the NIHRC as a whole) and it will continue to be responsible for the effective and timely implementation of the final Scheme once it has been approved by the Equality Commission. More particularly, the Chief Executive of the NIHRC will be responsible for ensuring that the Equality Committee is provided on a quarterly basis with all the information it requires to monitor and review the operation of the Equality Scheme against the objectives and targets set in the Commission's Strategic Plan and annual Business Plans and

the Chief Commissioner will be responsible for ensuring that the Equality Committee's decisions are communicated to all appropriate persons and groups within the NIHRC and beyond.

22. Members of staff responsible for the delivery of particular services and for the implementation of Commission policies will report to the Chief Executive on a quarterly basis to assist her with her report to the Equality Committee. In addition, those staff who service the Commission's committees will be required to report once a quarter to those committees on how the Scheme is being monitored and its implementation reviewed within their area of work. The Chairs of the Commission's committees will be directed by the Chief Commissioner to ensure that their committees provide information, via the Chief Executive, for the Equality Committee. The Chief Commissioner will ensure that the Equality Committee's recommendations are reported to and considered by the Commission as a whole. Statutory responsibility for the effective implementation of the Scheme and compliance with the statutory duties lies with the Commissioners. They will, amongst other things, ensure that the Scheme is accessible and comprehensible.

23. In October of each year the Equality Committee will produce a draft annual review for the NIHRC on how well the NIHRC has met its targets and objectives relating to the statutory duties during the previous year and, in particular, on how much progress it has made in implementing the measures outlined in this Equality Scheme. Once it has considered this report the NIHRC will arrange for a review of progress to be sent to the Equality Commission in December and for a version of it to be included in the NIHRC's next Annual Report, which in turn is presented to Parliament through the Secretary of State. The NIHRC also commits itself to liaising with the Equality Commission to ensure that progress in implementing the Equality Scheme and in complying with the statutory duty is maintained.

24. The NIHRC is committed to consulting widely on matters connected with its section 75 duties. It intends its consultation to be proactive, open and inclusive and long enough to give consultees adequate time to respond. It will also take the advice of groups with specialist knowledge as to how best to consult with people who have special needs. The NIHRC has already consulted on what should be contained in its Strategic Plan: more than 3,000 copies of a draft for 1999-2002 were distributed in September 1999 and it was available on the NIHRC's website and in various alternative formats such as in Braille, Irish, Ulster-Scots, Chinese and Urdu. A summary version in simplified language was also made available. The Commission met with a large number of organisations both before and after publication of the Draft Plan in order to inform itself better as to what issues people felt the NIHRC should be working on. Responses to the Draft Plan were still being received, and considered, four months after its publication. After the NIHRC had fully considered the more than 100 responses to the Draft Plan, it adopted a final version for 2000-2002 in May 2000. This has also been widely distributed and is on the NIHRC's website (www.nihrc.org).
25. When it is consulting on matters connected with its section 75 duties (including policy screening and impact assessments), the NIHRC will strive to do so in accordance with the Guiding Principles set out on pages 33 and 34 of the Equality Commission's *Guide to the Statutory Duties* (March 2000). Those to be consulted will include those listed in Appendix 3 to this Scheme, although this list will be amended in the light of experience.
26. The NIHRC will work with representative groups and individuals of the section 75 categories in order to identify how best to obtain their views. This may involve face-to-face meetings, advisory groups, surveys, consultative panels, internet discussions, citizens' juries and other innovative ways of consulting as there will be different means of consultation for different groups and it will be important to establish the basis for dialogue and engagement during the life of the Scheme. The NIHRC is committed to considering all of the above consultation

- methodologies and to removing the barriers to proper consultation. It will operationalise the removal of barriers by adopting some or all of the above consultation methodologies and taking advice from groups and individuals representative of the section 75 categories. The NIHRC will employ measures aimed at ensuring full participation in all consultation meetings held and will consider in relation to all consultation exercises 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 run, the use of appropriate language, whether a signer is necessary and the provision of childcare.
27. Consultation will begin as early as possible and will allow a minimum of eight weeks for responses to be returned. All qualitative and quantitative data and relevant consultants' reports will be made available to ensure that the consultation is meaningful to all concerned. The NIHRC considers it particularly important that sufficient, timely and appropriate information is provided to enable all affected groups and individuals to consider the full implications of proposals, and it will take steps to ensure this.
28. The NIHRC will adopt appropriate office procedures to record views submitted by consultees on policies or proposed policies and will ensure that these views are communicated to members of the NIHRC's Equality Committee and, at least in summary form, to all those Commissioners and staff who are charged with devising or operating the policy in question. Where the NIHRC is not in agreement with the views submitted by consultees, it will make its reasons known to those consultees. The NIHRC is also committed to ensuring that all qualitative, quantitative and other documentation, including consultants' reports, are made available to the public, and the arrangements to release this information will be available for all consultations.

Functions covered by the Equality Scheme

29. The functions in relation to which this Equality Scheme is to operate are *all* the functions of the NIHRC. For the avoidance of doubt, the functions covered include those listed in sections 69 and 70 of the Northern Ireland Act 1998, the NIHRC's employment functions, its commissioning functions and its procurement functions. The NIHRC's functions listed in sections 69 and 70 of the Northern Ireland Act 1998 (for the full text see Appendix 4) can be summarised in simpler language as follows:

Duties:

- to keep Northern Ireland's law under review in order to make sure it properly protects human rights;
- to advise the Secretary of State on what should be contained in a Bill of Rights for Northern Ireland;
- to advise the Secretary of State and the Executive Committee of the Assembly about what additional steps should be taken to protect human rights in Northern Ireland;
- to advise the Northern Ireland Assembly whether new Bills are compatible with human rights;
- to promote an awareness of the importance of human rights in Northern Ireland through education and research;
- to do all that it can to establish a Joint Committee with the Republic of Ireland's Human Rights Commission;
- to report to the Secretary of State by March 2001 on the Commission's effectiveness and on the adequacy and effectiveness of (i) the functions conferred on the Commission and (ii) the provisions relating to it in Part VII of the Northern Ireland Act 1998.

