

Section 75 and Schedule 9 The Northern Ireland Act 1998



- **Model Equal Opportunities Policy**
- **Sexual Harassment Policy**
- **Community Outreach Programme**

Equality Impact Assessment

Belfast City Council

March 2003

Model Equal Opportunities Policy Sexual Harassment Policy Community Outreach Programme

An Equality Impact Assessment

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Model Equal Opportunities Policy Sexual Harassment Policy Community Outreach Programme

Equality Impact Assessment

Executive Summary

1.0 Introduction

- 1.1** Belfast City Council remains committed to fulfilling its responsibilities under Section 75 of the Northern Ireland Act 1998. In its Equality Scheme, the Council gave an undertaking to carry out an equality impact assessment (EQIA) on each policy or group of co-joined policies where screening had indicated that there may be significant implications in relation to one or more of the nine equality dimensions.
- 1.2** The screening process indicated that each of the three policies above should be subjected to an EQIA; it also indicated that the Employment Support Scheme and the Agenda for Positive Action should be subjected to an EQIA. The former is a policy of the Department of Employment and Learning and the latter of the Employers' Forum on Disability. Through discussions with both of these organisations and the Equality Commission it has been established that it would be more appropriate for the Department and the Forum to carry out the EQIAs on these policies and for the Council to participate in their consultation process. Aspects of these policies are however considered in this report.

2.0 Consideration Of Measures To Mitigate Any Adverse Impact

- 2.1** BCC has given careful consideration to the measures that might be taken to eliminate, or at least mitigate, the adverse impacts identified through the EQIA process.

Monitoring

- 2.2** Belfast City Council is committed to developing effective monitoring systems. Knowledge of the uptake of services provided by the Council and the impact of policies on the different groups within the Section 75 categories will be of assistance in assessing progress towards equality of opportunity.

We are, as part of our ongoing development of monitoring systems, considering both quantitative and qualitative methodologies.

3.0 The Model Equal Opportunities Policy

- 3.1 The aim of this policy, which covers all Section 75 categories plus trade union membership and those with a criminal record, is to communicate and demonstrate to employees and potential job applicants that the Council is opposed to all forms of unlawful or unfair discrimination in any aspect of employment and that selection will be made on the basis of merit
- 3.2 Conducting an EQIA on this policy has identified the need to introduce more robust monitoring systems on the Council's workforce i.e. for ethnic minority groups, sexual orientation, persons with and without a disability, marital status and persons with or without dependants.
- 3.3 BCC's draft Good Relations strategy will be submitted for formal adoption within the next few months. This will assist in alleviating areas where adverse impact has been identified, e.g. implementing agreed actions in relation to the employment of under-represented groups in the workforce.
- 3.4 A comprehensive programme of Equal Opportunities awareness training is being implemented. The Council's Equality Scheme training strategy (which includes a Good Relations training programme) is currently being delivered.
- 3.5 A number of areas of adverse impact, which fall outside the direct remit of the E.O. Policy, has been identified. In particular the under-representation within the workforce of those from ethnic minorities, persons with a disability, young people and Irish Travellers; this can only be addressed through reviewing complementary policies, e.g. Community Outreach Programme. Where appropriate BCC will either address such adverse impacts through its own EQIA programme or through contributing to the consultation process of other organisations.

4.0 The Sexual Harassment Policy

- 4.1 The aim of this policy is to ensure employees are not subjected to behaviour that causes offence, harasses, humiliates, threatens, intimidates or causes apprehension because of their gender; it also provides procedures for dealing with complaints of sexual harassment.
- 4.2 A number of differential impacts has been identified in relation to accessibility to the Policy by persons with a disability (and specifically those with learning disabilities), and, sexual orientation. Through discussions with representatives from MENCAP, CoSo and Disability Action, BCC proposes to take steps to further raise awareness of these procedures and ensure they are accessible to these groups.

5.0 The Community Outreach Programme

- 5.1 The aim of this programme is to promote the Council as an attractive equal opportunity employer and to reach a wide pool of potential applicants representing the diversity of Northern Ireland's society.

A number of impacts has been identified in relation to the following Section 75 categories: minority ethnic faiths, marital status, those with and without dependants, older people and Irish Travellers.

- 5.2** BCC reacts to requests from schools for work experience as opposed to proactively targeting schools; this has resulted in the exclusion of those who may be educationally disadvantaged. It is proposed to review the allocation of the work experience placements and to more proactively target groups who may currently be excluded.
- 5.3** It is hoped that through implementation of the EQIA and follow-up monitoring arrangements that constructive partnerships with ethnic minority groups can be developed.

6.0 Conclusion

- 6.1** BCC is committed to the principle of equality of opportunity and is confident that the measures identified in this report will contribute to fair participation and fair treatment in employment and help BCC to achieve a diverse workforce where everyone is respected.

Model Equal Opportunities Policy, Sexual Harassment Policy and Community Outreach Programme - Equality Impact Assessments

1.0 Introduction

- 1.1** Under the statutory duties contained within Section 75 of the Northern Ireland Act 1998, Belfast City Council gave an undertaking to carry out an equality impact assessment (EQIA) on each policy or group of co-joined policies where screening had indicated that there may be significant implications in relation to one or more of the nine equality dimensions.
- 1.2** This report has been made available as part of the Final stage of the EQIA relating to these policies.
- 1.3** Further copies of the EQIA Report are available on the Council's website at www.belfastcity.gov.uk.
- 1.4** If you have any queries about this document, and its availability in alternative formats (including Braille, disk and audio cassette, and in minority languages to meet the needs of those who are not fluent in English) then please contact:

Equality Officer – Stella Gilmartin
Belfast City Council
City Hall, Belfast

Freephone: 0800 0855 412
Minicom: (028) 9027 0405
Fax: (028) 9027 0573
E-Mail: policyervices@belfastcity.gov.uk

Write to: **Policy Services, Belfast City Council**
Chief Executive's Department
FREEPOST Bel 4010, BELFAST BT1 5GS

Section 75 and the Statutory Duties

1.5 Section 75 of the Northern Ireland Act 1998 requires each public authority, when carrying out its functions in relation to Northern Ireland, to have due regard to the need to promote equality of opportunity between nine categories of persons, namely

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

Without prejudice to its obligations above, the public authority must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Equality Impact Assessment (EQIA) is being carried out in accordance with the Procedure for Conduct of Equality Impact Assessment outlined in the Guide to Statutory Duties. The seven separate elements of the EQIA are:

- 10 Consideration of available data and research
- 11 Assessment of Impacts
- 12 Consideration of measures that might mitigate any adverse impacts and alternative policies that might better achieve the promotion of equality of opportunity
- 13 Formal Consultation
- 14 Decision by the Public Authority
- 15 Publication of results of the EQIA
- 16 Monitor for Adverse Impact

The purpose of conducting the Equality Impact Assessment is as follows:

- 10 To identify adverse impacts and to consider mitigating factors which will eliminate adverse impact;
- 11 To consider alternative policies which would better promote equality of opportunity.

1.6 The Equality Commission for Northern Ireland approved Belfast City Council's Equality Scheme in April 2001. The Scheme outlines how the Council proposes to fulfil its statutory duties under Section 75. Following approval of the Scheme, existing policies were screened to assess impact on the promotion of equality of opportunity using the following criteria:

- is there any evidence of higher or lower participation or uptake by different groups?
- is there any evidence that different groups have different needs, experiences,

issues and priorities in relation to the particular policy issues?

- is there an opportunity to promote equality of opportunity between the relevant different groups, either by altering the policy, or by working with others in government or in the larger community, in the context of the policy?
- have consultations with relevant groups, organisations or individuals indicated that policies of that type create problems specific to any relevant group?

1.7 A report describing the results of the screening process is available from the Council's Equality Officer. (See Page 7)

1.8 Following screening, a schedule of EQIA's was drawn up and the EQIA's on the Pricing Policy, Equal Opportunities and Provision of Sites for Irish Travellers were scheduled for assessment in Year One.

2.0 Background

21 Belfast City Council is the largest of the 26 District Councils in Northern Ireland, serving a population of approximately 284,400 people (Registrar General's Office Statistics, 1999) The Council spends more than £100 million each year and directly employs more than 2,300 people.

