

Equality Commission

FOR NORTHERN IRELAND

# Section 75 of the Northern Ireland Act 1998

## Practical Guidance on Equality Impact Assessment

*February 2005*



# Practical Guidance on Equality Impact Assessment

## Contents

Introduction .....	1
1. Defining the Aims of the Policy .....	7
2. Consideration of Available Data and Research .....	11
3. Assessment of Impacts .....	22
4. Consideration of .....	30
• measures which might mitigate any adverse impact; and .....	30
• alternative policies which might better achieve the promotion of equality of opportunity .....	30
5. Consultation.....	34
6. Decision by Public Authority and Publication of Report on Results of Equality Impact Assessment .....	44
7. Monitoring for Adverse Impact in the Future and Publication of the Results of Such Monitoring .....	50
Appendix 1 Examples of Groups by Equality Categories.....	53
Appendix 2 Consultation Methods and Practice.....	55
Appendix 3 EQIA Process Flow Chart .....	67
Appendix 4 Sources of Data .....	69



## Introduction

This Guidance is intended to provide practical assistance to public authorities in carrying out Equality Impact Assessments (EQIAs), and information for those engaged in consultations during assessments. The Guide to the Statutory Duties (the Guide), issued by the Commission with the approval of the Secretary of State, outlines the statutory arrangements under Section 75 of the Northern Ireland Act 1998.

Section 75 of the Northern Ireland Act 1998 (the Act) places the following statutory requirements on each public authority:

- (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.

Schedule 9 of the Act sets out the provisions for the enforcement of these duties, including the key elements of an equality scheme. Equality schemes must show 'how the public authority proposes to fulfil the duties imposed by Section 75'.

In accordance with Schedule 9 paragraph 4(3) of the Act, equality schemes must conform with the Equality Commission's Guide to the Statutory Duties (the Guide). **The Practical Guidance on Equality Impact Assessment relates directly to Annex 1 of the Guide.** Annex 1 specifies that each EQIA must contain seven elements and outlines mandatory aspects, which are set out in shading at the beginning of each chapter in this document. The text following each shaded section is Commission guidance informed by the Guide but does not carry the same legal status. For example, if the Commission had to carry out an investigation into the undertaking of an EQIA the investigation would relate primarily to the mandatory aspects of the EQIA process.

This Practical Guidance does not extend to the process of screening policies to identify those with equality implications. It is expected that a public authority will have screened policies, written or unwritten, before embarking on an equality impact assessment (see Appendix 3 for a flow chart of this process). Detailed information on screening is set out in Section 4 of the Commission's Guide to the Statutory Duties.

Conducting an EQIA that incorporates nine overlapping equality categories presents a considerable challenge to public authorities responsible for implementing approved equality scheme timetables. Equally, continued involvement in these impact assessment procedures will make demands on many groups and individuals in the voluntary, community and trade union sectors, and on the Equality Commission. Providing comprehensive practical guidance on a unique equality project such as this is not an easy task.

In producing this Practical Guidance, practice in other jurisdictions throughout the world was considered; for example, drawing upon material on the conduct of environmental impact assessments, social impact assessments and gender impact assessments. However, Northern Ireland is unique in pioneering Equality Impact Assessments across a much broader and more inclusive range of equality categories than any other jurisdiction.

Assessing the adverse impact of public policy across all nine categories cannot be effectively undertaken unless qualitative and quantitative data relevant to all the Section 75 categories are available and accessible. Monitoring systems have existed for some time in the religious/political category in the context of fair employment monitoring regulations, and alongside this, gender data has also been maintained. The development of baseline data for Black and Minority Ethnic communities through the 2001 Census complements the growing body of qualitative research in this area. There is also a need for sensitivity and respect for human rights and data protection, particularly in the categories of political opinion, sexual orientation and disability. However, the need for sensitivity must be weighed against the need to measure impact and to support ongoing policy monitoring, which are mandatory requirements of the Procedure for Conduct of Equality Impact Assessments (Annex 1, Guide to the Statutory Duties).

Public authorities must ensure that they have effective systems of information gathering in place to supplement available statistical and qualitative research, and this is emphasised in Stage Two of the Procedure for Conduct of Equality Impact Assessments. Since 2001 the Northern Ireland Statistics and Research Agency (NISRA) has produced a compendium of relevant data across the eleven Assembly Departments, and this is included in Appendix 4 of this guidance.

Whilst wishing to ensure a consistent approach by all public authorities in conducting EQIAs the Commission encourages innovative assessment methods and the development of good practice throughout the EQIA process.

Equality schemes, and equality impact assessments, are intended to increase participation and inclusion, to change the culture of public decision making, and to place a more proactive approach to the promotion of equality at the heart of public policy. Alongside the New Targeting Social Need (New TSN) and Promoting Social Inclusion (PSI) strategies, public authorities and affected groups are addressing, in a more focused and strategic way, the historic inequalities grappled with since anti-discrimination and equality legislation was first introduced. Mainstreaming equality in public policy making involves both public authorities and those affected by the policy taking ownership of the EQIA process and delivering better equality outcomes.

## **What is an Equality Impact Assessment (EQIA)?**

In the context of the Section 75 duties, an Equality Impact Assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is written or unwritten, formal or informal, and irrespective of the scope of that policy or the size of the public authority. While the precise detail of each EQIA will be determined by these factors, the assessment itself must always be conducted in accordance with the procedure outlined in Annex 1 of the Guide to the Statutory Duties (Procedure for Conduct of Equality Impact Assessments). The assessment must make reference to the nine equality categories as defined in Section 75 of the Act: religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability and dependency (see Appendix 1 for examples of each).

An EQIA should encompass all groups contained within each category (for example, dependency as a category is to include those with and those without dependants) as well as multiple identity and sub-sectional groups for example women with learning disabilities. While an EQIA must encompass and address all nine categories, it is not intended that each category will be given equal emphasis throughout the assessment process; instead the EQIA must be responsive to emerging issues and prioritise accordingly.

The primary function of the EQIA is to determine the extent of differential impact of a policy upon the groups and in turn whether that impact is adverse, that is, whether it has a negative impact on one or more of the nine equality categories. If it is decided that the policy has an adverse impact, the public authority must consider measures which might mitigate the adverse impact, and alternative policies which might better achieve the promotion of equality of opportunity.

The seven step process involved in conducting an EQIA is not an end in itself. The aim of the assessment is the better promotion of equality of opportunity. The outcomes from an enhanced policy are of primary concern.

In the Procedure for Conduct of Equality Impact Assessments, outlined in Annex 1 of the Guide to the Statutory Duties, the seven separate elements of an EQIA are as follows:

1. Defining the Aims of the Policy.
2. Consideration of Available Data and Research.
3. Assessment of Impacts.
4. Consideration of:
  - measures which might mitigate any adverse impact; and
  - alternative policies which might better achieve the promotion of equality of opportunity.
5. Consultation.
6. Decision by Public Authority and Publication of Report on Results of EQIA.
7. Monitoring for Adverse Impact in the Future and Publication of the Results of Such Monitoring.



While these elements outline the necessary content of an EQIA they should not be looked on as defining the sequence of events associated with an EQIA. This is because some of the elements are ongoing; some run consecutively, while some are interlinked. By way of example, input from affected groups could play a significant role at various stages throughout the EQIA and not only at the time of 'Consultation' prior to 'Decision by the Public Authority and Publication of Results'. Equally, any EQIA must have an ongoing capacity to assess the potential impact of alternative policies, and procedures must be put in place for assessing the likely impact of these alternative policies within that EQIA.