Powers:

- to assist individuals to bring cases on human rights issues to court;
- to bring cases on human rights issues to court itself;
- to investigate matters when it considers this to be appropriate;

- to publish its advice and findings.
30. No other body is involved in the exercise of the NIHRC's duties and powers. The NIHRC is an independent statutory corporation which is not obliged to take direction from any source. By paragraph 4 of Schedule 7 to the Northern Ireland Act 1998 the Secretary of State's approval is required for staffing arrangements within the NIHRC, but the NIHRC will independently assess any conditions concerning staffing arrangements imposed by the Secretary of State to ensure that they fully comply with the NIHRC's section 75 duties.
31. In drawing up Memoranda of Understanding with other bodies which have functions that overlap with those of the NIHRC, the NIHRC will ensure that these Memoranda do not interfere with the NIHRC's section 75 duties.

Policies covered by the Equality Scheme

32. In performing its various functions the NIHRC has to adopt policies. The NIHRC intends *all* of those policies (including any criteria it might adopt for individualised decision-making) to be covered by this Equality Scheme, whether they are written or unwritten policies. As a relatively new body the NIHRC has not yet fully developed all of its policies on a number of matters; as it does so during the next five years it will take fully into account its obligations under section 75 of the Northern Ireland Act 1998.
33. At present the NIHRC is working to a Strategic Plan for 2000-2002. The Strategic Plan identifies equality as one of the NIHRC's core values and stresses the NIHRC's commitment to equality and good relations. It also explains the criteria and methodology the NIHRC adopted when choosing the strategic options mentioned in the Plan. The options chosen represented the NIHRC's policy preferences for the years 2000-2002. A Strategic Plan for 2002-2005 will be adopted in the Spring of 2002.

34. The NIHRC's policies in relation to procurement, employment and volunteers were not specified in any detail in the Draft Strategic Plan. No meaningful opportunity therefore existed for comments to be submitted by consultees on these policies. But the policies adopted require these functions to be exercised in as fair and impartial a manner as possible, seeking value for money in relation to procurement. The NIHRC will seek to ensure that the companies and organisations with which it enters into supply contracts of whatever nature themselves comply with equality obligations.

How the NIHRC currently relates to the affected groups

35. The nature of the duties and powers of the NIHRC inevitably mean that it engages quite frequently with the different groups mentioned in section 75 of the Northern Ireland Act 1998. Being a human rights organisation, the NIHRC constantly interacts with groups and individuals that allege that their human rights are under threat, including perhaps a threat to their equality rights. The NIHRC's commitment to working for and with some of these groups is evident from its Strategic Plan 2000-2002 where, for example, the rights of children, of older people, of people with a disability and of people with a non-heterosexual sexual orientation are highlighted as being priorities for the NIHRC.

Assessing the impact of policies adopted or to be adopted

36. When assessing the likely impact of each of its policies, the NIHRC will act on the basis of guidance provided by the Equality Commission in Annex 1 of its *Guide to the Statutory Duties* and will ask itself the following questions, as it stated it would do in its Strategic Plan:
- Is there any evidence of higher or lower participation or uptake by different groups in relation to the proposed policy in question? (The evidence can be in

the form of answers to surveys, complaints received, applications to tribunals, or any other credible form.)

- Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy? (This will be asked not just of the policy, but of how the Commission proposes to implement it.)
- Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?
- Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems which are specific to them?

37. Once it has assessed the likely impact of its policies in relation to its duty under section 75 (1) of the Northern Ireland Act 1998 to have “due regard” to the need to promote equality of opportunity between the groups there mentioned, the NIHRC will consider whether there are other statutory or common law duties (or duties arising from international law) which appear to conflict with the equality of opportunity duty. Having considered these matters, the NIHRC will then assess the likely impact of its policies in relation to its duty to have “regard” to the desirability of promoting good relations in Northern Ireland between persons of different religious belief, political opinion or racial group.

Deciding which policies to subject to a more detailed equality analysis

38. Being a relatively new public authority, and one which has a direct interest in equality, the NIHRC wishes at the moment to subject *all* of its policies to the fullest possible impact assessment. No feedback was received from consultees in relation to the commitment in the Revised Draft Equality Scheme to impact assess all policies and no comments were made in relation to the prioritisation of policies for impact assessment. For the purposes of this Scheme, the NIHRC has therefore *not* screened its policies with a view to deciding which of them require to be subjected to a full equality analysis.

39. The NIHRC is also committed to impact assessing any new policies it adopts during the first year of the life of this Equality Scheme. If after that period has elapsed the NIHRC decides to subject only some of its policies to impact assessment, it will determine the prioritisation criteria for impact assessing policies in conjunction with consultees.
40. In the Commission's view, the following are the policies which require to be subjected to the full equality impact assessment procedure described in Annex 1 (pages 41-46) of the *Guide to the Statutory Duties* issued by the Equality Commission in March 2000. In listing policies under the following 12 paragraphs (paras. 41 to 52), which primarily reflect the statutory powers and duties of the NIHRC, the NIHRC has been conscious of the need not to use headings which are so general that they conceal significant policies. It also acknowledges that, as well as policies which have equality of opportunity as a central focus, policies which may at first glance appear to be devoid of equal opportunity implications, and which have been immune from challenge or question in the past, require to be given a fresh look in order to determine whether there are in fact implications for equality of opportunity.

The policies to be equality impact assessed

41. **The NIHRC's function of keeping under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights:**
- its policy to seek views from members of the public and from informed organisations in Northern Ireland as to which law, policies and practices may be having an adverse impact on human rights;

- its policy to make arrangements for such reviews in a way which reflects its commitment to its core values of independence, fairness, openness, accessibility, accountability, participation and equality;
- its policy to begin the exercise of this function by undertaking reviews of the law and practice affecting older persons, the law and practice affecting lesbians, gays, bisexual and transgendered people, and the law and practice affecting the mentally ill and those with learning difficulties.