22 The Council is responsible for the delivery of key services within Belfast and in particular those relating to:

- Refuse collection and disposal
- Street cleansing
- Health and environmental services
- Community development
- Indoor and outdoor leisure
- Parks and recreational facilities
- Support for the arts, tourism and economic development

23 The City Council is structured around seven departments, namely:

- Chief Executive's
- Client Services
- Contract Services
- Corporate Services
- Development
- Health and Environmental Services
- Legal Services

24 Pre-consultation meeting

During the course of data gathering for the EQIA, a pre-consultation meeting was organised to which representatives of groups associated with each of the nine equality dimensions were invited. Those in attendance at that meeting specifically represented persons with a disability, sexual orientation and ethnic origin/race.

A number of themes was introduced for discussion and comment; these have been incorporated in this report.

3.0 Model Equal Opportunities Policy

3.1 Background to Model Equal Opportunities (E.O) Policy

- 3.1.1** This Policy is based on the Model Policy produced in 1998 by the then Equality Agencies. The Model E.O. Policy was then adapted by the Local Government Staff Commission (LGSC) to suit local authorities.
- 3.1.2** The LGSC then issued it to all local authorities as a statutory recommendation. BCC's management side Joint Consultative Committee then made further refinements. These refinements were agreed by the LGSC.
- 3.1.3** A consultation exercise with the recognised Trade Unions in Belfast City Council is now underway and the Model E.O Policy will be ratified by the full Council within the next few months.
- 3.1.4** The new Policy when approved will replace the existing E.O. Policy, which was screened in for Equality Impact Assessment in the initial screening exercise completed by Belfast City Council in 2000.
- 3.1.5** The Members, Senior Management and Trade Unions signed the Joint Declaration of Protection in 1997. The Joint Declaration of Protection promotes dignity and respect of everyone regardless of political opinion, race, religion or any other matter. The Council also undertakes a bi-annual neutral and harmonious working environment audit.
- 3.1.6** The Equality Scheme Training Strategy is intended to contribute not only to the achievement of BCC's Corporate Strategic Objectives, but also to meet the Council's obligations under Section 75 of the Northern Ireland Act 1998 to implement an effective Equality Scheme. Managers, employees and stakeholders will be involved in the process of planning, implementing and evaluating equality training and development throughout the five year period of the strategy.
- 3.1.7** The Council's draft Good Relations strategy incorporates the themes of community relations, cultural diversity, equality through service delivery and equality through a representative workforce. This strategy will complement the existing policies and demonstrate the Council's commitment to the wider equality agenda.

3.2 The Model Equal Opportunities Policy

3.2.1 Aim

- to communicate and demonstrate that Belfast City Council (BCC) is opposed to all forms of unlawful or unfair discrimination. To ensure all employees, irrespective of the nature of their employment contract and job applicants (actual or potential) will be treated fairly, in selection for employment, promotion, training or any other benefit; selection will be on the basis of aptitude, ability, qualifications and experience.
- to promote a culture of diversity in BCC.
- this Policy covers gender, marital/family status, religious belief/political opinion, disability, age, race/ethnic origin, nationality, sexual orientation, Trade Union membership/non membership and criminal record.

3.2.2 Associated objectives

- to demonstrate BCC is an equal opportunities employer
- to promote equal opportunities through outreach measures in line with the Good Relations Corporate Strategic Objective

3.2.3 Who implements the Policy

- The Chief Executive has specific responsibility for the effective implementation of this Policy. Each director, manager and supervisor also has responsibilities supported by the Head of Human Resources and the Human Resources Manager for Equal Opportunities and all employees are expected to abide by the Policy and help create the equality environment, which is its objective

3.2.4 Outcomes for BCC

- This Policy will contribute to fair participation and fair treatment in BCC's employment related matters. It will help BCC achieve a diverse workforce where everyone is respected. It will help promote BCC as an equal opportunities employer not only to existing employees but also potential employees

3.2.5 Main stakeholders

- Elected Members
- All BCC employees
- Job applicants (actual and potential)

- Non Governmental Organisations
- Trade Unions

3.2.6 Outcomes for main stakeholders

- That there is fair treatment, fair participation, equality of access and selection on merit in all BCC's employment matters

3.2.7 Support for other BCC policies/strategies

- This Policy is integral to all Human Resources policies and the BCC Corporate Strategic Objectives

3.2.8 Interface with other organisations in relation to the implementation of the Model Equal Opportunities Policy

- Equality Commission
- Local Government Staff Commission
- Non Governmental Organisations
- Trade Unions

3.3 Assessment of Impacts

Religion

3.3.1 Belfast City Council has monitored the perceived religious affiliations of the workforce and applicants since 1990. The categories monitored include Protestant, Roman Catholic and non-determined. No information has been gathered in the past on minority religious beliefs. Three Section 31 Reviews have now been submitted to the Fair Employment Commission, and one Article 55 Review.

3.3.2 The last Section 31 Review covering the period 1995 – 98 demonstrates that the religious composition of the workforce between 1995 and 1998 is broadly in line with figures for the Protestant and Roman Catholic community in Northern Ireland (reported in the 1991 Census).

Table 1 Summary of BCC Workforce Composition 1990 – 1998

| Year | Number | Protestant | Roman Catholic | Non Determined | Total |
|------|--------|------------|----------------|----------------|-------|
| 1990 | | 1918 | 847 | 110 | 2875 |
| | % | 66.7% | 29.5% | 3.8% | 100% |
| 1998 | | 1477 | 818 | 142 | 2437 |
| | % | 60.6% | 33.6% | 5.8% | 100% |

Table 2 Protestant and other Denominations and Roman Catholics for Economically Active

| Belfast | Protestant & Others | Roman Catholic |
|-----------------------|---------------------|----------------|
| Belfast TTWA* | 70.6% | 29.4% |
| Northern Ireland TTWA | 60.1% | 39.9% |

*Travel to work area

3.3.3 The Section 31 returns show that there has been an increase in the representation of the Roman Catholic Community in the workforce from 29.5% in 1990 to 33.6% in 1998.

3.3.4 The Annual Monitoring Return submitted in 2001 demonstrates that the percentage of those from the Roman Catholic community in the workforce has now risen to 37.3%.

3.3.5 In January 2001 the Council adopted a Corporate Strategic Objective on Good Relations. A Good Relations audit was completed in 2001 and a draft strategy will be submitted for adoption within the next few months. The promotion of a representative workforce (which will include minority religious beliefs) is one of the key strands in the new strategy.

3.3.6 There is no qualitative or quantitative evidence to demonstrate that the new Model Equal Opportunities Policy will have a potential adverse effect in terms of religion.

Political Opinion

3.3.7 The trade unions and their members do not have any objections on political grounds to the implementation of the New Model Equal Opportunities Policy.

3.3.8 It is not moreover the policy of Belfast City Council to monitor the political opinion of employees. Through the extensive consultation process no issues have been raised to indicate that the Policy has a differential adverse impact in terms of political opinion.

Racial Group

3.3.9 An analysis of secondary data demonstrates that there has been an increase of 3,500 people from ethnic minorities living in N.I.¹ Despite this, it is estimated that minority ethnic groups constitute less than 1% of the total population of the Belfast area.

3.3.10 The Council introduced monitoring for ethnic minority applicants and appointees in 1997 on a voluntary basis. It is difficult to make a determination in relation to adverse impact from the existing statistical information due to sampling error given the small numbers concerned. For example in 2000 there were 17 applicants and 6 appointees (from ethnic minority groups) out of a total of 3,449 applicants. It is not possible from the monitoring information currently gathered to determine the number of employees from ethnic minorities in the overall workforce. The Council intends further researching how best to monitor the representation of ethnic minorities within the workforce.

3.3.11 In a report on Opportunities for All: Minority Ethnic People's Experiences of Employment, Training and Education in Northern Ireland² it is recommended that employers and employees be made aware of codes of practice with regard to racial harassment and racial equality.

3.3.12 In extensive consultations, the following points were raised:

¹ Jarman N , Community Development Centre, Office of the First Minister and Deputy First Minister, Research Branch, Overview Analysis of Racial Incidents recorded in Northern Ireland by the RUC 1996 – 1998

² Connolly P. and Keenan M. Northern Ireland Statistics and Research Agency, Social Policy Branch, April 2000

- a need for more robust monitoring arrangements
- a need to ensure that action plans are developed to implement the Policy
- a need to research further why people from ethnic minority groups are not applying for jobs in BCC
- a need to research examples of best practice in local authorities in G.B.

Age

3.3.13 The Model Equal Opportunities Policy covers all age categories within the 16-65 year old age group. Information is available on the age profile of the current workforce.