#### **Example**

Impact Assessment Workbook - Various education bodies have combined to produce a 'Workbook on Impact Assessment'. The workbook covers the various aspects of an EQIA as an essential part of policy assessment and development. It provides good examples of how to plan, manage and collate information on the various aspects of the EQIA process. It offers a series of questions to identify the possible effects of education policies on the nine equality groups, and to ensure the consideration of measures to mitigate any adverse impact or the development of alternative policies.

**NB The shaded paragraphs in the subsequent sections have been reproduced verbatim from Annex 1 of the Guide to the Statutory Duties.**



## 1. Defining the Aims of the Policy

At the beginning of an EQIA, it is important to spend time determining the aims of the policy. This is the foundation stage in the development of an EQIA and should therefore be afforded due attention. The policy aim is the focal point defining the public authority's intended outcomes, in terms of results and visible effects ultimately on members of the public, and will guide the subsequent development of an EQIA. *Annex 1, para. 1.1*

- 1.1 Good policies have clear, achievable aims and are readily understood and workable. During the development and initial implementation of equality schemes public bodies will have identified all of their policies, written and unwritten, and established those with equality implications through the systematic process of screening. However, ensuring that the aims of the policy are determined is the foundation stage in the development of an EQIA. The policy aim is the focal point defining what the public authority intends to achieve and this will guide the subsequent development of an EQIA.
- 1.2 With this in mind, the starting point for an EQIA is to determine the EQIA's terms of reference, including the general aims of the policy along with more specific associated objectives and particularly where these help to clarify how the policy will operate (for example, in relation to service provision or procurement).
- 1.3 The following questions may provide an early steer for an EQIA:
  - What is the policy and who defines or defined it?
  - What is the aim of the policy?
  - Who implements the policy and does the public authority interface with other bodies in relation to the implementation of this policy?
  - Are there associated policies? If so, what are they?
  - Who is affected by the policy and who are the main stakeholders in relation to this policy?
  - How do the policy aims meet or hinder other policies, values or objectives of the public authority?
  - What factors/forces could contribute to/detract from the aims?
  - What were the conclusions of the screening process?
  - Are there any groups which might be expected to benefit from the intended aims but which do not?

- 1.4 As should be clear from the answers to these questions, at this stage it is essential to identify (i) the responsibilities which the public authority holds in relation to this policy; and (ii) the responsibilities held by other bodies (including other public authorities).
- 1.5 It is important to recognise that the duty to promote equality of opportunity applies to all of the policies of the public authority, whatever their nature, who defined the policies, or who implements them. Regardless of the source of a policy, once it is adopted by the public authority, then that public authority has responsibility for decisions relating to and the effects of that policy. Where the public authority delivers a policy which is set elsewhere, the role/relationship between each body must be identified as part of the first step in an EQIA. Arrangements must be put in place to co-ordinate the conduct of the EQIA between the policy setting and implementing bodies. Where a policy either originates from, or is controlled in full by another public authority, then the originating authority must take a lead in ensuring the effects of the policy are subject to assessment in line with accountability and sound public administration. For example, a general procurement policy may be imposed on public authorities but when the policy is then implemented by an individual public authority, it must be screened and subjected to assessment under Section 75.
- 1.6 Where one or more public authorities share responsibility for policy setting and implementation, the necessary arrangements for assessment and monitoring should be put in place and public authorities should cooperate fully in carrying out an EQIA.
- 1.7 When the aims of the policy are defined and as the EQIA proceeds it may become apparent that certain other policies are associated. Where this is the case it may be appropriate to link the EQIAs of these policies.
- 1.8 New or proposed policies must be screened in accordance with the Guide to the Statutory Duties. Where a screening exercise indicates that new or proposed policies have significant implications for equality of opportunity these must be subject to an EQIA just as existing policies are. It must be recognised that the aims of the policy, and the data used to inform the subsequent formal consultation and decision-making processes, are likely to be more a forecast than retrospective analysis.

**Example**

Linking EQIAs - Through screening, a lottery body identified the need to undertake an EQIA of Access. It became apparent that other policies with aims relating to accessibility and communication existed and that these were associated with the main Access policy. Following discussion with affected groups, an EQIA linking in the other policies was undertaken.



## 2. Consideration of Available Data and Research

Public authorities will need to consider how they will collect the information which will enable them to make a judgment of the extent of impact on the nine equality categories. The Commission encourages public authorities to work collectively on this. For example, authorities operating within the education or health and social services sectors may wish to work together both to ensure the most effective and efficient use of public resources and to access the optimum information. Likewise, information available within the public sector should be made available to those likely to be affected by policies to enable them to be fully informed of the basis on which decisions are made. The following guidance outlines the approach to be adopted at this stage:

- Collect and analyse existing quantitative data by relevant equality category as a minimum base from which to judge outcomes;
- Use qualitative or evaluative research or information gathered by government and bodies such as voluntary, community and trade union organizations;
- Identify gaps in available information for equality categories and where more detailed data are needed take steps in order to have the optimum information on which to consult and base subsequent decisions;
- If necessary, commission new data (qualitative or quantitative). As outlined above co-operation within and between sectors should be considered; and
- Relevant, reliable and up-to-date information is essential. Statistics alone do not provide reasons or explanations for differences. Public authorities must therefore institute a system of information gathering across all nine equality categories to supplement available statistical and qualitative research. While the collection of relevant data is important, public authorities must be aware that particular issues of sensitivity and confidentiality may arise in relation to disability, sexual orientation and political opinion. Public bodies must recognise the particular benefit of discussion and information gathering with groups representing people with disabilities and of different sexual orientations, in the absence of extensive data on these matters, among their employees and recipients of services. *Annex 1, para. 2.1*

- 2.1 As Annex 1, para. 2.1 on the previous page indicates, the Guide to the Statutory Duties encourages public authorities to work together when collecting new data. This co-operation is vital in maximising resources and minimising duplication of effort. Beyond this, a general partnership approach to data collection is likely to be the most efficient and effective and should be actively promoted.

## **Equality Categories**

- 2.2 To help categorise and analyse data, it would be useful, if not essential, to reference examples of groups contained within each of the nine equality categories. This point is noted indirectly in the Guide to the Statutory Duties, which calls for the collection and analysis of existing quantitative data by '*relevant equality category as a minimum base from which to judge outcomes*'.
- 2.3 Appendix 1 includes examples of groups included in the equality categories, although it is stressed that this is presented by way of illustration and is not intended to be exhaustive or definitive. For example, a policy may be of special concern to a particular grouping which has not been specifically identified (for example a particular age band) or a group made up of two or more categories (for example, young people with learning disabilities), and in such circumstances the EQIA must accommodate these special interests.

### **Example**

In assessing the provisions of grants for access and living modifications, a body identified young people with disabilities as having different needs and experiences from those of other age groups.

- 2.4 While reference to examples from some of the nine equality categories is helpful in providing a general framework for assessment, reference to a limited number of groups may not encourage inclusivity or allow emerging or broader issues to be addressed. This is especially the case where policy issues may be salient to minority groups which are not named or where mixed identities are to be assessed (for example, subgroups such as 'married female Travellers').



2.5 Particular policies are likely to call for further work on the categorisation of groups within the equality categories, as the following examples illustrate:

- ‘Persons with a disability’ as a group may need expansion to cover particular mental and physical disabilities when considering particular policies; and
- There may be occasions where the groups identified in the ‘religious belief’ category may need to be expanded when dealing with policies relating to working or opening on particular religious festivals or holy days.