42. The NIHRC's function of making recommendations to the Secretary of State before 1 March 2001 on how the Commission's effectiveness could be improved (with particular reference to the functions conferred on the Commission and the provisions in Part VII of the Northern Ireland Act 1998):

- pursuant to its report issued to the Secretary of State in February 2001, its policy to seek views from members of the public and from informed organisations in Northern Ireland and elsewhere as to whether they believe the Commission is effective.

43. The NIHRC's function of advising the Secretary of State and the Executive Committee of the Assembly of legislative and other measures which ought to be taken to protect human rights and to advise the Assembly whether a Bill is compatible with human rights:

- its policy to advise the Secretary of State on an on-going basis as to the measures which ought to be taken to protect human rights in the context of paramilitary activities;

- its policy to consider *every* Bill coming before the Northern Ireland Assembly with a view to determining whether it is compatible with human rights.

44. The NIHRC's function of promoting understanding and awareness of the importance of human rights in Northern Ireland:

- its policy to support existing initiatives in the formal and informal education and training sectors;
- its policy to undertake educational and training activity in support of the implementation of the Human Rights Act 1998;
- its policy to develop pre-service and in-service teacher training support;
- its policy to cultivate media support;
- its policy to encourage broader public education in human rights issues;
- its policy to produce user-friendly materials on human rights, including a regular newsletter;
- its policy to offer human rights information and advice.

45. The NIHRC's function of advising the Secretary of State on what should be contained in a Bill of Rights for Northern Ireland:

- its policy to engage in widespread and participative consultation throughout Northern Ireland, especially with the most marginalised and disadvantaged people in Northern Ireland;
- its policy to provide training for facilitators who in turn will be able to engage with people as to what rights should be protected by a Bill of Rights for Northern Ireland.

46. The NIHRC's function of giving assistance to individuals with proceedings:

- its policy to develop and adhere to criteria for deciding which applications from individuals for assistance under section 70(2) of the Northern Ireland Act 1998 should be granted;
- its policy to develop and adhere to criteria for deciding when to take proceedings in its own name;
- its policy to acquire and exercise the power to apply to intervene in court proceedings as a third party;
- its policy to build capacity within the legal professions to enable their members to be better equipped to undertake human rights work;
- its policy to monitor and audit the patterns of alleged human rights abuses which emerge from the NIHRC's casework.

47. The NIHRC's function of conducting such investigations as it considers necessary or expedient for the purpose of exercising its other functions:

- its policy to identify and consider matters worthy of investigation;
- its policy to conduct each year at least one investigation relating to the conflict in Northern Ireland and at least one not relating to the conflict;
- its policy to adopt the appropriate investigative methods for matters being investigated;
- its policy to establish, at least for a six month period, a Victims' Rights Project.

48. The NIHRC's function of publishing its advice and the outcome of its research and investigations:

- its policy to publish *all* of the advice it gives to government (in London or in Belfast) or to international bodies;

- its policy to publish the results of *all* of its research and investigations.

49. The NIHRC's function as an employer:

- its policy to promote equality of opportunity in the workplace and to eliminate all forms of improper discrimination, both direct and indirect, and whether unlawful or not;
- its policy to appreciate the links between health and safety at work and equality, taking appropriate action where necessary (especially in relation to alleged harassment at work);
- its policy to apply its employment policies to all workers including those embraced by the European Union's Part-time Workers Directive;
- its policy to provide appropriate and confidential facilities to allow individuals or groups alleging discrimination or harassment to raise their concerns;
- its policy to provide adequate remedies and sanctions for acts of discrimination and harassment regarding a member of any of the groups mentioned in section 75, whether the alleged perpetrator is another member of staff, a Commissioner, a supplier of services to, or a user of the services of, the NIHRC;
- its policy to audit at least once a year the composition of its workforce and the effectiveness of its employment policies;
- its policy to recruit, train and promote staff on the basis of job requirements and the individual's ability, qualifications and aptitude for work;
- its policy to require any Commissioner or member of staff who is involved in recruitment, promotion or appraisal processes to undergo appropriate training, including guidance on how to avoid discrimination;

- its policy to advertise job vacancies in a range of publications to ensure that all sections of the community can apply and to state in all such advertisements that the NIHRC is an equal opportunities employer;
- its policy to adopt family friendly policies for all staff;
- its policy to provide a welcoming and harmonious working environment where no employee feels under threat or intimidated but is able to express his or her identity with dignity and respect for others;
- its policy to consult effectively with a recognised trade union concerning the NIHRC's section 75 duties;
- its policy to keep its employment policies under constant review with a view to complying with all new legislative requirements..

50. The NIHRC's function as a procurer of goods, facilities and services:

- its policy to ensure that in selecting individuals or organisations as providers of goods, facilities or services to the NIHRC, it will have due regard to all relevant equality considerations; in particular the NIHRC will seek to develop awareness of good equality practice amongst potential suppliers and will ensure that any advisers or consultants engaged have an appropriate understanding of the section 75 duties; the NIHRC will also reflect the requirements of section 75 in its contractual documentation and in appropriate advertisements and will have regard to the requirements of European Union law concerning procurement;
- its policy to maintain a *Register of Researchers* for the purposes of inviting tenders to be submitted for research or consultancy work which the NIHRC wishes to commission;
- its policy to look beyond the *Register of Researchers* in situations where the research or consultancy required is of such a specialist

nature that no person on the *Register of Researchers* is deemed qualified to do the work;

- its policy to ensure that persons or companies engaged to provide goods, facilities or services to the NIHRC are made aware of the NIHRC's commitment to equality and of the stipulation that those providing the goods, facilities and services are expected to abide by all aspects of equality law and best equality practice in Northern Ireland.