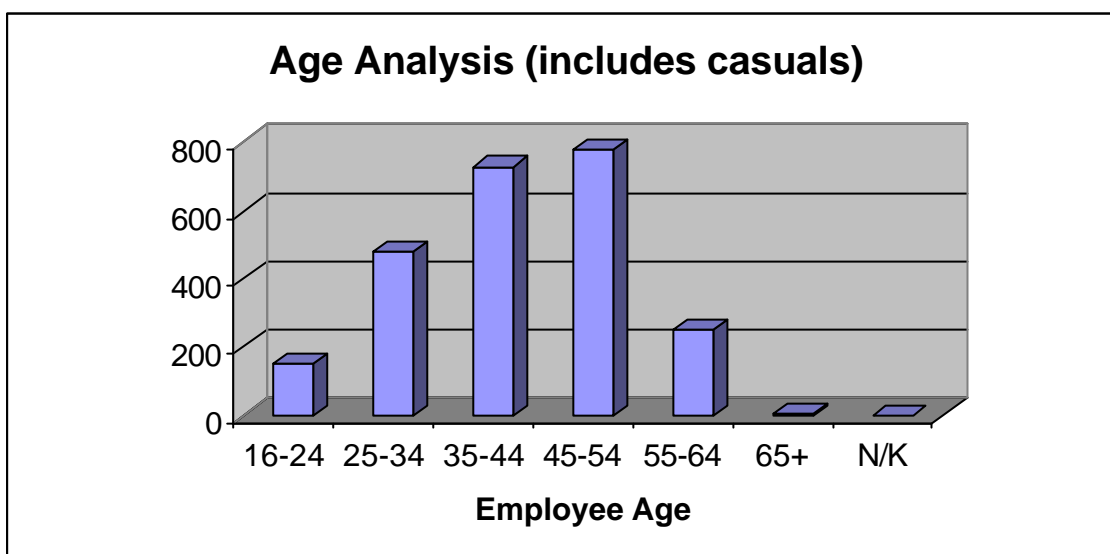


Fig.1

| <24 | 25-34 | 35-44 | 45-54 | 55-64 | 65+ | N/K |
|-----|-------|-------|-------|-------|-----|-----|
| 151 | 481 | 729 | 760 | 248 | 3 | 0 |

Table 3 NI Labour Force Survey Annual Data Set 2000

| Age | 16-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65+ |
|------------------------------|-------|-------|-------|-------|-------|-----|
| | % | % | % | % | % | % |
| In employment | 16 | 27 | 26 | 19 | 9 | 2 |
| ILO* unemployed | 26 | 30 | 21 | 18 | ** | ** |
| Economically inactive | 17 | 9 | 10 | 10 | 17 | 38 |
| All | 17 | 20 | 19 | 15 | 12 | 16 |

*ILO- International Labour Organisation standard definition of unemployed.

** Sample size too small for reliable estimate

- 3.3.14** When the age profile of the workforce is compared with the N.I. Labour Force Survey Annual Data Set the statistics demonstrate that the majority of employees in BCC are clustered in the 35-44 and 45-54 age bands while the majority of those in employment across N.I. tend to be clustered in the 25-34 and 35-44 age bands. The differences in the age profile of the workforce and the general population may be a feature of public sector employment where there tends to be relatively low turnover levels.
- 3.3.15** Based on the initial analysis of the statistical information there is differential impact within various age range groups. This will be further explored as part of the monitoring exercise.

Marital Status

- 3.3.16** There are no reliable statistics available in relation to the marital status of BCC employees. The percentages of married and single applicants and appointees does however compare favourably with the percentages in the general population.

Table 4 BCC Applicants – Marital Status by Gender 2000

| Marital Status | Female | | Male | | Total | |
|----------------------|--------|------|------|------|-------|------|
| | No. | % | No. | % | No. | % |
| No information given | 59 | 4.0 | 82 | 4.2 | 141 | 4.1 |
| Single | 945 | 64.1 | 1040 | 52.7 | 1985 | 57.5 |
| Married | 378 | 25.6 | 721 | 36.5 | 1099 | 31.9 |
| Separated | 47 | 3.2 | 54 | 2.7 | 101 | 2.9 |
| Divorced | 45 | 3.0 | 68 | 3.4 | 113 | 3.3 |
| Widowed | 0 | 0 | 10 | 0.5 | 10 | 0.3 |
| Total | 1474 | 100 | 1975 | 100 | 3449 | 100 |

Table 5 BCC Appointees - Marital Status and Gender 2000

| Marital Status | Female | | Male | | Total | |
|----------------------|--------|------|------|------|-------|------|
| | No. | % | No. | % | No. | % |
| No information given | 11 | 4.7 | 16 | 4.6 | 27 | 4.6 |
| Single | 140 | 59.6 | 183 | 52.6 | 323 | 55.4 |
| Married | 65 | 27.7 | 128 | 36.8 | 193 | 33.1 |
| Separated | 7 | 3.0 | 6 | 1.7 | 13 | 2.2 |
| Divorced | 12 | 5.1 | 13 | 3.7 | 25 | 4.3 |
| Widowed | 0 | 0 | 2 | 0.6 | 2 | 0.3 |
| Total | 235 | 100 | 348 | 100 | 583 | 100 |

Table 6 NI Labour Force Survey – Annual Data Set – Marital Status

| Marital Status | Single never married % | Married living with husband / wife % | Married Separated from Husband/ Wife % | Divorced % | Widowed % |
|-----------------------|-------------------------------|---------------------------------------------|-----------------------------------------------|-------------------|------------------|
| In employment | 35 | 56 | 3 | 2 | 2 |
| *ILO unemployed | 49 | 39 | * | * | * |
| Economically inactive | 38 | 50 | 3 | 3 | 17 |
| All | 33 | 54 | 3 | 3 | 8 |

*ILO- International Labour Organisation standard definition of unemployed.

- 3.3.17** There is no quantitative or qualitative data to suggest there is a differential impact in terms of marital status.

Sexual Orientation

- 3.3.18** There was considerable consultation with the gay and lesbian community as part of the consultation process on screening. The research to date has not indicated any likelihood of adverse consequences for individuals covered by this Section 75 category through the implementation of the Model EO Policy. The issue of developing more robust monitoring arrangements did however arise in discussions with CoSO and they have advised that they would be supportive of the Council including a question on sexual orientation on the monitoring form.

Gender

- 3.3.19** The Council monitors the percentages of male and female applicants, appointees and employees.

Table 7 BCC Applicants by Grade and Gender 2000

| Job Grade | Female | | Male | | Total | |
|--------------|-------------|------------|-------------|------------|-------------|------------|
| | No. | % | No. | % | No. | % |
| Director | 0 | 0 | 12 | 0.6 | 12 | 0.3 |
| Senior | 137 | 9.3 | 198 | 10.0 | 335 | 9.7 |
| Middle | 112 | 7.6 | 160 | 8.1 | 272 | 7.9 |
| Junior | 835 | 56.6 | 566 | 28.7 | 1401 | 40.6 |
| Basic | 211 | 14.3 | 107 | 5.42 | 318 | 9.2 |
| Manual | 178 | 12.1 | 771 | 39.0 | 949 | 27.5 |
| Craft | 1 | 0.07 | 161 | 8.2 | 162 | 4.7 |
| Total | 1474 | 100 | 1975 | 100 | 3449 | 100 |

Table 8 BCC Appointees by Grade and Gender for 2000

| Job Grade | Female | | Male | | Total | |
|--------------|------------|------------|------------|------------|------------|------------|
| | No. | % | No. | % | No. | % |
| Director | 0 | 0 | 2 | 0.6 | 2 | 0.3 |
| Senior | 28 | 11.9 | 23 | 6.6 | 51 | 8.7 |
| Middle | 8 | 3.4 | 17 | 4.9 | 25 | 4.3 |
| Junior | 60 | 25.5 | 52 | 14.9 | 112 | 19.2 |
| Basic | 59 | 25.1 | 42 | 12.1 | 101 | 17.3 |
| Manual | 80 | 34.0 | 204 | 58.6 | 284 | 48.7 |
| Craft | 0 | 0 | 8 | 2.3 | 8 | 1.4 |
| Total | 235 | 100 | 348 | 100 | 583 | 100 |

Table 9 BCC Employees by Grade and Gender February 2002

| Job Grade | Female | | Male | | Total | |
|--------------|------------|------------|-------------|------------|-------------|------------|
| | No. | % | No. | % | No. | % |
| Director | 3 | 0.3 | 26 | 1.8 | 29 | 1.2 |
| Senior | 124 | 13.7 | 192 | 12.9 | 316 | 13.3 |
| Middle | 74 | 8.2 | 137 | 9.3 | 211 | 8.8 |
| Junior | 196 | 21.7 | 132 | 8.9 | 328 | 13.8 |
| Basic | 273 | 30.2 | 85 | 5.8 | 358 | 15.0 |
| Manual | 235 | 25.9 | 816 | 55.2 | 1051 | 44.1 |
| Craft | 0 | 0 | 90 | 6.1 | 90 | 3.8 |
| Total | 905 | 100 | 1478 | 100 | 2383 | 100 |

- 3.3.20** The monitoring information in the Section 31 Review demonstrates that between 1995 and 1998 the representation of females in the workforce increased from 34.4% to 37.7% and in 2001 to 38.1%.
- 3.3.21** The workforce profile for BCC mirrors the position across local government as reported in the LGSC EO Review (1999). The LGSC report confirms there is an under representation of women in some positions in Local Government in Northern Ireland.
- 3.3.22** The overall percentages of males and females in the workforce in BCC compares favourably with the percentages of males and females in employment across NI as reported in the NI Labour Force Survey – Annual Data Set 2000.
- 3.3.23** BCC takes proactive action to encourage women to apply for previously non traditional jobs in Local Government and to promote work-life balance for example through job-sharing, flexible working, career breaks, phased return to work, special unpaid leave.