2.6 In this way, while identifying ‘groups’ aids comparative analyses and encourages consistency between public bodies, the potential for exclusion must also be acknowledged and dealt with appropriately.

## **Sources of Data**

2.7 In order to fully mainstream Section 75 into all functions, public authorities will need to build up ready sources of data which can be called upon when undertaking EQIAs. Equality schemes commit public authorities to change their routine data collection to ensure equality of opportunity in information and service provision. By developing data sources and making changes, public authorities will be recognizing that undertaking EQIAs is a key part of the process of implementing Section 75 responsibilities.

2.8 How should public authorities develop these sources of data? There are a number of ways this can be done:

- Most if not all authorities collect routine administrative statistics which relate to their functions and services. These routine sources of data should be reviewed to consider how all the Section 75 equality categories can be added.

There are issues of definition and sensitivity associated with the measurement of some equality categories. Issues of definition are addressed in Appendix 1 which includes examples of groups by equality categories. There are many instances of information about political opinion, religion, gender, age, race and ethnicity, marital status and those with or without dependents being collected for some time.

However, as a result of sensitivities associated with sexual orientation monitoring, public authorities have tended to engage in qualitative approaches to collecting data in the first instance. There is increasing recognition that sexual orientation should be monitored in the same manner as the other Section 75 equality categories. The Commission's general advice to public bodies is to include monitoring questions on sexual orientation while remaining mindful of the environment in which this is undertaken. Individuals are more likely to accept the monitoring of sensitive issues if confidentiality and compliance with data protection principles is assured and a good and harmonious environment is present. Public authorities will need to engage with relevant groups regarding how to collect data and also how to create circumstances where a secure environment can be created and assured.

- Public authorities conduct many data collection activities through regular surveys (for example, the Continuous Household Survey and the Labour Force Survey) and there are other regular surveys such as the Life and Times Survey which record public attitudes and attributes. These surveys may provide either general contextual information or very specific data for an EQIA. Moreover, the structure of these surveys allows for additional modules of questions to be added to cover particular topics. A group of organizations in a particular sector (for example, health, education, local government, or further education) could agree to buy into a survey to generate relevant data for forthcoming EQIAs identified as a result of screening.
- The population census provides a detailed source of data capable of being analysed in great detail in terms of the equality categories and geographical areas, see Appendix 4. The census has a limited shelf-life but can be regarded as a major source of contextual data for EQIAs. Public authorities or groups of authorities can develop customised data from the census to assist in the EQIA process.

2.9 In these ways public authorities can develop major sources of quantitative data for the conduct of EQIAs. Nevertheless, although these sources will provide a sound initial basis for conducting EQIAs, they are unlikely to provide the only sources of information and it is likely that quantitative data will need to be supplemented by qualitative data collection from individuals and the affected groups. Undoubtedly, until the quantitative sources of data outlined above are put into place, qualitative data collection techniques, possibly in tandem with special quantitative methods, will have to be used. It will be unacceptable for an EQIA to merely record that no data are available.

2.10 In setting out to conduct an EQIA it is suggested that a public authority asks the following questions:

- Do existing administrative statistics provide information relevant to the EQIA?
- Can government sources such as the census or CHS provide relevant data?
- Will special quantitative data collection need to be undertaken?
- Which groups will need to be accessed to permit the collection of qualitative data?

2.11 The consideration of available data and research in undertaking an EQIA involves the methods used by researchers in the social sciences. It follows, therefore, that public bodies will need to be able to draw upon the expertise of those trained in these methods in order to ensure that data identified or collected for an EQIA is subject to professional expertise. The Commission would encourage public authorities to consider how they can singly or together best access this expertise. If public authorities intend to share personal data they must do so lawfully and consider the data protection implications. The points set out below provide a few introductory observations on the nature of data.

2.12 Quantitative data refers to numbers (that is, quantities), typically derived from either a population in general or samples of that population. This information is often analysed either using descriptive statistics (which summarise patterns), or inferential statistics (which are used to infer from a sample about the wider population).

2.13 Qualitative data refers to the experiences of individuals related in their own terms, and based on their own experiences and attitudes. Qualitative data is often used to complement quantitative data to determine why policies are successful or unsuccessful and the reasons for this. It can help interpret and contextualise statistical findings. The use of qualitative data may reflect limitations in the availability and/or robustness of quantitative information.

### **Example**

Satisfaction Surveys - A number of councils survey residents' opinions and are now analysing replies in terms of the Section 75 groups. Increasingly, surveys also include questions about equal treatment and satisfaction with council services. These have shown that people from some groups feel they are unequally treated. As a result, councils:

- have held discussions with specific communities and identified their particular areas of concern;
- have made plans to provide information leaflets in alternative formats; and
- intend to actively encourage groups to apply for vacancies.

Many councils plan to continue residents' surveys and to extend the range to include all nine equality categories.

- 2.14 Before beginning an EQIA a thorough audit of available data should be carried out, paying particular attention to in-house data sets which can be either used or adapted for the purposes of EQIAs. Included in Appendix 4 of this Guidance is a compendium of the extent and quality of coverage of Section 75 groups by key data sources in Northern Ireland Government Departments provided by the Northern Ireland Statistics and Research Agency. This should be consulted at an early stage in an EQIA. Appendix 4 includes contact details of staff who can provide further information and guidance.
- 2.15 The Guide to the Statutory Duties encourages public authorities to share data and co-operate when considering existing data, and it would be important for the data audit to include all public authorities within a particular sector or between sectors where data can be usefully shared. The issue of sharing personal data by public authorities has been the subject of particular guidance produced by the Department of Constitutional Affairs (DCA) known as the 'Data Sharing Toolkit'. This guidance is available on the DCA website [www.dca.gov.uk](http://www.dca.gov.uk).
- 2.16 Public authorities should put in place overall monitoring procedures which allow data to be gathered at regular intervals in order to inform current and future EQIAs. It is important to identify in-house sources of data as the first stage in the data gathering process. Existing administrative databases or customer feedback are potentially useful sources of information. In

developing data sources, the nine equality categories should be routinely included in data collection exercises.

- 2.17 At the same time, Appendix 4 gives an indication that existing in-house data sources are not yet likely to cover all nine equality categories or all groups included within those categories or multiple identities. Secondary analyses of existing data sets may provide useful information, and Appendix 4 lists a number of sources of quantitative social data.
- 2.18 Where data from Northern Ireland are not available then it is useful to consider comparative data and in particular that originating from other parts of Europe. Although these may not always directly correspond, comparative analyses may highlight interesting or significant issues for particular categories, or matters which warrant further local research.

**Example**

An Arts and Culture body identified GB research studies into Black and Minority Ethnic community participation in arts programmes and was able to use the report conclusions as proxy indications of adverse impact in similar Northern Ireland programmes.

- 2.19 Comments which have been gathered during previous consultations, including the preparation of the equality scheme, should continue to inform EQIAs and should be regarded as a valuable source of information. Likewise, consultants' reports, academic publications and consultations with the trade union, voluntary and community sectors by other public bodies should be included in the consideration of available data and research.

**Example**

A Department undertook a review of literature on equality of opportunity issues in its sector. The terms of reference for this review were:

- to review the range of publications referred to in comments received by the Department during scheme and screening consultations; and
- to identify from these and other available literature significant issues in relation to service delivery and policy development.

The review used electronic databases, including the Online Research Bank, internet searches and library materials.