51. The NIHRC's function as a provider of services:

- its policy to ensure that, in so far as is consistent with reasonable expenditure, all its premises, publications and organised events are accessible to everyone regardless of language, disability, finance or other potential constraints.

52. The NIHRC's function as a body which is representative of the community in Northern Ireland:

- its policy to ensure that its Committees, recruitment panels and working groups are balanced in terms of gender and religious background.

Reasons for subjecting policies to a fuller impact assessment

53. The NIHRC's reasons for its choice of policies listed in paras. 41 to 52 above are as follows:

- (i) There is evidence that different groups have different needs, experiences, issues and priorities in relation to each of the policies. We have gathered

this evidence from the consultations we have already conducted, from submissions made to the NIHRC and from other data.

- (ii) In relation to each of the policies there is an opportunity to better promote equality of opportunity and better community relations by working with others in government, with non-governmental organisations or with individual members of the public.
- (iii) Consultations with relevant groups and individuals have indicated that if the policies listed were not adopted specific problems would affect them.
- (iv) The listed functions were all conferred on the NIHRC to ensure that human rights are better protected in Northern Ireland. As one of the fundamental principles of human rights is that there must be no unjustifiable inequality of opportunity to enjoy human rights, the NIHRC believes that in carrying out its functions as listed in paras. 41 to 52 above it should take particular care not to exercise them in a way which contravenes equality of opportunity. Otherwise the very credibility of the NIHRC and of the concept of human rights would be at risk. The general public justifiably expect the NIHRC to be a model public authority as far as the duty to have due regard to the need to promote equality of opportunity is concerned.

How the impact assessments will be conducted

54. The NIHRC plans to engage as follows in fuller impact analyses regarding each of the areas of policy listed in paras.41 to 52 above (the precise manner in which each analysis is to be conducted will be decided by the Equality Committee of the NIHRC). It will conduct impact assessments on the basis of guidance provided in Annex 1 of the Equality Commission's *Guide to the Statutory Duties* and in compliance with subsequent advice to be issued by the Equality Commission.

When determining a timetable for impact assessments the NIHRC will employ criteria relating to, amongst other things, the approximate number of people affected by policies, the proportion of the NIHRC's resources allocated to policies, the nature of the human rights issues being addressed by policies and the comments received from persons affected by policies.

55. The NIHRC will consider relevant quantitative and qualitative data currently available and will commission the production of new data or research if this is necessary. It will also conduct specific case studies where these might be reasonably deemed to be useful. In these tasks the NIHRC will seek to work together with other public bodies operating within the field of rights and justice. In relation to disability, sexual orientation and children, the NIHRC will discuss relevant issues with representative organisations and will consider how best to gather information in a confidential manner.
56. The NIHRC is committed to consulting widely on whether its policies are having a differential impact and it will follow the guiding principles on consultation issued by the Equality Commission. It is committed to beginning consultation with groups and individuals as early as possible and to completing its first assessment of the impact of all its policies by the end of the first year of the life of this Equality Scheme. Further impact assessments of some or all of the policies, and of new policies which have by then emerged, will be conducted in each of the following four years of the life of the Equality Scheme. Each policy's impact will be assessed at least twice during the life of the Scheme, except those emerging in the second half of the fourth year, which may be assessed only once (in the fifth year). Consultees on the Revised Draft Equality Scheme passed no comment on the NIHRC's timetable for the conduct of equality impact assessments.
57. Consideration will be given to which method of consultation is most appropriate in the circumstances (e.g. face-to-face meetings, small-group meetings, focus groups, discussion papers, questionnaires, internet discussion groups, etc). The

- accessibility of the language and the format of information will be considered to ensure that there are no barriers to the consultation process, including time barriers. The NIHRC is committed to giving specific consideration to how best to communicate information to young people and those with learning disabilities. Advice will therefore be sought from specialised agencies on how best to consult with these and other sectors. At meetings, while recognising that different groups have different needs, appropriate measures will be taken to ensure full participation and consideration will be given to the time of day for the meeting, the appropriateness of the venue (especially as regards its accessibility for people with disabilities), how the meeting is to be run, what language would be appropriate to use, whether a signer is required and whether childcare needs to be provided. The NIHRC will consider providing specific training for those engaged in consultation exercises to ensure that those facilitating consultations have the necessary skills to communicate effectively with those being consulted.
58. When conducting its consultations the NIHRC will contact all the groups which appear to the NIHRC to be affected by the policies and those having a legitimate interest in the assessment concerned, whether any of these persons or groups have a direct economic or personal interest in the policy or policies being assessed. All the groups listed in Appendix 3 to this document will be consulted, but this list is not exhaustive and it may be amended in the light of experience. It will also consult with some individuals, including elected representatives. Notices will also be placed in newspapers.
59. Adequate time (usually no less than two months) will be allowed to consultees to consult among themselves and to respond to the consultation and such information and assistance as is necessary to ensure meaningful consultation, including relevant quantitative and qualitative data, documentation such as consultants' reports and information supplied by other consultees if this has not been supplied on a confidential basis, will be made available by the NIHRC to consultees.

60. The NIHRC will examine the information it has collected in whatever way in order to decide whether it reveals an actual or potential differential impact, direct or indirect, on one of the sectors mentioned in section 75. If differential impact is revealed, consideration will be given to whether this makes implementation of the policy unlawful in view of current anti-discrimination law applicable in Northern Ireland. If such unlawfulness is identified, the NIHRC will alter the policy so as to make it lawful.
61. If no such unlawfulness is identified, the NIHRC will consider whether implementation of the policy is nevertheless justifiable because it is an affirmative action measure or because there is no other measure which would achieve the same aim without creating such a differential impact. If no such justification can be identified, the NIHRC will consider alternative policies which might better promote equality of opportunity in place of the policy in question. In doing so the NIHRC will pay particular attention to any relevant international obligations accepted by the UK government which would be breached by, or furthered by, these alternative policies. The NIHRC will consider as well how it might reduce the differential impact of the policy in question, and of alternative policies, on a particular group. For example, it will consider whether the adverse impact could be redressed by adopting an additional but separate policy for that particular group.