Table 10 NI Labour Force Survey - Annual Data Set 2000

| Gender | Male % | Female % |
|-----------------------|---------------|-----------------|
| In employment | 57 | 43 |
| ILO unemployed* | 63 | 37 |
| Economically inactive | 36 | 64 |
| All | 48 | 51 |

*ILO- International Labour Organisation standard definition of unemployed.

- 3.3.24** The statistical information and comment received through the consultation exercise on screening suggests there may be adverse differential impact in terms of females in management grades; this will be addressed within the new Good Relations strategy which aims to promote a culture of diversity within the Council.

Persons with and without a disability

- 3.3.25** There are no reliable statistics on the percentages of persons with and without a disability in the workforce as defined by the Disability Discrimination Act (DDA). This has not therefore been statistically measured.
- 3.3.26** The Council does however intend to further research how best to monitor persons with and without a disability in the workforce.
- 3.3.27** During the consultation exercises undertaken by BCC it was established that good practice guides have been developed to ensure that policy and procedures documents are more accessible to people with learning disabilities.

3.3.28 BCC intends to take action to research how to improve the accessibility of their Human Resource procedures for people with learning disabilities.

3.3.29 The Council has taken a number of positive actions to encourage more persons with a disability into the workforce and to facilitate persons with a disability in the workforce. BCC participates in the Department for Employment and Learning's Employment Support Scheme and has signed up to the Employers' Forum on Disability's Agenda for Positive Action.

Persons with and without Dependants

3.3.30 The only information currently captured on dependants is through the Equal Opportunities monitoring form completed by all job applicants. These records do not provide a reliable record of those with and without dependants in the workforce.

3.3.31 The BCC Employee Satisfaction Survey published in March 2001 demonstrated that while work life balance was important to male and female employees, this was not rated as one of their top five areas requiring attention.

4.0 Sexual Harassment Policy

4.1 Background to Sexual Harassment Policy

4.1.1 In 1993 the Change Management and Strategy Group decided that a policy on sexual harassment should be developed. The Policy was implemented in 1994 following a process of consultation with the recognised trade unions. The Policy is based on guidance issued by the LGSC, EOC and the European Code of Practice.

4.1.2 The Council is currently progressing the introduction of Procedures on Less Favourable Treatment. This Policy will be generic and will cover all forms of less favourable treatment in relation to the 9 Section 75 categories as well as those with a criminal record. The new Policy will also encompass bullying.

4.1.3 Through discussions with CoSO it was confirmed that it was their understanding that sexual orientation was covered within this Policy.

4.2 Sexual Harassment Policy Aims, Objectives Outcomes

4.2.1 Aim

- To ensure that employees are not subjected to behaviour that causes offence, harasses, humiliates, threatens, intimidates or causes apprehension because of their gender
- To provide procedures for dealing with complaints of sexual harassment, to ensure that the reputations of all are not unjustly affected and that employees are protected against victimisation.

4.2.2 Associated objectives

- To demonstrate BCC, as an equal opportunities employer, will take all steps to ensure sexual harassment is not permitted in the workplace
- To promote respect and tolerance in the workplace.
- To ensure employees have access to procedures for dealing with complaints of sexual harassment promptly, seriously and with discretion and if substantiated that appropriate action is taken.

4.2.3 Who implements the Policy

- The Head of Human Resources and departmental managers.
- All BCC employees

4.2.4 Outcomes for BCC

- To demonstrate that managers and employees are aware of the procedures and that complaints taken through the procedures are dealt with in an appropriate manner
- To demonstrate that appropriate action is taken to protect all employees who make a complaint of sexual harassment
- A culture of respect and tolerance in the workforce

4.2.5 Main stakeholders

- Elected Members
- BCC employees
- Job applicants actual and potential
- Trade Unions

4.2.6 Outcomes for main stakeholders

- A working environment where gender is respected.

4.2.7 Support for other policies/strategies

- This Policy is integral to all Human Resources policies and the Council's Corporate Strategic Objectives.

4.2.8 Interface with other organisations

- The Equality Commission
- Local Government Staff Commission
- Trade Unions

4.3 Assessment of Impacts

Religion

- 4.3.1** The Policy includes an overall Policy statement and management guidelines that are to be followed in relation to sexual harassment in the workplace.
- 4.3.2** The records in relation to the application of the Sexual Harassment Policy and the extensive consultation exercise undertaken in relation to screening demonstrate that no issues have been raised to indicate the Sexual Harassment Policy impacts disproportionately in respect of a person's religious beliefs.
- 4.3.3** There are however separate investigation procedures for someone who is being harassed on the grounds of their religion.

Political Opinion.

- 4.3.4** It is not the policy of Belfast City Council to monitor the political opinion of employees. Through the extensive consultation process no issues have been raised to indicate the Policy has a differential impact in terms of political opinion.

Racial Group

- 4.3.5** This has not been statistically measured. However in extensive consultation no issues have been raised to indicate that the Sexual Harassment Policy impacts disproportionately in an adverse way in respect of a person's ethnic origin.
- 4.3.6** There are separate investigation procedures for someone who is being harassed on the grounds of ethnic origin.
- 4.3.7** Of the small number of internal sexual harassment complaints since 1998 none has involved members of ethnic minority communities.

Age

- 4.3.8** Of the small number of sexual harassment complaints since 1998, age has not formed part of the complaint.

Marital Status

- 4.3.9** Of the small number of sexual harassment complaints since 1998, marital status has not formed part of the complaint.

Sexual Orientation

- 4.3.10** Through the extensive consultation process no issues have been raised to indicate that the Sexual Harassment Policy impacts disproportionately in an adverse way in respect of a person's sexual orientation.

Gender

- 4.3.11** The Policy is accessible to both men and women, however all the complaints to date have been from women.
- 4.3.12** Through the extensive consultation process no issues have been raised to indicate that the Policy has a differential adverse impact in terms of gender.

Persons with and without a disability

- 4.3.13** Based on the small number of cases pursued since 1998 there is no evidence of differential adverse impact in relation to the application of this Policy for disabled persons.
- 4.3.14** There are separate investigation procedures for someone who is being harassed on the grounds of disability.

Persons with and without dependants

- 4.3.15** Of the small number of sexual harassment complaints since 1998 the issue of dependants has not formed part of the complaint. Through the extensive consultation process no issues have been raised to indicate that the Policy has a differential adverse impact in terms of those with and without dependants.

Generic Comments Raised by Representatives of a number of the Section 75 categories

- 4.3.16** A general comment raised by a number of the groups related to the right to be represented by someone with similar characteristics when pursuing a case of sexual harassment. BCC currently adopts a sympathetic approach where someone wishes to be represented by a colleague or a representative of their own choice. While it would not be practical to cover every eventuality in the Policy the Council will continue to treat each case sensitively and on its own merits.

5.0 Community Outreach Programme

5.1 Background for Community Outreach Programme

5.1.1 The Community Outreach Programme was launched in November 1998 following the Council's decision to recruit all permanent posts (except where there are redundancy considerations) through public advertisement.

5.1.2 The Council's level of activity taken in this area has been significant and has included: participation in a major work experience programme, Careers Fairs, interview skills training for schools, activities to encourage potential applicants to consider non-traditional jobs. BCC is also a member of Opportunity Now and has participated in a number of initiatives to encourage women into non-traditional careers in local government.