## Methods of Data Collection

2.20 It is important to reiterate the point that various data collection techniques will be used during an EQIA, including both quantitative and qualitative methods.

2.21 By way of example, the following could each play a role although this list is not intended to be exhaustive and the techniques may also be known by alternative names. For example, focus group interviews may also be referred to as luncheon clubs or discussion groups:

- Surveys (e.g. face-to-face, telephone, postal);
- Secondary analyses of existing databases including administrative databases;
- Focus group interviews;
- In-depth interviews;
- Review of complaints made;
- User feedback;
- Academic publications;
- Consultants' reports; and
- Citizens' juries.

For further information on relevant procedures please refer to Appendix 2.

2.22 Each method of data collection has inherent advantages and disadvantages. For example, quantitative procedures allow data to be gathered from a large number of people relatively efficiently, but the information may be less rich than that derived from more intensive qualitative techniques. To overcome problems associated with any one method it is recommended that a range of techniques is used.

2.23 Consideration should be given as to how appropriate particular methods are for each of the nine equality categories or groups contained within each category. For example, accessing representatives of certain 'voiceless' minorities may be difficult, such as older people living in rural locations; while certain categories may present particular problems in relation to sensitivity and confidentiality of information, such as people of different sexual orientation. A public authority should be flexible in how it responds to such concerns, and the publication of the results of the EQIA should acknowledge attempts which have been made to address these issues.

- 2.24 Data collection techniques should be mindful of human rights issues and comply with data protection principles. In particular there is a requirement to inform individuals about who will process their personal data, for what purposes and any intended disclosure(s). This is known as compliance with the Fair Processing Code. If in doubt it is important to consult with representatives of affected groups or relevant agencies before embarking on data collection. The purpose of data collection in relation to an EQIA is to identify the impact of a policy and to promote equality of opportunity. It should always be made clear that individuals have the right to decline to provide information.
- 2.25 When gathering data, it is also necessary to consider those occasions where there is an interaction between two or more categories (for example, a policy may adversely impact on disabled women but not on women or on people with disabilities generally). Methods of data collection must be capable of identifying such interactions along with the impacts on the relevant categories.
- 2.26 Before in-house databases and other systems of data collection have become well established, the gathering of data to inform an EQIA is likely to be time consuming and in some areas, such as sexual orientation, only limited information is likely to be available. In all cases, 'lack of data' should not be an excuse for 'doing nothing' but an impetus to considering other sources. The absence of reliable data for one or more of the categories does not imply that there is no adverse impact.
- 2.27 The public authority should be flexible and aware of the need to continue to monitor and assess the impact of the policy annually under step seven of the EQIA process.

### **Making Data Available**

- 2.28 Any data must be presented in a manner which is easily accessible and understandable and which gives sufficient detail of data collection procedures, such as the survey methodology. This is important to establish the origin of the information and how it was collected to allow for replication of data collection in subsequent periods.



2.29 It is important to include summary statistics in consultation materials. It may be useful to present this information in a standardised form, using tables and figures for ease of access. Where reasonable and practicable, raw data should be made available for inspection on request. All research referred to in the EQIA should be fully referenced. For example, if an EQIA refers to research carried out by or on behalf of a public body, the source should be cited and made available on request.

**Example**

Local Council EQIAs of Flags and Emblems Policies included consideration of the following information:

- Census data;
- Voting results and analysis;
- Published views of political parties on the policy issue;
- Equality Commission advice; and
- Legal opinions and court rulings.

### 3. Assessment of Impacts

The authority must use the information gathered to decide whether there is, or is likely to be, a differential impact, whether direct or indirect, upon the relevant group (or groups) *Annex 1, para. 3.1*

If an adverse effect on any of those groups can be identified, policy makers will need to assess whether the policy is unlawfully discriminatory, taking into account that some policies are intended to increase equality of opportunity by requiring or permitting affirmative or positive action, or action to redress disadvantages. They will then have to decide how to ensure that the public authority acts lawfully. *Annex 1, para 3.2*

Even if the policy is not unlawful, policy makers need to consider what to do in light of the adverse impact identified.

The following is provided as guidance by the Commission:

- A policy intended specifically to address the needs of a particular group may well be justifiable, indeed necessary, in order to promote equality of opportunity for that group; and
- If this is not the case, policy makers must consider whether there is any alternative measure which would achieve the aim desired without the differential impact identified. In this context, the Commission re-emphasises the importance of very careful consideration of policies which adversely impact on those categories defined by age (both younger and older people), and persons with dependants which are not currently covered by anti-discrimination legislation in Northern Ireland. *Annex 1, para. 3.3*

- 3.1 It is acknowledged that this is the most challenging step in the EQIA process. In seeking to deal with the issue of identifying discrimination it is worth noting that industrial tribunals, which are responsible for deciding if discrimination has occurred, can find it difficult to identify discrimination. However, the EQIA process is intended to anticipate barriers to participation or failings in service provision and to assist public authorities in complying with the law. Public authorities that anticipate impacts are likely to avoid tribunal adjudication on individual accusations of discrimination in relation to their policies.

3.2 In practice this EQIA step has readily been undertaken by public authorities, involving staff normally involved in policy making, identifying the potential for adverse impact and the need to investigate policy related causes. The information gathered in the previous EQIA steps should be analysed. This analysis does not need to rely on tests of statistical significance. A number of examples of key indicators of adverse impact that have been developed for awareness and training purposes are set out below.

### **Examples**

#### Key Indicators of Adverse Impact:

- Lower participation rates compared to other groups e.g. fewer members of Protestant church-based groups applying for grants in light of objections to lottery funding;
- Lower success rates in selection processes e.g. fewer disabled people meeting non-essential selection criteria for jobs – driving licence;
- Eligibility criteria which disadvantage any groups e.g. timing of regular training courses so that those with caring responsibilities cannot take part;
- Access denied compared to other groups e.g. same sex partners denied pension entitlements or other benefits;
- Different charges applied to some groups e.g. concessionary fares extended to men and women at different ages;
- Upper threshold on payments or provision e.g. compensation payments capped irrespective of the number of dependant/children;
- Experiencing poorer quality of treatment e.g. information on fixed penalties/court summons and fines provided only in English to those who are not fluent in the language;
- Experiencing increased difficulty or indignity e.g. public buildings with segregated access for those with mobility disabilities; and
- Changing a policy which reduces benefits disproportionately for one group e.g. contracting out catering services may particularly affect females adversely.

3.3 It is suggested that the following questions may help to guide assessment of impact:

- Does the quantitative data reveal any differential impact on any of the groups?
- Does the qualitative or evaluative data reveal any differential impact on any of the groups?
- Is there a difference in the conclusions reached using quantitative and qualitative methods? How can the difference be reconciled?
- Is the differential impact an adverse one?
- Is the policy directly or indirectly discriminatory? If the policy is not directly or indirectly discriminatory, does it still have an adverse impact?
- Is the policy intended to increase equality of opportunity by permitting or requiring affirmative or positive action or action to redress disadvantages? Is it lawful?
- Is there any alternative measure which would achieve the desired aim without the adverse impact identified?
- Is there any measure which would mitigate the adverse impact identified? Are there additional measures which would further equality of opportunity in the context of this policy?

3.4 When considering adverse impact an EQIA is not merely about the identification of either direct or indirect discrimination. It is about promoting equality of opportunity in relation to the nine equality categories and to all groups within those categories.