Publishing the results of impact assessments

62. The results of any impact assessment or consultation exercise will be published in the form of a printed document, the existence of which will be advertised in Northern Ireland's main newspapers and in the NIHRC's newsletter, and a copy of which will be posted on the NIHRC's website (www.nihrc.org). The document will be available (by request and in a timely fashion) in other forms such as audio-tape, Braille and in languages other than English. Copies will be made available

- in places such as public libraries, Citizens' Advice Bureaux and social security offices. The results will also be included in the NIHRC's Annual Report, which is presented to Parliament. The NIHRC will also inform the general public about the availability of the results of impact assessments, and of the monitoring of adverse impacts, through press releases and through publications associated with the section 75 categories (e.g. talking newspapers and publications in languages other than English). It is also committed to taking into account how best to communicate with young people and with people who have learning disabilities. The NIHRC will also directly inform those bodies and individuals with whom it has consulted whenever the material referred to in this paragraph is available.
63. The published results will state the aims of the policies to which the assessments relate and supply details of the consideration given by the NIHRC to measures which might mitigate any adverse impact of those policies on equality of opportunity and to alternative policies which might better achieve equality of opportunity. The NIHRC will also make available to those who request it all reliable quantitative and qualitative data and relevant consultants' reports.

Monitoring the impact of policies

64. The NIHRC will in addition monitor at least yearly the way in which the policies listed in paras. 41 to 52 above are impacting on the groups mentioned in section 75 of the Northern Ireland Act 1998. This will include a monitoring of the extent to which there is an uptake of the NIHRC's services. The NIHRC will initially undertake the monitoring by writing to a wide variety of organisations to ask for their views on such impact, including their views on what criteria should be adopted to measure such impact and any change to the impact, but the NIHRC will review the effectiveness of this monitoring method at least once a year. The NIHRC will again publish the results of its monitoring in the form of a printed document, details of which will be advertised in Northern Ireland's main newspapers and a copy of which will be posted on the NIHRC's website

(www.nihrc.org). The document will be available (by request) in other forms such as audio-tape, Braille and in languages other than English. The results will also be included in the NIHRC's Annual Report. The published results will state the aims of the policies to which the assessments relate and supply details of the consideration given by the NIHRC to measures which might mitigate any adverse impact of those policies on equality of opportunity and to alternative policies which might better achieve equality of opportunity.

65. If the results of the monitoring of the impact of a policy suggest that the policy is having a greater than predicted adverse impact, the NIHRC will revise the policy.
66. The NIHRC will revise policies if opportunities arise which allow for greater equality of opportunity to be promoted. The NIHRC is committed to ensuring that, in making any decision with respect to a policy adopted or proposed to be adopted by it, it will take into account any equality impact assessment and consultation carried out in relation to the policy.

Making the Equality Scheme accessible

67. The NIHRC is committed to putting in place systems to ensure that this Equality Scheme, once approved by the Equality Commission, is available in accessible formats in a timely fashion. The Equality Scheme will be made available not only in this hard copy format but also on a floppy disk, on an audio-tape, in Braille and on the Commission's website (www.nihrc.org). As well as in English, versions will be made available (by request) in Irish, Ulster-Scots, Chinese, Urdu and Hindi. A summary of the Scheme, written in easy-to-understand language, will also be available from the Commission. The NIHRC will give specific consideration to how best to communicate the Equality Scheme to young people and those with learning disabilities. Advice will be taken from specialists in these sectors to ensure that publication of the Scheme to these sectors is as effective as in the case of other sectors. Information will be made available, in consultation

with the nine categories affected by section 75, to ensure the highest level of inclusivity in any policy decision-making. The accessibility of the language and the format of the information will be considered to ensure that there are no barriers to the consultation process.

68. Once it has been approved by the Equality Commission, a copy of the Equality Scheme will be distributed to all groups who received the Draft Scheme or the Revised Draft Scheme (see Appendices 1 and 2), to everyone who submitted comments on the Draft or Revised Draft and to a range of other groups and individuals. The list of recipients will be kept under constant review. The Scheme will also be issued to the regional and local press throughout Northern Ireland, along with a press release summarising its content, and to newspapers and newsletters which circulate principally within those sectors identified in section 75 of the Northern Ireland Act 1998.

Arrangements for public access to the Commission

69. The NIHRC's arrangements for ensuring public access to information and services it provides will be proactive. For example:
- information about human rights in Northern Ireland and the work of the Commission will be posted on the Commission's website (www.nihrc.org) and made available in printed form (in a variety of languages if requested), on audio-tape, in Braille and in simplified English;
 - the Commission will maintain a publicly accessible resource room and a friendly reception area in its premises in the centre of Belfast;
 - some of the Commission's services will be provided on an outreach basis;
 - the Commission will regularly advertise its activities in the regional and local press;
 - the Commission will from early 2001 produce and circulate widely a regular newsletter on human rights issues in Northern Ireland.

The arrangements employed for the provision of information relating to impact assessments (see paragraphs 62 and 63 above) will also be employed in relation to the general provision of information about the NIHRC. The NIHRC is committed to monitoring access to information and services to ensure equality of opportunity.

70. The NIHRC will assess the extent to which the public has access to information and services it provides by conducting customer satisfaction surveys and general opinion surveys. It will also consult the section 75 categories in order to ensure that the information and services it provides are provided in a way which promotes equality of opportunity and it will establish a system to monitor access to its information and services.