5.1.3 While the level of activity in Community Outreach to date has been significant it has focused mainly on younger people (15-23 year olds). The Council's level of participation in community outreach has resource implications and is currently under review. BCC is aware that it is not attracting requests from participation in outreach from young people who are part of the educationally disadvantaged population.

5.1.4 As part of the EQIA process the need has been identified to introduce a range of monitoring arrangements. The information gathered through monitoring will assess in a more proactive and effective way how the resources available for outreach measures are deployed.

5.2 The Community Outreach Programme

5.2.1 Aim

- To promote the Council as an attractive equal opportunity employer and to reach a wide pool of potential applicants representing the diversity of Northern Ireland's society.

5.2.2 Associated objectives

- To provide equal opportunities through outreach measures in line with the Good Relations Corporate Strategic Objective
- To have a representative (diverse) workforce
- To demonstrate to employees and potential job applicants that BCC promotes diversity

5.2.3 Who implements the policy

- Human Resources in conjunction with BCC departments

5.2.4 Outcomes for BCC

- To continue to develop relations with the Section 75 categories
- A diverse workforce
- To promote BCC as an equal opportunities employer

5.2.5 Main stakeholders

- BCC
- Job applicants
- Section 75 categories

5.2.6 Outcomes for main stakeholders

- Enhanced awareness of employment opportunities in BCC
- Raising awareness of issues relevant to the Section 75 categories

5.2.7 Support for other policies/strategies

- This Programme is integral to all Human Resources policies and the Council's Corporate Strategic Objectives.

5.2.8 Interface with other organisations

- Section 75 categories
- Business in the Community
- Opportunity Now
- The five Education and Library Boards and their schools
- Council for Catholic Maintained Schools and their schools
- Department for Employment and Learning
- Office of the First Minister and Deputy First Minister

5.3 Assessment of Impacts

Religion

- 5.3.1 Information was collated by BCC on the community background of work experience placements for the 2 main communities in Northern Ireland.

Table 11 BCC Work Placements and Community Background of Schools

| | Placements from Protestant Schools | Placements from Roman Catholic Schools |
|-----------|-------------------------------------------|-----------------------------------------------|
| 1998/1999 | 52% | 48% |
| 1999/2000 | 58% | 42% |
| 2000/2001 | 55% | 45% |

- 5.3.2 These figures exclude placements from Universities, Further Education Colleges, integrated schools and schools outside Northern Ireland.
- 5.3.3 From the information available no issues have been raised to indicate the allocation of placements impacts disproportionately in an adverse way in respect of a person's community background.
- 5.3.4 The Council does not currently collect any data in relation to placements from minority faiths in Northern Ireland; it intends to address this as part of the new monitoring arrangements.

Political Opinion

- 5.3.5 It is not the policy of Belfast City Council to monitor the political opinion of work experience placement students. However there has been no suggestion to date to indicate that political opinion is an issue in relation to the implementation of the Community Outreach Programme.

Racial Group

- 5.3.6 This has not been statistically measured; however research and extensive consultation have noted some accessibility issues in terms of the level of ethnic minority groups and Irish Travellers, accessing the Community Outreach Programme.
- 5.3.7 While the action taken to date has been mainly targeted at schools (due to resource constraints) the Council is conducting further research into the needs of a range of groups and is currently reassessing its programme of activity in this area.

Marital Status

- 5.3.8** The Programme has mainly been targeted at work experience placements for people in full-time education.
- 5.3.9** An analysis of secondary research commissioned by DHSSPS demonstrates that within the Belfast area there are issues relating to accessibility and isolation of lone male and female parents.³
- 5.3.10** Through the extensive consultations to date issues have been raised concerning accessibility to employment with BCC. These issues will be further considered as part of the formal consultation exercise on the Outreach Programme and in the EQIA on the Council's recruitment policy.

Sexual Orientation

- 5.3.11** There was considerable consultation with the gay and lesbian community as part of the consultation on screening. The research to date has not indicated any likelihood of adverse consequences for individuals covered by this Section 75 category.

Persons with and without Dependants

- 5.3.12** Anecdotal evidence is the only evidence available in relation to this category. The available evidence on the age of those participating in the research indicated that as the Programme was mainly focused on individuals of school age it is likely that there is a differential impact but it is not clear if it is adverse.
- 5.3.13** Further research is being undertaken to establish if there are consequential issues arising through restricting the policy for responding to requests for work experience mainly from schools.

³ **Spence. L.** 1995 All Alone? The Health and Social Care Needs of Lone Parents, A Review of the Literature, Northern Health and Social Services Board and Gingerbread Northern Ireland, Belfast DHSS, The Cost of the Troubles Study Final Report, April 1999, Belfast North City Business Centre

Age

5.3.14 The Community Outreach measures implemented by BCC to date have been primarily targeted at the younger age group i.e. 15-23 year olds.

Table 12 Mid Year Estimates for Age Profile of Belfast City and Northern Ireland

| 2000 Mid-Year Estimates | Belfast City | Northern Ireland |
|-------------------------|----------------|------------------|
| Children | 65,700 (23%) | 408,000 (24%) |
| Working Age | 165,800 (59%) | 1,030,000 (61%) |
| Pensioners | 51,100 (18%) | 259,200 (15%) |
| Total | 282,600 (100%) | 1,697,200 (100%) |

5.3.15 The figures in the table above are only estimates; however they demonstrate that Belfast's population structure is representative of the population structure of Northern Ireland as a whole. Almost one quarter of Belfast's population is under 16 years and one fifth over 65 year of age.

5.3.16 The age profile of those targeted through the Council's Community Outreach Programme when compared with the mid-year estimates for Age Profile in Belfast suggests there may be a differential impact in terms of age in relation to the application of the Community Outreach Programme.

Gender

Table 13 – BCC Work Experience Placements by Gender

| Gender | 1998/1999 | | 1999/2000 | | 2000/2001 | |
|--------|-----------|------|-----------|----|-----------|------|
| | Number | % | Number | % | Number | % |
| Female | 48 | 61.5 | 60 | 69 | 87 | 48.3 |
| Male | 30 | 38.5 | 27 | 31 | 93 | 51.7 |

5.3.17 The work experience placement scheme is only one facet of the Community Outreach Programme. Research and consultations demonstrate that there is a number of accessibility issues for women.

5.3.18 Some of these issues relate specifically to Community Outreach and others to the Recruitment and Selection Procedures which will be subject to a separate EQIA.

5.3.19 It is not possible to determine if there is an adverse differential impact in relation to this category based on the information available. Further research in relation to gender and community outreach will be initiated as part of the future monitoring arrangements.

Persons with and without a Disability

5.3.20 An analysis of the statistical data on the percentages of persons with a disability participating in the work-experience programme demonstrates that there may be a differential impact based on comparators with the percentage of persons with a disability in the overall population.

5.3.21 The figures demonstrate a very positive trend in that the number of work experience placements for persons with a disability has almost doubled.

Table 14 – BCC Disability Placements 2000 - 2001

| 2000/2001 | Number | % |
|------------------|---------------|----------|
| Female | 8 | 66.7 |
| Male | 4 | 33.3 |
| Total | 12 | 100 |

6.0 The Department of Employment and Learning – Employment Support Scheme

- 6.1** The applicants for this Scheme are selected and monitored by the Department for Employment and Learning. The Department has confirmed that a review of the Scheme is planned and that they will be conducting an EQIA within the next 12 months.
- 6.2** While participating in the Scheme the participants (in BCC) are supported by Disability Action.
- 6.3** Belfast City Council employs up to 4 people at a time through the Employment Support Scheme.
- 6.4** Through discussions with the Department for Employment and Learning and the Equality Commission it has been established that it would be more appropriate for the Department to commission the EQIA and for BCC to actively participate in the consultation process.
- 6.5** As the Model E.O. Policy (which is being Equality Impact Assessed by the Council this year) is an over-arching E.O. policy there will be aspects of the Employment Support Scheme which will be encompassed within this EQIA.

7.0 The Employers' Forum on Disability – Agenda for Positive Action

7.1 Belfast City Council has adopted the above guidelines recommended by the Employers' Forum on Disability.

7.2 Through discussions with the Employers' Forum on Disability and the Equality Commission it has been confirmed that as the Agenda for Positive Action provides benchmarks against which organisations can undertake an assessment of employment practices for disabled persons rather than subject the guidelines to EQIA, aspects of the guidelines should be looked at as part of the Model E.O. Policy EQIA.

8.0 Consideration of Measures to Mitigate any Adverse Impact

BCC has given careful consideration to the measures that might be taken to eliminate, or at least mitigate, the adverse impacts which have been identified in the previous sections of this report.