### **Direct Discrimination**

Direct discrimination consists of treating a person less favourably than others are or would be treated in the same circumstances. Direct discrimination may arise, for example, if a public authority has:

- a policy which precludes giving grants to certain religious groups; or
- a policy to charge only a certain racial group a deposit for use of facilities to cover damages.

A similar formula is used - in the Fair Employment and Treatment (NI) Order 1998, the Race Relations (NI) Order 1997, the Sex Discrimination (NI) Order 1976 (amended 1988) and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 - to describe direct discrimination: that is the treatment of a person on the grounds of race, his or her sex, religious belief or sexual orientation etc. less favourably than another person is or would be treated. The Disability Discrimination Act 1995 however applies only to persons with a disability. In addition the Disability Discrimination Act provides that discrimination occurs as a result of unjustified failure to comply with the duty of reasonable adjustment. The Race Relations Order also includes segregation as a form of direct discrimination.

### **Indirect Discrimination**

Indirect discrimination traditionally referred to the application of a requirement or condition equally to persons but which (i) has a disproportionate impact on a particular group(s), (ii) cannot be shown to be justifiable and (iii) has a detrimental impact on the individual concerned. For example:

- a residency requirement in a policy may indirectly discriminate on racial grounds; or
- a policy which requires participation on a full-time basis may indirectly discriminate against women or those with dependants.

This definition remains in relation to discrimination based upon colour or nationality. [The law changed in 2003 in respect of religion and belief and together with the new rules on sexual orientation in 2003 and changes which occurred in the definition of indirect discrimination on the grounds of sex in the Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations (Northern Ireland) 2001 adopted a new approach.] The new rules under the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 and the Fair Employment Order (Amendment) Regulations (Northern Ireland) 2003 have changed the term 'condition or requirement' in the above definition with the broader phrase 'provision, criterion or practice', as existed in the area of sex discrimination. This means that the law will now cover less formal practices as well.

The law used to require that ‘a smaller proportion of one group could comply with a requirement etc.’ to be proved in discrimination cases involving indirect discrimination. This has now been changed and there is less of a reliance on statistical evidence, allowing complaints to be made without such evidence. This change does not however apply to discrimination cases solely based upon colour or nationality.

- 3.5 Having gathered the relevant data, that information will then inform an assessment of differential impact in the nine equality categories and to all groups within those categories. This includes those situations where there is an interaction between two or more categories.
- 3.6 Differential impact suggests that a particular group has been affected differently by the policy (either favourably or unfavourably), while adverse impact is an indication that the effect is less favourable (i.e. negative) and is potentially unlawful.
- 3.7 As the Guide to the Statutory Duties makes clear, the purpose of an EQIA is to promote equality of opportunity. The public authority must make a judgement as to whether there is a differential impact and then determine whether the impact is adverse based on a systematic appraisal of the accumulated information. There is no statistical test available for making this judgement, nor would such a test be appropriate. Whether an impact is adverse is a question of commonsense; the public authority should look at all available information and make a reasonable judgement on whether the impact is adverse. If the impact is adverse then policy makers must consider whether it is or is not unlawfully discriminatory and in both cases then consider mitigation and alternative policies, and their likely impact.

#### **Example**

A Government Department undertook an analysis of customer survey results using statistical techniques to identify the significance of participation rates amongst various groups. Conclusions were reached on some groups but not others owing to the low level of participation in the survey from certain groups. Summary results were presented to consultees who provided feedback on the lack of participation from members of the outstanding groups, which enabled the Department to create a more complete picture of the issues.

- 3.8 While the data may highlight concerns in relation to only one or a small number of equality categories, appropriate attention must be given to all nine categories. That is, the process of conducting an EQIA should focus attention increasingly on those categories where adverse impact occurs. However, it is important to maintain an audit trail in relation to all nine equality categories, mindful that the final report should make reference to conclusions which have been drawn in relation to each.

**Example**

During an EQIA an Agency identified differential impact between men and women but concluded this was not adverse. The policy undergoing EQIA required attendance at its facilities during normal office hours. During consultation, groups advised that the impact was adverse and that young women with child care responsibilities were achieving lower uptake and success rates and that this would also be the case for a related policy and its implementation. A range of mitigating measures was proposed by the Agency. The advice of consultees will be relevant to the subsequent EQIA of the related policy.

- 3.9 To assess differential impact, and in turn whether that impact is adverse, requires the bringing together of information from a number of sources, both qualitative and quantitative. One of the main difficulties to be overcome in developing and using sources of information is interpreting its meaning. The same activity levels may indicate different things to different people and groups. There are steps that can be used to alleviate this, the best of which is using a variety of data sources and data collection methods. Reliability and validity are two issues for information/evidence based decision making that are worth considering at this stage.

Reliability concerns the consistency of information, that is, whether the measure yields consistent results when the object to be assessed has not changed e.g. a bathroom weighing scale recording a similar weight for the same person day after day. Reliability is important or the credibility of the assessment will be doubted.

A valid measure of activity is one that measures what it is intended to measure. Validity refers to whether or not what is being measured truly reflects the concept it is thought to. For example, it was proposed passport nationality could be used as a proxy measure of political opinion: British Passport = Unionist; Irish Passport = Nationalist. A difficulty would not arise in measuring passport nationality, but could in terms of whether passport nationality was a suitable measure of political opinion. The validity of the measure depends on how the information is intended to assess impacts. When selecting information on which to base an assessment it is important to obtain consistent information that also reflects the policy issues and aims under assessment. Clearly then passport nationality would not measure political opinion.

While validity and reliability can be used to assess how robust and 'generalisable' the available data may be, it would not be appropriate to use these issues to exclude data which may well be germane to the EQIA. Instead it will be necessary to deal with such information with due caution (see para 3.11 below).

- 3.10 With regard to qualitative data, it is important to consider the extent to which the methods have yielded valid and reliable information that accommodates adequate representation from each equality category. With regard to quantitative data the same criteria of validity and reliability must apply but in terms of how the data are analysed, different issues arise. There is likely to be a temptation to apply statistical rules of significance to particular data sets in order to 'prove' adverse impact. While statistical 'rules of thumb' may be useful in determining whether there is indirect discrimination, their application is not likely to be helpful when drawing conclusions regarding adverse impact of policies in the context of promoting equality of opportunity.
- 3.11 The term 'adverse impact' must be interpreted in a way which accommodates the special characteristics, circumstances or needs of each equality category. Quantitative measures or numerical counts alone may inadequately capture the impact of these issues on such groups. For example, people with disabilities, Black and Minority Ethnic communities and people with dependants may not attend public consultations and a



mere recounting of views expressed will not reveal the reasons why those people are not visible or what may facilitate their future participation.

- 3.12 Assessment of impact concerns not only the policy under consideration but also any mitigating measures or alternative policies that could better achieve the promotion of equality of opportunity. Therefore there must also be an assessment of the impact of any alternatives considered. This assessment should proceed within the original EQIA with consultation likely to play a key role in developing views on the likely impact of a proposed policy.
- 3.13 Any policy which is targeted at particular groups will by definition have differential impact. The assessment of this impact must take into account whether it is unlawful and unjustifiable or whether it is intended and justified 'to address the needs of a particular group', either as a way of generally promoting equality of opportunity, or as part of a specific positive or affirmative action programme.

#### **Example**

A women's group applied to a Department for funding through a European programme. The application was initially rejected on the grounds that the group 'only work(ed) with women' and therefore could not be considered to offer equality of opportunity. Citing the Section 75 Guide, the group queried the Department's rationale and interpretation of Section 75, and stated its view that Section 75 did not forbid or inhibit positive action to address the identified needs of particular groups. As a result the programme administrator accepted the group's argument and the application was subsequently considered with other applications for grant aid.