Arrangements for dealing with complaints

71. The NIHRC is committed to ensuring that its complaints procedure relating to its Equality Scheme is made fully accessible. Any person who has a complaint arising out of an alleged failure on NIHRC's part to comply with this Equality Scheme is invited to contact by any means the Chief Commissioner, any other Commissioner or the Chief Executive of the Commission. Any of these individuals will also accept complaints submitted by someone on someone else's behalf. They can all be contacted via the NIHRC's premises at Temple Court, 39 North Street, Belfast BT1 1NA (tel: 028 9024 3987; fax: 028 9024 7844; e-mail: nihrc@belfast.org.uk). Once a complaint has been received it will, within a week, be recorded in a Register kept for that purpose in the Commission's premises and will be referred to the Commission's Equality Committee. Within two further weeks (unless there are exceptional circumstances) the Equality Committee will meet to consider the complaint and it may ask the complainant to attend part of that meeting if he or she so wishes. Within one week of that meeting the Equality Committee will make a recommendation to the Commission on how to respond to

the complaint. The Commission will consider that recommendation at its next monthly meeting and the outcome of its consideration will be communicated in a letter posted to the complainant the day after that meeting.

72. The Commission's letter will indicate that, if the complainant is dissatisfied with the way in which the NIHRC has dealt with the complaint, he or she may arrange to meet with those Commissioners who were not present at the meeting of the Equality Committee when the complaint was first considered. An agreed individual may also be invited to attend that meeting as a third party. After any such meeting the Commissioners in question (or the third party, if there is one) will make a recommendation to the Commission as a whole. The Commission will consider that recommendation at its next monthly meeting and the outcome of its consideration will be communicated in writing to the complainant the day after that meeting. If the complainant still wishes to take the matter to arbitration the Commission will give consideration to that at its next meeting, provided notice of the request is given to the Commission one week in advance of that meeting. (The Commission normally meets on the second Monday of each month.)

Reviewing the Equality Scheme

73. In each of the five years of the life of this Scheme the NIHRC will explore with a wide range of consultees new ideas and emerging issues relating to the promotion and protection of human rights in Northern Ireland. In particular, decisions on which new policies to adopt in order to exercise the functions set out in paras. 41 to 52 will be taken in the light of consultees' views.
74. In February of each year the NIHRC will also conduct an annual review of the progress it has made and the limitations it has experienced in implementing the arrangements specified in this Equality Scheme during the previous year and, more generally, in complying with the statutory duties in section 75 of the Northern Ireland Act 1998. It will send a copy of these annual reviews to the

Equality Commission and make them publicly available. It will liaise with the Equality Commission with a view to ensuring that progress in implementing the Equality Scheme and in complying with the statutory duties is maintained.

75. The Commission will conduct a formal review of this Equality Scheme before the end of 2005 and will send a copy of the report on this 5-year review to the Equality Commission. It will also publish the report in the same way as it will publish the results of impact assessments, consultation exercises and monitoring systems (see paras. 62 and 63 above).

Timetable

76. The timetable for the measures mentioned in this Equality Scheme is set out in the following summary action plan, which runs from 1999 to 2007.

August 1999	Establishment of NIHRC Equality Committee (first known as “Section 75 Group”) and initial training on section 75 for Commissioners
February to April 2000	Preparation of various drafts of the Equality Scheme by the Equality Committee and discussions with expert consultant
April 2000	Draft Equality Scheme approved by the NIHRC and circulated to all NIHRC staff Draft Equality Scheme circulated widely for consultation
May 2000	Equality Commitment Statement approved by the NIHRC and circulated to all NIHRC staff

July and August 2000	Responses to consultation on Draft Equality Scheme considered by NIHRC
October 2000	Revised Draft Equality Scheme completed and circulated widely for consultation
December 2000	Responses to Revised Draft Equality Scheme considered by NIHRC
January 2001	Equality Scheme submitted to Equality Commission for approval
January 2001	Agreement on Business Plan for 2001-2002, with specific reference to Equality Scheme considerations
February 2001	Report produced for Secretary of State on the effectiveness of NIHRC's powers
August 2001	Equality Committee meets
September 2001	Training for staff on equality issues in the workplace
November 2001	Training for staff on mainstreaming the Commission's Equality Scheme
December 2001	Equality Committee meets
March 2002	<p>Training for Commissioners and staff on recent EU Directives and the prospects for a Single Equality Bill</p> <p>Meeting between the NIHRC and the Equality Commission on equality issues and the Bill of Rights</p>

<p>April 2002</p>	<p>Training for Commissioners and staff on sexual orientation issues</p>
<p>June 2002</p>	<p>Equality Committee meets</p>
<p>July 2002</p>	<p>Equality Commission grants approval to the Equality Scheme</p> <p>Staff meeting on implementing the Equality Scheme</p>
<p>August 2002</p>	<p>Distribution of Equality Scheme</p> <p>Discussion at weekly staff meetings of a managerial equality audit</p> <p>Consultation with the Community Relations Council and other organisations concerning the duty to promote good relations</p> <p>Consultation on training methods with individuals and groups representative of the section 75 categories</p>
<p>September 2002</p>	<p>Training provided for NIHRC Commissioners and staff on equality scheme requirements, especially on the “good relations” duty and consultation methodologies</p> <p>Internal equality audit completed</p> <p>Equality Committee meets</p> <p>NIHRC finalises its Strategic Plan 2002-2006</p> <p>NIHRC finalises a review of its committee structures and staffing arrangements</p>
<p>October 2002</p>	<p>Distribution of Strategic Plan 2002-2006</p> <p>Publication of NIHRC Annual Report 2001-2002</p>

<p>By December 2002</p>	<p>Advertisements and notices placed concerning consultation on the impact assessments of the NIHRC's policies</p>
<p>December 2002</p>	<p>Training for Commissioner and staff on disability issues</p> <p>Agreement on Business Plan for 2002-2003, with specific reference to Equality Scheme considerations</p>
<p>January 2003 to December 2003</p>	<p>Equality Committee to meet quarterly</p> <p>Training for staff and Commissioners to take place quarterly, the first session to be on how to conduct impact assessments</p> <p>Impact assessments of all policies to be conducted</p>
<p>February to June 2003</p>	<p>Consultation to take place on impact assessments - through (for example) face-to-face meetings, advisory groups, surveys, consultative panels, internet discussions or citizens' juries.</p>
<p>July 2003</p>	<p>Publication of NIHRC Annual Report 2002-2003</p>
<p>October 2003</p>	<p>Annual Review of the Equality Scheme to be prepared by the NIHRC's Equality Committee and considered by the full NIHRC</p>
<p>December 2003</p>	<p>Annual Review of the Equality Scheme to be submitted to the Equality Commission</p> <p>Agreement on Business Plan for 2003-2004, with specific reference to Equality Scheme considerations</p>