The Council proposes the measures detailed below to mitigate any adverse impact in the implementation of the following policies:

- The Model E.O. Policy
- The Sexual Harassment Policy
- The Community Outreach Programme

8.1 The Model EO Policy

8.1.1 The new Model E.O. Policy is more far reaching than the existing E.O. Policy. The Model E.O. Policy covers all the Section 75 categories in addition to trade union membership and those with a criminal record. While a number of differential impacts has been identified, where appropriate the model E.O. policy has been developed to reduce or alleviate any adverse impact.

8.1.2 It is however recognised that much more robust and comprehensive monitoring arrangements will need to be developed and implemented. In accordance with the feedback received to date from the representatives of the Section 75 categories BCC will draw upon best practice in developing and implementing monitoring arrangements.

8.1.3 As a result of conducting the EQIA the need has been identified to introduce more robust monitoring systems in relation to the following Section 75 categories in the BCC workforce:

- Ethnic minority groups
- Sexual orientation
- Persons with and without a disability
- Marital status
- Persons with and without dependants

8.1.4 The Council has developed a new strategy and measures to promote a culture of diversity. The Council will retain the merit principle in any recruitment and promotions and will make efforts to address the under-representation and/or imbalances which exist at present at certain levels and in certain Units through the Community Outreach programme and other initiatives.

8.15 A comprehensive programme of targeted E.O. awareness training is being implemented. BCC has also in accordance with the Equality Scheme developed an Equality Scheme training strategy for implementation that includes a Good Relations Training Programme. The training programme is to be supported through the appointment of a number of new officers.

8.16 In addition a number of areas of adverse impact has been identified which fall outside the direct remit of the Model E.O. policy. In particular the under-representation within the workforce in terms of categories such as those from ethnic minorities, persons with a disability, young people, Irish Travellers, can only be addressed through reviewing complementary policy areas such as Recruitment and Selection, the Community Outreach Programme, the Employment Support Scheme and the implementation of the Agenda for Positive Action. Where appropriate BCC will either address such adverse impacts through its own EQIA programme or through contributing proactively to the consultation process where the EQIA is being undertaken by other public authorities such as DEL.

8.2 Sexual Harassment Policy

8.2.1 A number of differential impacts has been suggested in relation to accessibility to the Policy by the following Section 75 categories: persons with a disability (and specifically those with learning disabilities) and sexual orientation. Through discussions with representatives from MENCAP, CoSO and Disability Action BCC proposes to take steps to further raise awareness of the procedures that exist within the Council for dealing with harassment and that they are accessible to these groups.

8.3 Community Outreach Programme

8.3.1 As the main focus of the Community Outreach Programme has been to promote an extensive programme of outreach for those who are within the examination stream in the local schools in the Belfast area a number of impacts has been identified in relation to the following Section 75 categories: minority ethnic faiths; marital status, those with and without dependants; older people; the Irish Travellers.

8.3.2 The custom and practice that has developed of reacting to requests from schools for work experience as opposed to proactively targeting the schools is resulting in the exclusion of those who maybe educationally disadvantaged. It is proposed to review the allocation of the work experience placements and to more proactively target groups who may currently be excluded. This is in accordance with BCC's responsibilities under New Targeting Social Need (New TSN).

8.3.3 BCC has so far not been able to build up meaningful working relationships with ethnic minority groups. It is hoped that through the implementation of the EQIA and follow-up monitoring arrangements, constructive partnerships will be developed.

8.4 Conclusion

- 8.4.1** The EQIA's of the following three HR Policies, the Model E.O. Policy, the Sexual Harassment Policy, the Community Outreach Programme, assess whether they will have a differential impact on equality of opportunity for any of the nine categories identified under Section 75 and if so, whether this differential is adverse. The positive measures proposed by BCC will eliminate the instances of adverse impact identified in this report.
- 8.4.2** BCC is committed to the principle of equality of opportunity and is confident that the measures identified in this report will contribute to fair participation and fair treatment in employment and help BCC to achieve a diverse workforce where everyone is respected.

9.0 Consultation

9.1 During the informal consultation phase the following organisations (that had commented on the H.R. policies during the Screening process) were written to and invited to comment on each of the H.R. policies

- 10 Youth Net
- 11 East Belfast Partnership
- 12 MENCAP*
- 13 Women's Support Network
- 14 CoSO*
- 15 N.I. Carers' Association
- 16 Age Sector Reference Group
- 17 NICEM*
- 18 Traveller Support Group

*indicates the groups which attended

9.2 Pre-consultation meeting

During the course of data gathering for the EQIA, a pre-consultation meeting was organised to which representatives of groups associated with each of the nine equality dimensions were invited. Those in attendance at that meeting specifically represented persons with a disability, sexual orientation and ethnic origin/race.

A number of themes was introduced for discussion and comment; these have been incorporated in this report.

9.3 Formal Consultation

During the formal consultation phase the Council consulted as widely as possible on the preliminary findings of these EQIA's and associated mitigating actions. With this objective in mind the Council took the following actions:

- prominent advertisements inviting the public to comment on this matter were placed in the main newspapers in Northern Ireland in accordance with normal Council practice;
- the draft EQIA report was issued to all the consultees listed in the Council's Equality Scheme and to any member of the public on request;
- a copy of this report was posted on the Council's website;
- three consultation meetings were arranged at suitable accessible venues in the city one of which was a focus group meeting with BCC employees
- the report was made available, on request, in alternative formats including Braille, disk and audio cassette and in minority languages for those who are

not fluent in English.

9.4 The results of the consultation process are provided in the Matrix in Appendix 1.

10.0 Publication

10.1 This report will be available on the Council's website at www.belfastcity.gov.uk; it will be available on request in other formats (including Braille, Disk and Audio Cassette and in minority languages to meet the needs of those who are not fluent in English). Consideration will be given to producing the document in other formats on request, where practicable.