- 3.14 If it is discovered during an EQIA that a policy is likely to be unlawfully discriminatory, that policy should be abandoned. The public authority must then proceed with the next step of the EQIA to identify an alternative policy.

#### 4. Consideration of

- **measures which might mitigate any adverse impact; and**
- **alternative policies which might better achieve the promotion of equality of opportunity**

The consideration of mitigating measures and alternative policies is at the heart of the EQIA process. Different options must be developed which reflect different ways of delivering the policy aims. The consideration of mitigation of adverse impacts is intertwined with the consideration of alternative policies. Mitigation can take the form of lessening the severity of the adverse impact. *Annex 1, para. 4.1*

Ways of delivering policy aims which have a less adverse effect on the relevant equality category, or which better promote equality of opportunity for the relevant equality category, must in particular be considered.

Consideration must be given to whether separate implementation strategies are necessary for the policy to be effective for the relevant group. The following must be considered:

- How does each option further or hinder equality of opportunity?
- How does each option reinforce or challenge stereotypes which constitute or influence equality of opportunity?
- What are the consequences for the group concerned and for the public authority of not adopting an option more favourable to equality of opportunity?
- How will the relevant representative groups be advised of the new or changed policy or service?
- If an economic appraisal is necessary – What are the costs of implementing each option? Will the social and economic benefits to the relevant group of implementing the option outweigh the costs to the public authority or other groups?
- Does the public authority have international obligations which would be breached by, or could be furthered by, each of the options? *Annex 1, para. 4.2*

Clear evidence of the consideration of the impacts of alternatives must be apparent in the relevant consultation documentation. *Annex 1, para 4.3*

- 4.1 The Guide to the Statutory Duties provides clear direction to public authorities in relation to the consideration of measures. Where adverse impact has been identified then a series of alternatives should be put forward for consideration and an assessment of the possible impact of these alternatives undertaken. The Guide to the Statutory Duties requires public authorities to consider the six questions contained in Annex 1 – para 4.2 on the previous page; therefore it would be important to reference these six questions in any consultation material and subsequent report on the results of the EQIA.
- 4.2 When considering options it would be appropriate to consider the relationship with other service improvement initiatives such as Best Value and Charter Mark. The emphasis on establishing customer input to service design or challenging accepted practice and comparing policy with other authorities should be conducive to lateral thinking and allow public bodies to be creative in seeking better policy decisions. It would also be appropriate to consider and link with policy initiatives such as New Targeting Social Need (New TSN) and Promoting Social Inclusion (PSI). For example, one policy option may be shown to adversely impact on various groups within the nine equality categories; a different option may also have an adverse impact on some of the groups but may disadvantage those in greatest ‘need’. In these circumstances the option chosen should be that which accords with actions under New TSN and/or PSI. Monitoring arrangements should be developed to report on progress in reducing the disadvantage of those in greatest need.
- 4.3 There may be occasions where differential impact can be justified as part of a wider strategy associated with positive or affirmative action in relation to particular groups, or where the policy deliberately attempts to encourage equality of opportunity for a particular group; for example, policies directly targeting or giving preferential treatment to people with disabilities or those with dependants. Where this is the case any actions must be justified in terms of data collected and a clear rationale provided for adopting these aims and actions.
- 4.4 A public authority must seek to ensure that an option for alleviating an adverse impact on a particular group does not in turn create an adverse impact for another group, either within that category or in another. If an adverse impact is unavoidable then it must be justified and steps taken to ensure reliable monitoring.

## **Examples**

### **Alternative Policy and Outreach Work**

An arts funding body realised that one of its major schemes had made awards to a range of applicants, with some schemes specifically targeted at people with young dependants, people with disabilities and Black and Minority Ethnic communities. Previously it had been approached about making additional grant allocations to cover access arrangements but its policy was to award a specific inclusive grant sum. The funding body did two things. First, they re-examined the conditions for entry, to make sure they were not unknowingly discriminating against projects. There are now plans for a firm policy commitment to allocate an additional sum, up to 10% of the grant award, to be used for improving access and participation. Second, they are seeking to raise awareness amongst potential applicants of arts projects run by people from Black and Minority Ethnic communities.

### **Steps to Improve Access Arrangements**

A lottery body assessed access and communication arrangements across a range of business areas such as Marketing, IT, Grants, and Communications. An audit of publications identified inconsistencies with only some publications produced in different formats. Measures to increase awareness of publications and different formats were identified, to be followed by producing more publications in other formats. The assessment also highlighted issues regarding the strategic focus on geographic disadvantage and particular sector groups. In response the organisation plans to communicate more explicitly with community and voluntary sector groups regarding the selection of priority areas and groups. The body is also widening its use of Plain English; removing the need for at least thirty anticipated attendees before planned information events go ahead; and is reviewing its budget allocation for accessibility within its Communication and Marketing Plan.

## **Appointments and Promotions Policy**

An assessment identified different impacts notably in relation to religion and gender. As a result a number of measures were considered and approved by the board including:

- widening public advertising so that 65% of posts are now open to external competition;
- removal of various eligibility requirements and barriers;
- changes to the size of selection panels; and
- reclassification of posts.

## **Mitigating Measures**

An EQIA report contained a section entitled 'Factors which should mitigate adverse impact.' The body considered making staffing changes through redeployment and natural turnover of staff to avoid compulsory redundancies, considered the development of staff skills in other parts of the organisation and planned to conduct a review of the equality implications of staff shift patterns and assess unsocial hours.

## 5. Consultation

### Consultation on the Actual Impact of Existing Policies and the Likely Impact of Proposed Policies

An equality impact assessment requires consultation. Consultation must be carried out with relevant interest groups as well as the Equality Commission, other public bodies, voluntary, community, trade union and other groups with a legitimate interest in the matter. Consultation should also include those directly affected by the policy to be assessed, whether or not they have a personal interest (detailed in the equality scheme, see Section 3 paragraph (3)(b)). Consultation should be timely, open and inclusive, and conducted in accordance with the Guiding Principles detailed in Section 4 paragraph 4.1 (2)(c) *Annex 1, para. 5.1*

The method by which the public authority chooses to conduct consultation at this stage must ensure a fair opportunity to present pertinent information and to provide the public authority with a sound basis for decision, without rendering decision making by the public authority unmanageable. It will be important to ensure that necessary time and resources are dedicated to the consultation process to encourage and maximise participation particularly by marginalised groups. *Annex 1, para. 5.2*

Wide awareness raising of the consultation exercise is essential to inform the public and relevant groups about the policy being assessed, and to invite comments on it. This may include press releases, prominent advertisements in the general press and specialist press of affected groups, the Internet and direct invitations to groups which are likely to be interested in and able to represent interests and views which would otherwise be inadequately represented. *Annex 1, para. 5.3*

The information used by the public authority in assessing the impact of the policy must be made available on request to those consulted. This will include any quantitative and qualitative data and other documentation such as consultants' reports. In making information available it will not be sufficient or appropriate for a public authority to state that no data are available and therefore no impact/adverse impact has been concluded. *Annex 1, para. 5.4*

**The Guide to the Statutory Duties at Section 4 paragraph 2(c) provides the following guiding principles for consultation:**