<p>January 2004 to December 2004</p>	<p>Equality Committee to meet quarterly</p> <p>Training for staff and Commissioners to take place twice in the year</p> <p>Impact assessments of new policies to be conducted</p>
<p>July 2004</p>	<p>Publication of NIHRC Annual Report 2003-2004</p>
<p>October 2004</p>	<p>Annual Review of the Equality Scheme to be prepared by the NIHRC's Equality Committee and considered by the full NIHRC</p>
<p>December 2004</p>	<p>Annual Review of the Equality Scheme to be submitted to the Equality Commission</p> <p>Agreement on Business Plan for 2004-2005, with specific reference to Equality Scheme considerations</p>
<p>January 2005 to December 2005</p>	<p>Equality Committee to meet quarterly</p> <p>Training for staff and Commissioners to take place twice in the year</p> <p>Impact assessments on half of all existing policies and on all new policies to be conducted</p>
<p>July 2005</p>	<p>Publication of NIHRC Annual Report 2004-2005</p>
<p>October 2005</p>	<p>Annual Review of the Equality Scheme to be prepared by the NIHRC's Equality Committee and considered by the full NIHRC</p>

<p>December 2005</p>	<p>Annual Review of the Equality Scheme to be submitted to the Equality Commission</p> <p>Agreement on Business Plan for 2005-2006, with specific reference to Equality Scheme considerations</p>
<p>January 2006 To December 2006</p>	<p>Equality Committee to meet quarterly</p> <p>Training for staff and Commissioners to take place twice in the year</p> <p>Impact assessments on half of all existing policies and on all new policies to be conducted</p>
<p>May 2006</p>	<p>Preparation of the Commission's next draft Strategic Plan</p>
<p>July 2006</p>	<p>Publication of NIHRC Annual Report 2005-2006</p>
<p>October 2006</p>	<p>5-year Review of the Equality Scheme to be prepared by the NIHRC's Equality Committee and considered by the full NIHRC</p>
<p>December 2006</p>	<p>5-year Review of the Equality Scheme to be submitted to the Equality Commission</p> <p>Agreement on Business Plan for 2006-2007, with specific reference to Equality Scheme considerations</p>

APPENDIX 1

Organisations consulted on the NIHRC's Draft Equality Scheme (April 2000)

Members of the Northern Ireland Assembly
Members of Parliament for Northern Ireland
The Northern Ireland Office
Northern Ireland Departments
The Home Office
The Lord Chancellor's Department and the Northern Ireland Court Service
The Assembly Ombudsman and Commissioner for Complaints
The Community Relations Council
The Parades Commission
Other non-Departmental Public Bodies in Northern Ireland
The Royal Ulster Constabulary and other police organisations
Northern Ireland's prisons and prison welfare organisations
The Office of the Director of Public Prosecutions and the Attorney-General
The Lord Chief Justice and other judicial organisations
The Law Society and Bar Council of Northern Ireland
The Office of Law Reform and the Law Reform Advisory Committee
Political parties in Northern Ireland
Education and Library Boards
Health and Personal Social Services Boards
The Northern Ireland Housing Executive
District councils
Trades unions
Representatives of religious organisations
Universities and colleges of further education
Victims' groups
Ethnic minority organisations
Language and cultural expression groups
Women's organisations
Young people's organisations
Prisoner and ex-prisoner organisations
Disability organisations
Organisations concerned with sexual orientation
Organisations concerned with the rights of older persons
Housing organisations
Environmental organisations
Other human rights and civil liberties organisations
Other community and voluntary groups which received our Draft Strategic Plan
All other groups and individuals which responded to our Draft Strategic Plan

APPENDIX 2

Organisations consulted on the NIHRC's Revised Draft Equality Scheme (October 2000)

The Equality Commission for Northern Ireland
All Members of the Northern Ireland Assembly
All Members of Parliament for Northern Ireland
All branches of the Northern Ireland Office
Northern Ireland Government Departments (Permanent Secretaries and Equality Officers)
The Home Office
The Lord Chancellor's Department and the Northern Ireland Court Service
The Community Relations Council
The Parades Commission
The Assembly Ombudsman and Commissioner for Complaints
The UK Parliamentary Commissioner for Administration
Other non-Departmental Public Bodies in Northern Ireland (as listed in the legislation governing the Ombudsman offices)
The Royal Ulster Constabulary, the Police Authority and the police representative organisations
Northern Ireland's prisons and prison welfare organisations
The Office of the Director of Public Prosecutions and the Attorney-General
The Lord Chief Justice, the Magistrates' Association and the Lay Panellists' Association
The Law Society and Bar Council of Northern Ireland
The Office of Law Reform and the Law Reform Advisory Committee
All political parties in Northern Ireland, whether represented in the Assembly or not
All Education and Library Boards (Chief Executives and Equality Officers)
Health and Personal Social Services Boards (Chief Executives and Equality Officers)
The Northern Ireland Housing Executive (Chief Executive and Equality Officer)
District councils (Chief Executives and Equality Officers)
Trades unions (after taking advice from NIC-ICTU)
Representatives of all known religious organisations in Northern Ireland
Universities and colleges of further education in Northern Ireland
All known victims' groups in Northern Ireland
All known ethnic minority organisations in Northern Ireland (after taking advice from NICEM and the Multi-Cultural Resource Centre)
All known language and cultural expression groups
Women's organisations (after taking advice from the Equality Commission)
Young people's organisations
Prisoner and ex-prisoner organisations
Disability organisations (after taking advice from Disability Action)
Organisations concerned with sexual orientation
Organisations concerned with the rights of older persons
Housing organisations (after taking advice from the Housing Rights Service)
Environmental organisations (after taking advice from Northern Ireland Environmental Link)
Other human rights and civil liberties organisations
Other community and voluntary groups which received our Draft Strategic Plan
All other groups and individuals who responded to our Draft Strategic Plan
All other groups and individuals who responded to our Draft Equality Scheme