CONSULTATION MATRIX ON CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | General Comment | Belfast City Council Response |
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| <p data-bbox="188 355 456 448">Irish Congress of Trade Unions N.I. Committee</p> <p data-bbox="188 483 271 507">Point 1</p> <p data-bbox="188 738 282 762">Point 2</p> <p data-bbox="188 994 282 1018">Point 3</p> | <p data-bbox="560 355 1422 512">We would find it helpful if, at the beginning of the Equality Impact Assessment, the Council briefly outlined the seven stages that designated public authorities are required to follow in order to comply with the requirements of Annex 1 of the Equality Commission's Guide to the Statutory Duties. A brief synopsis would suffice.</p> <p data-bbox="560 515 1397 576">In addition it would be helpful if the Council would outline the rationale for conducting Equality Impact Assessments:</p> <ul data-bbox="560 579 1413 703" style="list-style-type: none"> <li data-bbox="560 579 1357 639">• To identify adverse impact and consider mitigating factors which would eliminate adverse impact <li data-bbox="560 643 1413 703">• To consider alternative policies, which would better, promote equality of opportunity. <p data-bbox="560 738 1422 975">It is important to mention that public authorities must attempt to identify multiple disadvantages with regard to the impact of policies across the 9 groups. For example, policies may not simply create an adverse impact on women or young people; they may create very specific adverse impacts on female Travellers or young members of the Chinese community. NIC.ICTU urges the Council to bear this in mind.</p> <p data-bbox="560 1010 1422 1292">In relation to paragraph 3.2, of the document and the recognition given to the need for the Council to develop systems to obtain additional monitoring data, we wish to make the point that in respect of some of the categories, particularly political opinion and sexual orientation, it will prove difficult to collect any statistical monitoring data. Consequently we urge the Council to develop qualitative monitoring systems to collect data. This will involve developing ways of establishing ongoing contact with the representatives of the affected equality groups through the development of, for example consultation data.</p> | <p data-bbox="1449 387 2130 480">The comments are accepted and the additions have been included under point 1.6. While the comments are covered in point 1.1 they are reinforced within point 1.6.</p> <p data-bbox="1449 802 2101 863">This is an integral part of the process and was taken into account by B.C.C. in conducting the EQIA's</p> <p data-bbox="1449 1090 2114 1246">We note and accept the sensitivities in monitoring within these two areas and we have had discussions with CoSo. In anticipation of further guidance from the Equality Commission we will keep the monitoring arrangements under review.</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | General Comment | Belfast City Council Response |
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| <p>Irish Congress of Trade Unions N.I. Committee</p> <p>Point 4</p> <p>Point 5</p> <p>Point 6</p> <p>Point 7</p> | <p>In relation to paragraph 3.3, we welcome the decision of the Council to establish performance targets for the employment of under-represented groups in the workforce. We would also urge the Council to put in place arrangements to monitor whether these groups enjoy fair participation when in the workforce. For example, we may reach a position where people with a disability are proportionately reflected in the Council's workforce, but are employed mainly on the SOC grades, or do not enjoy equality of opportunity with regard to training because adequate reasonable adjustments have not been made. Women, also, could be seen to enjoy equality of opportunity with regard to employment but may be denied fair participation if the employer does not take seriously requests for flexible working arrangements or other work-life balance initiatives.</p> <p>In addition we would urge the Council to ensure that the performance indicators developed would be included at all levels in the business planning process from corporate plans to individual performance plans.</p> <p>NIC.ICTU welcomes the consultation initiatives engaged in by the Council consulting with affected equality groups in respect of its policy on sexual harassment.</p> <p>We note that people with a disability are not referred to in paragraph 5.1. We would urge the Council to include the targeting of people with a disability for inclusion in this programme. In addition we would urge the Council to develop adequate statistical and qualitative monitoring methodologies to ensure that the objectives of the Community Outreach Programme are being met. This will require contact and qualitative consultation with a range of affected equality groups in line with the proposals in paragraph 5.3 of the document.</p> | <p>The Council's draft Good Relations strategy which sets out proposed actions to address under representation in the workforce is still to be adopted by Council.</p> <p>This point will be addressed as we develop our monitoring systems.</p> <p>Noted.</p> <p>As a result of conducting the EQIA on the Community Outreach Programme no adverse differential impacts were identified in relation to disabled persons. The Council will continue to develop targeted initiatives as identified through the implementation of the monitoring policy. It is accepted that this may require qualitative consultation as part of the process.</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | General Comment | Belfast City Council. Response |
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| <p data-bbox="188 387 456 480">Irish Congress of Trade Unions N.I. Committee</p> <p data-bbox="188 547 271 571">Point 8</p> | <p data-bbox="560 387 1422 735">Paragraph 1.7, of the document states that the Council in its Screening Process screened policies on the basis of both Statutory Duties and not merely the equality of opportunity duty as required by Section 75. It is not clear from the attached EQIA that the policy has been impact assessed against the good relations duty. However, NIC.ICTU is not convinced that the best way of promoting good relations is to conduct an EQIA on the basis of that duty. It is clear that of the two Statutory Duties, the equality of opportunity duty carries the most weight and in a situation where the two duties conflict the equality of opportunity duty must be given priority. We believe that designated public authorities should consider a three-staged approach to promoting its good relations duty as outlined below:</p> <ol data-bbox="607 775 1422 1279" style="list-style-type: none"> <li data-bbox="607 775 1422 831">1. Conduct a good relations audit of the organisation both internally and externally <li data-bbox="607 839 1422 991">2. Develop a good relations policy which would outline the commitment of the public body to promoting good relations. It would also outline how the public body would support its policy in terms of making the necessary resources available to ensure its effective implementation; <li data-bbox="607 999 1422 1054">3. Develop a good relations strategy to rectify functional areas and policies where more could be done to promote good relations. <li data-bbox="607 1062 1422 1279">4. We note the commitment of the council to develop a good relations strategy as outlined at paragraph 3.1.7 on page 12 of the document. We would recommend that the Council engage with organisations such as NICEM and the Community Relations Council in terms of developing its good relations strategy. We note that the Council has already developed good working relationships with both of these organisations. | <p data-bbox="1449 387 2134 544">Noted: The EQIA's relate to promoting Equality of Opportunity a Good Relations Strategy is being developed. In relation to the comments made under point 8 the E.O. duty has been given priority and this is reflected in the amendment to point 1.7.</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | Model Equal Opportunities Policy | Belfast City Council Response |
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| <p>Irish Congress of Trade Unions N.I. Committee</p> <p>Point 1</p> <p>Point 2</p> <p>Point 3</p> | <p>We note the commitment of the Council in paragraph 3.2.1 to ‘promote a culture of diversity in BCC’. NIC.ICTU welcomes this commitment.</p> <p>The belief that the policy should be supported by the provision of training for all staff. Specific training should be provided for all management and supervisory staff. In addition copies of the policy should be provided to all job applicants.</p> <p>In respect of the figures presented in Table 1 of the document, in order to determine if Catholics are enjoying fair participation with regard to employment we would require additional information in relation to the proportion of Catholics found in various occupational classifications. For example, is the distribution of Catholics found in managerial grades proportionate to the distribution of Catholics in the economically active proportion of the population?</p> | <p>Noted</p> <p>B.C.C. has an Equality Training Strategy and E.O. Awareness training is compulsory for all employees.</p> <p>It is the responsibility of all departments to issue new employees with the E.O.policy as part of the induction process. All job adverts and applications forms contain a welcome statement. In addition the Council will give consideration to issuing information on equality/diversity matters with the recruitment pack.</p> <p>Since 1990 the Council has forwarded returns to the Equality Commission (formerly the F.E.C) These returns detail the Standard Occupation Classifications of employees by religion and gender. The statistical analysis of the monitoring returns demonstrates that there is fair participation in the workforce. The breakdown of the workforce will continue to be reviewed through the implementation of our monitoring systems.</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | Model Equal Opportunities Policy | Belfast City Council Response |
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| <p>Irish Congress of Trade Unions N.I. Committee</p> <p>Point 4</p> | <p>Paragraph 3.3.21, implies that there is an under representation of women in some positions within the Council. We are concerned at the lack of affirmative action measures that the Council is proposing to address this under-representation, particularly at the managerial level. We would urge the Council to develop a more robust approach to dealing with this problem. In addition, although the Council has adopted work-life balance initiatives, many women still believe that they may be discriminated against if they choose to take advantage of work-life balance initiatives, particularly flexible working arrangements. The Council must ensure that it publicly communicates its commitment to promoting equality of opportunity for women. It should also monitor the uptake of work-life balance initiatives to ensure that employees feel comfortable in applying for job-share, part-time work, flexible working arrangements etc. In addition we urge the Council to consult with the relevant unions on the development, implementation and monitoring of work-life balance initiatives.</p> | <p>There is a recognition that there is an under representation of women in some positions. However the Council has been proactive in implementing the following measures:</p> <ul style="list-style-type: none"> - Break through 2000 – a training programme for women in middle management to enable them to apply for promotional posts. - B.C.C. is a member of ‘Opportunity Now’ - BCC has participated in the Women’s Millennium Build and Drive Day - Under the draft Good Relations Strategy one of the first key tasks is to devise ways of encouraging more women to apply for managerial posts and to encourage women to apply for non-traditional posts in Local Government <p>The Council notes the comments made by ICTU on Work-Life Balance and these will be taken into account in monitoring the implementation of initiatives in relation to Work-Life balance.</p> <ul style="list-style-type: none"> - In relation to the comment on consultation on policies all human resource policies are subject to consultation with the relevant trade-unions. |

| Organisation | Sexual Harassment Policy | Belfast City Council Response |
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| <p data-bbox="188 323 456 416">Irish Congress of Trade Unions N.I. Committee</p> <p data-bbox="188 453 277 480">Point 1</p> <p data-bbox="188 772 277 799">Point 2</p> <p data-bbox="188 1031 277 1058">Point 3</p> | <p data-bbox="560 453 1397 735">In relation to discussions with COSO (paragraph 4.1.3) will the Council confirm that protection against less favourable treatment on the basis of sexual orientation will be provided by the proposed policy? In addition we note that the policy being developed is concerned with less favourable treatment. Will the Council confirm that this policy will allow for the implementation of affirmative action measures designed to deal with historic disadvantage in respect of various equality groups. We assume that the policy will allow the Council to effectively implement targeting social need measures/affirmative action measures etc.</p> <p data-bbox="560 772 1420 959">We are not clear on the link between the proposed policy relating to less favourable treatment and the policy being assessed. Are these two distinct policies? If so, will the Council be screening and, if necessary, impact assessing its policy on less favourable treatment? Will the Council outline what the difference will be between its existing policy on harassment and the proposed less favourable treatment policy?</p> <p data-bbox="560 1031 1420 1246">In developing the policy has the Council taken on board the advice of the Equality Commission in developing policies on harassment. Does the Council intend to train harassment advisors to provide guidance and advice to victims or potential victims of harassment? Will managers and staff with supervisory responsibility be given specific training and made aware of their responsibilities in terms of dealing with harassment issues, matters concerning vicarious liability etc?</p> | <p data-bbox="1449 453 2114 608">BCC intends introducing procedures to deal with less favourable treatment that will cover all 9 categories under Section 75 and also encompass bullying. The less favourable treatment document is a procedures document and will not cover affirmative action or New TSN issues.</p> <p data-bbox="1449 772 2136 959">See above. BCC is developing procedures and not a policy on less favourable treatment. It is the existing policy that has been subject to EQIA. The new procedures will implement a generic harassment policy which will be subject to screening prior to implementation and if necessary EQIA.</p> <p data-bbox="1449 1031 2136 1246">Confirmed in point 4.1.1. Managers and supervisors responsibilities for dealing with harassment are covered in Equal Opportunities training when the new Less Favourable Treatment procedures are introduced, they will be supported by appropriate training. BCC uses a mediation process rather than harassment advisors.</p> |