- consultation with groups and individuals should begin as early as possible;
- consideration must be given to which methods of consultation are most appropriate to the circumstances. Consideration should be given as to whether, for example, face-to-face meetings, small group meetings, focus groups, discussion papers with the opportunity to comment in writing, questionnaires, or Internet discussions are best;
- engagement with affected groups or umbrella groups to identify how best to consult or engage with stakeholders is recommended;
- the accessibility of the language and the format of information must be considered to ensure that there are no barriers to the consultation process. Information should be available on request in accessible formats for example Braille, disc, and audiocassette and in minority languages to meet the needs of those who are not fluent in English. Public authorities must ensure that systems are in place to ensure that information is available in such accessible formats in a timely fashion. In addition, specific consideration should be given to how to best communicate information to young people and those with learning disabilities;
- specific training for those engaged in consultation exercises should be considered to ensure those facilitating consultations have the necessary skills to communicate effectively with those being consulted;
- adequate time should be allowed for groups to consult amongst themselves as part of the process of forming a view. The Commission recommends a period of at least two months for consultation exercises;
- appropriate measures should be taken to ensure full participation in any meetings which are held. Different groups have different needs and may have different customs. Public authorities will need to consider 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. Public authorities should recognise and in good faith meet access related costs; and
- information should be made available to ensure meaningful consultation. This should include relevant quantitative and qualitative data and other documentation such as consultants' reports.

- 5.1 The Guide to the Statutory Duties therefore makes clear that a ‘formal’ consultation exercise should be included as a critical stage in the EQIA, namely immediately before decision-making (see Appendix 3). A 2002 Equality Commission survey of affected groups suggested that the term ‘formal consultation’ was being interpreted by public authorities as a need to engage in mass mailings and paper based correspondence. The Commission’s guiding principles on consultation encourage the use of various methods at this stage of the EQIA process. More informal engagement and dialogue with relevant affected groups should inform the entire EQIA process.
- 5.2 The following questions may be of assistance in guiding consultation:
- What individuals are directly affected by the policy?
  - What relevant groups have a legitimate interest in the policy?
  - What methods of consultation will be used to ensure that those affected by or with a legitimate interest in the policy are consulted?
  - How will information be made available and accessible to those consulted?
  - Have previous attempts at consultation with particular groups been unsuccessful? If so, why, and what can be done to overcome any obstacles?
  - What resources are available to encourage full participation by marginalised groups?
  - If meetings are to be held, where will they be held and at what time of the day?
- 5.3 An EQIA should include both:
- a formal consultation which complies with the guiding principles outlined at 4.2(c) of the Guide to the Statutory Duties i.e. which is inclusive, affords a fair opportunity to communicate pertinent information and enables consultees to give advice and opinion on the policy so that the public authority may reach a more informed decision; and
  - ongoing less formal engagement with relevant consultees at key stages throughout the EQIA, as illustrated in Appendix 3.



- 5.4 It is most important that consultations take place with those likely to be directly affected by the policy and this is essential during the 'formal' consultation. As already stated, consultation is integral to the EQIA and must be underpinned by a good working relationship with relevant consultees.
- 5.5 Through the establishment of these good working relationships, it is anticipated that over time the process of consultation will serve to facilitate the effective delivery of services by the public authority. It is important that public authorities recognise these consultations as a positive way of enhancing the effectiveness of policy development and impact assessment.
- 5.6 It was anticipated that consultation would initially be over-inclusive but that this would not be problematic in the long term. Over time consultation should become more refined through public authorities remaining sensitive to the needs of particular groups and being able to access informed opinion whenever appropriate. Public authorities must ensure that for each EQIA they consider all appropriate consultees. The public authority should guard against a tendency to produce a list of consultees who are routinely consulted for each EQIA. Instead, the process of consultation should be characterised by flexibility and responsiveness within a broad process of communication and building relations with the public and affected groups.

#### **Example**

A Department approached the Commission to discuss its consultation arrangements. It was agreed that when initiating an EQIA the Department would place advertisements in relevant newspapers and press to ensure adequate information throughout all regions and amongst all sections of society in Northern Ireland. The Department would write to all representative groups specified in its equality scheme asking the groups if they wished to be consulted on any of the EQIAs which may be initiated over a two year timescale. When initiating an EQIA the Department also sends a reminder notification to all representative groups informing them of the forthcoming EQIA.

- 5.7 During the course of an EQIA it is likely that consultations will take many forms. For example, consultations are likely to vary in terms of scope at particular stages of the process. On each occasion where consultations occur the public authority must ensure that the consultation is appropriate and reasonable. Useful guidance on the meaning of consultation was provided in the case of R -v- Brent LBC (ex parte Gunning) (1995): *‘Consultation must be at a time when proposals are at a formative stage...The proposer must give sufficient reasons for any proposals to permit intelligent consideration and response. Adequate time must be given for consideration and response ... the product of the consultation must be conscientiously taken into account in finalising ... proposals.’*
- 5.8 For particular groups it is important to consult ‘where people are’ rather than expect consultees to travel to the public authority; for example, older people. Consultation will take many different forms; for example children, elderly people, Travellers, people with disabilities and persons with dependants cannot all be consulted in the same way, so different approaches are needed. It is important to seek the advice of representative groups and relevant agencies to ensure that the most affected individuals and groups are helped to engage in the process. Public authorities should also consider the impact of consultation exercises and be aware of and take steps to minimise ‘consultation overload’ amongst affected groups.

The main causes of overload are:

- excessive general mailings with no targeting or follow up;
- not requesting information on consultee requirements;
- use of obscure and lengthy documentation;
- issuing various consultation drafts resulting in confusion;
- using consultants who act as a barrier to direct contact between consultees and policy maker;
- presenting policy recommendations as a fait accompli; and
- asking consultees to use a generic response form.

Steps to minimise the impact of the consultation process may take the form of networking with other authorities or parent departments to coordinate activities including press advertising, use of ongoing dialogue, purposefully focusing on a number of affected groups and considering the consultation checklist at paragraph 5.16 below.

5.9 Amongst the various consultative mechanisms, face-to-face expert or general meetings are quite commonplace. In planning meetings, organisers must give consideration to practical issues, including the following:

- Is the venue wheelchair accessible?
- Are there loop/signing/other facilities for people with a range of disabilities?
- Are the acoustics generally good?
- Is it clear that people can bring and use advocates?
- In complex buildings, is there a meeting and guiding service for those requiring it?
- Have arrangements been made and individuals trained to deal with emergency evacuations?
- Is the meeting in an area which will result in people of one community feeling uncomfortable about attending?
- Has access to and from the meeting also been considered?
- Will any audience that needs to be particularly targeted feel comfortable? For example, does the venue have a reputation for being 'gay unfriendly'?
- Will the arrangements for chairing and organising reflect this hospitality? For example, young people may come to a school to discuss youth problems but they may not find it easy to talk freely if teachers are running the session.
- Are the venues flexible enough to allow larger/smaller group discussions?
- Are the venues accessible by public transport, and if not can alternative transport arrangements be made? For example, for people with mobility impairments or for people with dependants and/or on low income.
- Depending on the issue under discussion, are the venues geographically spread, or are they overly concentrated in Belfast/urban centres?
- Are crèche facilities available?
- Are interpreters needed?