APPENDIX 3

Organisations to be consulted on the impact of the NIHRC's policies

The Equality Commission for Northern Ireland
All Members of the Northern Ireland Assembly
All Members of Parliament for Northern Ireland
All branches of the Northern Ireland Office
Northern Ireland Government Departments (Permanent Secretaries and Equality Officers)
The Home Office
The Lord Chancellor's Department and the Northern Ireland Court Service
The Community Relations Council
The Parades Commission
The Assembly Ombudsman and Commissioner for Complaints
The UK Parliamentary Commissioner for Administration
Other non-Departmental Public Bodies in Northern Ireland (as listed in the legislation governing the Ombudsman offices)
The Royal Ulster Constabulary, the Police Authority and the police representative organisations
Northern Ireland's prisons and prison welfare organisations
The Office of the Director of Public Prosecutions and the Attorney-General
The Lord Chief Justice, the Magistrates' Association and the Lay Panellists' Association
The Law Society and Bar Council of Northern Ireland
The Office of Law Reform and the Law Reform Advisory Committee
All political parties in Northern Ireland, whether represented in the Assembly or not
All Education and Library Boards (Chief Executives and Equality Officers)
Health and Personal Social Services Boards (Chief Executives and Equality Officers)
The Northern Ireland Housing Executive (Chief Executive and Equality Officer)
District councils (Chief Executives and Equality Officers)
Trades unions (after taking advice from NIC-ICTU)
Representatives of all known religious organisations in Northern Ireland
Universities and colleges of further education in Northern Ireland
All known victims' groups in Northern Ireland
All known ethnic minority organisations in Northern Ireland (after taking advice from NICEM and the Multi-Cultural Resource Centre)
All known language and cultural expression groups
Women's organisations (after taking advice from the Equality Commission)
Young people's organisations
Prisoner and ex-prisoner organisations
Disability organisations (after taking advice from Disability Action)
Organisations concerned with sexual orientation
Organisations concerned with the rights of older persons
Housing organisations (after taking advice from the Housing Rights Service)
Environmental organisations (after taking advice from Northern Ireland Environmental Link)
Other human rights and civil liberties organisations
Other community and voluntary groups which received our Draft Strategic Plan
All other groups and individuals who responded to our Draft Strategic Plan
All other groups and individuals who responded to our Draft/Revised Draft Equality Scheme

APPENDIX 4

Sections 69 and 70 of the Northern Ireland Act 1998

The Commission's functions

- 69.** - (1) The Commission shall keep under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights.
- (2) The Commission shall, before the end of the period of two years beginning with the commencement of this section, make to the Secretary of State such recommendations as it thinks fit for improving-
- (a) its effectiveness;
 - (b) the adequacy and effectiveness of the functions conferred on it by this Part; and
 - (c) the adequacy and effectiveness of the provisions of this Part relating to it.
- (3) The Commission shall advise the Secretary of State and the Executive Committee of the Assembly of legislative and other measures which ought to be taken to protect human rights-
- (a) as soon as reasonably practicable after receipt of a general or specific request for advice; and
 - (b) on such other occasions as the Commission thinks appropriate.
- (4) The Commission shall advise the Assembly whether a Bill is compatible with human rights-
- (a) as soon as reasonably practicable after receipt of a request for advice; and
 - (b) on such other occasions as the Commission thinks appropriate.
- (5) The Commission may-
- (a) give assistance to individuals in accordance with section 70; and
 - (b) bring proceedings involving law or practice relating to the protection of human rights.
- (6) The Commission shall promote understanding and awareness of the importance of human rights in Northern Ireland; and for this purpose it may undertake, commission or provide financial or other assistance for-
- (a) research; and
 - (b) educational activities.
- (7) The Secretary of State shall request the Commission to provide advice of the kind referred to in paragraph 4 of the Human Rights section of the Belfast Agreement.
- (8) For the purpose of exercising its functions under this section the Commission may conduct such investigations as it considers necessary or expedient.
- (9) The Commission may decide to publish its advice and the outcome of its research and investigations.

(10) The Commission shall do all that it can to ensure the establishment of the committee referred to in paragraph 10 of that section of that Agreement.

(11) In this section-

- (a) a reference to the Assembly includes a reference to a committee of the Assembly;
- (b) "human rights" includes the Convention rights.

Assistance by Commission

70. - (1) This section applies to-

- (a) proceedings involving law or practice relating to the protection of human rights which a person in Northern Ireland has commenced, or wishes to commence; or
- (b) proceedings in the course of which such a person relies, or wishes to rely, on such law or practice.

(2) Where the person applies to the Northern Ireland Human Rights Commission for assistance in relation to proceedings to which this section applies, the Commission may grant the application on any of the following grounds-

- (a) that the case raises a question of principle;
- (b) that it would be unreasonable to expect the person to deal with the case without assistance because of its complexity, or because of the person's position in relation to another person involved, or for some other reason;
- (c) that there are other special circumstances which make it appropriate for the Commission to provide assistance.

(3) Where the Commission grants an application under subsection (2) it may-

- (a) provide, or arrange for the provision of, legal advice;
- (b) arrange for the provision of legal representation;
- (c) provide any other assistance which it thinks appropriate.

(4) Arrangements made by the Commission for the provision of assistance to a person may include provision for recovery of expenses from the person in certain circumstances.