

Promoting equality in our work

A short guide to Section 75 of the Northern Ireland Act 1998

This guide has been jointly produced by the following.



**Health
Promotion
Agency**



Mental Health Commission
for NORTHERN IRELAND



MEDICAL PHYSICS

*Northern Ireland
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northern
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*Northern Ireland Practice and
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*Northern Ireland
Blood Transfusion
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*Northern Ireland Council for
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What is section 75 of the Northern Ireland Act?

Section 75 (and Schedule 9) of the Northern Ireland Act 1998 sets out the statutory equality duties for public organisations.

What are the statutory equality duties?

These are duties that all designated public organisations in Northern Ireland - generally those funded from our taxes - must carry out as part of the work they do. Statutory means that they are set out in law.

There are two equality duties.

“(1) A public authority shall in carrying out its functions relating to Northern Ireland 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.*

(2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.” (Northern Ireland Act 1998, Section 75)

What does all this mean?

It means that public organisations need to make sure that they take steps to promote equality of opportunity for the nine named groups. Promoting equality of opportunity is about treating members of the nine groups fairly - whether they are employees, customers or members of the public - in all the things the public organisation does. Promoting good relations is more difficult. It usually means that the public organisation will make sure that respect for people's difference - because of their religion, political opinion or ethnic-minority status - is a central part of how it carries out its work (also in terms of employees, customers and the public).

How are these things achieved?

The public organisation has to set out its plans for promoting equality of opportunity and good relations. It must produce a document known as an equality scheme that sets out practical targets for achieving the statutory equality duties.

What's in my organisation's equality scheme?

The organisation's equality scheme generally contains the following:

- A commitment to dedicating all necessary resources to achieve the statutory equality duties.
- How the public organisation will make sure it meets the statutory equality duties and how it consults on all matters relating to these duties.
- A plan for training staff on the statutory equality duties.
- Details of how the organisation will make sure that it assesses and consults on the effects of its policies and duties.
- Details of arrangements for any equality impact assessments to be carried out.
- Arrangements for making sure that the public has access to information and services.

- A timetable for the scheme.
- Details of how the scheme will be published.
- Details of how complaints will be dealt with.
- A commitment to reviewing the scheme after five years.

Each equality scheme has to be approved by the Equality Commission, who monitor the work of each public authority on the statutory equality duties.

How does the organisation assess and consult on the effects of its policies and duties?

This is meant to be an ongoing process where the public organisation assesses which of its policies and duties will have the greatest effect on equality. This process is called screening. If a policy or duty is identified as having a significant effect on equality, this should be considered for an equality impact assessment (this is known as 'screening the policy in').

Screening will be carried out with Section 75 groups.

What are equality impact assessments?

Equality impact assessments (EQIAs) are used to work out if a policy or duty affects any of the nine groups covered by the legislation differently, and whether this difference is unfair. The process of an EQIA involves:

- collecting information;
- making a judgement on the level of difference or unfairness;
- producing a document that is published for consultation; and
- making a decision whether a policy or duty should be altered to promote equality of opportunity and good relations more effectively.

A final EQIA report is then published. If any changes are proposed, they need to be monitored to make sure that they have had the intended effect (in terms of promoting equality of opportunity and good relations more effectively).

What do I need to do?

There are several things that you can do to play your part in making sure that your organisation carries out its statutory equality duties:

- Read and understand the organisation's equality scheme.
- Receive training on equality awareness.
- Consider volunteering to help people who are responsible for equality in your organisation, for example, by sitting on any internal committees.
- Take part in any work on the screening of policies or equality impact assessments.
- Generally try to promote equality of opportunity and good relations.

Where can I get more information about equality issues in our organisation?

You can get more information from your line manager or your organisation's named equality contact (or both). If you are interested in equality issues in general, you can also contact the Equality Commission.