| Organisation | Sexual Harassment Policy | Belfast City Council Response |
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| <p data-bbox="188 517 456 608">Irish Congress of Trade Unions N.I. Committee</p> <p data-bbox="188 644 271 667">Point 4</p> <p data-bbox="188 868 282 890">Point 5</p> <p data-bbox="188 995 271 1018">Point 6</p> | <p data-bbox="560 644 1397 799">Does the Council intend monitoring the number of complaints made in terms of informal complaints, formal complaints and complaints made to the Equality Commission? NIC.ICTU recommends such monitoring to ensure that the policy and the associated grievance and disciplinary procedures are effective in preventing harassment.</p> <p data-bbox="560 868 1379 927">We would also suggest that the policy being developed outlines clearly what the Council as an employer views as harassment.</p> <p data-bbox="560 995 1420 1214">Does the policy inform employees who may be the victims of harassment as a result of the behaviour of ratepayers what their rights are? If a member of staff alleges harassment against a councillor does the policy advise the employee of their rights? Has the Council developed a policy of outlining the behaviour expected of councillors in respect of Council staff? Are councillors aware of their responsibilities in terms of how they must treat staff?</p> | <p data-bbox="1449 644 2092 735">Belfast City Council records information on formal complaints dealt with internally and external complaints raised through the Office of the Industrial Tribunals.</p> <p data-bbox="1449 868 2029 895">This is covered in the existing and new procedures</p> <p data-bbox="1449 995 2130 1086">While these matters are not explicitly covered in the Policy the Council does have procedures for dealing with these issues should they arise.</p> <p data-bbox="1449 1123 2130 1342">This policy deals with employees only. The Northern Ireland Code of Local Government Conduct which the Council issues to all its Elected Members as part of the Guide to Councillors refers to “standards of behaviour and conduct expected of them” and also to the need of “mutual respect” between Councillors and officers. The Code does not make specific reference to sexual harassment.</p> |

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| Organisation | Sexual Harassment Policy | Belfast City Council Response |
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| <p data-bbox="185 456 456 547">Irish Congress of Trade Unions N.I. Committee</p> <p data-bbox="185 616 271 639">Point 7</p> <p data-bbox="185 871 284 895">Point 8</p> | <p data-bbox="560 616 1424 740">Will all potential employees be provided with a copy of the Council's policy as a matter of course when in receipt of an application form in respect of a vacancy? How does the Council propose to publicise its commitment to oppose sexual harassment, both internally and externally?</p> <p data-bbox="560 839 1424 1027">Section 4.3 of the consultation document makes reference to the other equality groups provided protection by existing Council equality and harassment policies. Can the council confirm that its existing equal opportunities and harassment policy coverage, marital status and sexual orientation? NIC, ICTU would suggest that the policies should be amended if necessary to refer directly to these equality groups.</p> | <p data-bbox="1447 616 2130 836">See point 2: Model E.O Policy The sexual harassment policy is given to all employees as part of their induction pack. The Council conducts an audit of work locations every six months to ensure a neutral working environment is maintained. This is highlighted in the E.O. Awareness Training which is compulsory for all employees.</p> <p data-bbox="1447 871 2130 932">The Model E.O. Policy and Harassment Policy will cover all Section 75 groups</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCES POLICIES

| Organisation | Community Outreach Programme | Belfast City Council Response |
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| <p>Irish Congress of Trade Unions N.I. Committee</p> <p>Point 1</p> <p>Point 2</p> <p>Point 3</p> | <p>In relation to paragraph 5.1.4, can the Council confirm that monitoring arrangements will be implemented in respect of the 9 Section 75 equality groups and that effective qualitative and quantitative monitoring methodologies will be employed?</p> <p>It is not clear from the document whether the community outreach programme is an element of a possible affirmative action programme with its foundation in one of the pieces of existing anti-discrimination legislation. Please clarify this position?</p> <p>In attempting to develop a diverse workforce NIC.ICTU urges the Council to consult with individuals from and representatives of the Section 75 groups to ensure that the outreach measures are effective in encouraging applications from a diverse range of individuals. In addition the Council should examine other policies which it currently implements, for example, in respect of flags and emblems, which might be seen to effectively discourage some individuals from applying for employment placements.</p> | <p>Noted. This will be taken into account in developing the monitoring systems.</p> <p>The aim of this Programme is to promote the Council as an attractive equal opportunity employer and to reach a wide pool of potential applicants representing the diversity of Northern Ireland's society (see 5.2.1). It is seen as a means of raising awareness about what the Council does and the associated job opportunities.</p> <p>Belfast City Council will continue to consult with the Section 75 groups to ensure outreach measures are effective. Other policies, e.g. on flags and emblems, are considered under the Cultural Diversity aspect of the Good Relations Strategy.</p> |

CONSULTATION MATRIX ON CONSULTATION RESPONSES TO THE HUMAN RESOURCE POLICIES

| Consultees | Community Outreach Programme | Belfast City Council Response |
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| <p>The Belfast City Council Employee Focus Group Comments</p> | <p>The employees noted that the Council is currently just targeting people for office jobs and that this should be changed.</p> | <ul style="list-style-type: none"> • This is not the case. BCC is currently reacting to work experience requests and careers events • No. have participated in Drive Day, Millennium Build <p>- would like to work with schools to promote the range of job opportunities for those with and without academic qualifications.</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | Model E.O. Policy | Belfast City Council Response |
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| <p>The Belfast City Council Employee Focus Group Comments</p> | <p>Concerns were raised about who maintains the employee records, on who has received E.O. awareness training and on whether some staff may slip through the net and not receive training.</p> <p>Employees raised concerns about the implementation of further monitoring arrangements in respect of the 9 section 75 categories</p> <p>Staff raised the issue of the under-representation of women in the Cleansing Section.</p> <p>It was recommended that the Council needed more family friendly policies.</p> | <ul style="list-style-type: none"> • E.O. Awareness training compulsory • Currently HR maintains training records – this may change • Managers' responsibility to ensure employees attend E.O. training • Job applicants are asked for 7/9 categories (i.e. excludes sexual orientation and politics) • BCC is required to re survey employees for PRA (i.e. residuary method used) annually • BCC to introduce voluntary monitoring of employees for ethnic origin and disability • Aware of this imbalance • Participated in Drive Day • Have made contact with women's groups • Cleansing contracts analysing Article 55 figures • This is specifically referred to as an Action in the draft Good Relations policy. • Noted, BCC does have in place a number of measures including job share, flexi hours and career break scheme • The Personnel Sub Committee has agreed to pilot a remote working scheme • The Personnel Sub Committee has agreed to source a supplier for an employee purchase Child Care voucher scheme |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | Model E.O. Policy | Belfast City Council Response |
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| <p>Northern Ireland Council for Ethnic Minorities</p> | <p>Suggested than an issue that the Council may want to further consider is the development of action plans for the implementation of the Equal Opportunities policy as it is in the implementation of the policy that the most effect will be felt.</p> | <p>The Council's draft Good Relations strategy which sets out proposed actions to address under representation in the workforce is still to be adopted by Council</p> |

CONSULTATION RESPONSES TO THE EQIA HUMAN RESOURCE POLICIES

| Organisation | Sexual Harassment Policy | Belfast City Council Response |
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| <p>Northern Ireland Council for Ethnic Minorities</p> | <p>The issue of multiple identities/multiple disadvantage in the sexual harassment policy, for example, a black women may experience sexual harassment in a different way due to the interaction of race and gender inequalities and particular sensitivity to this would be required in the implementation of the policy.</p> | <p>These points were noted during the informal consultation process and the consultees were advised. BCC adopts a sympathetic approach where someone wishes to be represented by a colleague or representative of their own choice. While it would not be practical to cover every eventuality in the Policy the Council will continue to treat each case sensitively and on its own merits.</p> |