- 5.10 It will be necessary to plan for consultation and to allocate the necessary resources into consultation to ensure that it is effective. For example resources may need to be expended on building the capacity of groups to engage in consultation or on staff training and skills development, or on the use of other locations. This may include providing training facilities, workshops, childcare, accessible formats such as Braille or minority languages, and travelling expenses. Thought must be given as to where and how meetings are held and publicized; for example the venue, the time of day and advertisements in specialist publications such as the lesbian, gay and bisexual press.
- 5.11 At the stage of formal consultation it will not be appropriate or sufficient merely to make available, for example, a copy of the published report of findings (see 'Publication of Results of an EQIA'). Instead the public authority must actively engage with consultees to ensure that they have a fair opportunity to present information and advice so that the public authority may reach an informed decision.

#### **Example**

A Government Department posted or e-mailed to consultees a two page summary of its findings from stages 1 to 3 of the EQIA process. While highlighting the key conclusions and the range of information gathered it also offered copies of the full 15 page document and a range of consultation mechanisms.

- 5.12 Most consultative processes involve preparing and circulating some form of initial written discussion paper for consideration. In this context it is important to carry out preliminary research: that is, to liaise with those who work with the affected groups and to identify their needs *before* consulting. These preliminary consultations will save resources in the longer term.
- 5.13 Written papers which are made available to consultees should:
- Use plain language and be jargon-free;
  - Convey specialist information in as simple a format as possible. For example, there will be occasions when documents need to include fairly detailed statistics or very specialised information. It is crucial that such material is translated into language which non-experts can understand;
  - Include an executive summary;

- Offer the text in languages other than English and in disability-friendly formats (for example, Braille, audio-tape, large type, etc.);
- Be relayed in newspapers, magazines and other material that is likely to be read by consultees. This would include minority language publications and magazines published by the voluntary sector;
- Be provided as part of the public authority's Publication Scheme (where appropriate);
- Depending on the targeted audience, the documentation could be accompanied by alternative formats other than print (for example, videos, role-play) and advice on possible discussion formats; and
- Where appropriate, include specific questions or issues for discussion with particular target audiences. For example, people who have certain disabilities may not find written communication effective. A radical look at more graphic forms of communication may be needed and should not be seen as something extraordinary.

## **Examples**

### **Targeted Information**

A Health Trust undertook an analysis of the media used by the Section 75 groups to facilitate communication. The Trust used the results to target information at the media of Section 75 groups.

### **Consultation On Access to Services EQIA**

A lottery body undertook consultations with main partners and organised a 'mixed bag' of consultation exercises on twelve policy areas which included:

- Web Strategy;
- Telemarketing;
- Standards of Customer Care;
- Marketing and Communication Plans;
- Grant Holders/Information Seminars; and
- Communication and Applications in other languages/formats.

5.14 In planning any consultation exercise public authorities should be mindful of the need to allow adequate time to:

- collate and analyse consultee advice,
- reconsider the conclusions reached before consultation regarding impacts across the nine groups, and
- reconsider mitigating measures and alternative policies.

- 5.15 Public authorities should note that the Guide to the Statutory Duties specifies that, 'The Commission recommends a period of at least two months for consultation exercises' (see Section 4 paragraph 2 (c)). Public authorities should be mindful of this recommendation when scheduling an EQIA but should also take account of the distinction which is made between the 'formal' consultation exercise and informal engagement during an EQIA (see extracts from Annex 1 paras 5.2 and 5.3 above), and determine the EQIA programme of activities accordingly.
- 5.16 In responding to a EQIA consultation, affected groups should consider the following range of issues:

### **10 Point Checklist for Consultees**

1. Has the aim of the policy subject to EQIA been clearly specified?
2. Should the policy be linked to another policy for meaningful analysis or identification of impacts?
3. Is another public authority also responsible for the policy or its implementation and are they involved in the consultation/EQIA?
4. Has sufficient time been given for consultation and a range of methods used?
5. Has information been offered in appropriate languages and formats?
6. Has all relevant information been presented?
7. Is the information up to date, reliable and does it include all groups and obvious overlapping interests/multiple identities?
8. Can you identify any further relevant evidence of disadvantage or other opportunities to better promote equality of opportunity?
9. Can you suggest areas where research should be commissioned?
10. Is there evidence that the public authority has a system for collecting relevant data and/or steps that will be taken to develop this further?



## 6. Decision by Public Authority and Publication of Report on Results of Equality Impact Assessment

The legislation requires that in making any decision with respect to a policy adopted or proposed to be adopted by it, the public authority shall take into account any Equality Impact Assessment and consultation carried out in relation to the policy (Schedule 9 paragraph 9 (2)). A commitment to this is included within equality schemes (see Section 3 paragraph 6). It is therefore essential that the public authority fully complies with this commitment. Clear evidence of the consideration of mitigation of impacts must be apparent, and details of mitigation and plans for its implementation must be included in the final recommendations presented during decision making. Justifications must be given if these alternatives have not been accepted. *Annex 1, para. 6.1*

On occasions the EQIA process may lead a public authority to conclude that the existing policy is appropriate and no opportunities exist to better promote equality of opportunity. However, this conclusion is in itself a decision on the policy and must be made by the public authority, with top level involvement, and arrangements for future monitoring planned and agreed. *Annex 1, para. 6.2*

The legislation (Schedule 9 paragraph 9) requires public authorities to publish a report on the results of Equality Impact Assessments. The equality scheme must detail both how and where the report on EQIA results will be published (see Section 3 paragraph 5). It is therefore essential that this commitment is fully adhered to. *Annex 1, para. 6.3*

- 6.1 Public authorities have a statutory duty to have due regard to the need to promote equality of opportunity. It is not sufficient merely to take equality into account; it must be accorded considerable weight. That is, the need to promote equality of opportunity must be given due regard or weight in accordance with Section 75. However, this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties. Instead, the public authority must act in a proportionate manner and accord weight to both administrative considerations and the statutory equality of opportunity duty. Such considerations must be reflected in decision-making on an EQIA.



- 6.2 The decision-making process represents the natural endpoint of the '*Consideration of Measures*' and '*Consultation*'. At this point all available information should be combined in a decision or decisions on an existing or proposed policy or policies, together with the rationale for that decision. Decision-making documentation must show how the impact of alternative policies and mitigation, and that the implications for other policies associated with the EQIA were considered.
- 6.3 Those involved in decision-making should have the necessary authority to ensure that any decisions that are made will be implemented. They should have received awareness raising about Section 75 and have undergone training on the EQIA process in particular.
- 6.4 Where an EQIA suggests differential impact for two or more equality categories or groups within categories, this may present particular problems in terms of possible solutions. This may be especially true where the perceived needs of these groups are in conflict. Possible solutions include looking at the context of the problem (for example, is there particular under-representation of one of the groups?), the role of mitigation, and/or a consideration of alternative policies. It would also be appropriate when making decisions to bear in mind solutions which meet other policy initiatives such as New Targeting Social Need (New TSN) and Promoting Social Inclusion (PSI) as outlined in paragraph 4.2 above.
- 6.5 A highly structured approach to decision-making may not be possible, given the types of data, both quantitative and qualitative, which will be drawn upon. Nevertheless it is vital that public authorities are able to record the decision-making process in case a challenge is made, such as a complaint, and the decision needs to be justified. For example, relative weights could be attached to the various data according to their perceived significance, and some description offered as to how these weightings are reflected in the decision-making process, bearing in mind the overall weight which must be accorded to the equality duty as outlined above. In addition, public authorities covered by Freedom of Information legislation will be affected by requirements aimed at increasing transparency and promoting the giving of reasons for decision-making.

## **Examples**

### **Decision-Making Taking Account of EQIA Findings**

Promoting Mental Health and Teenage Pregnancy and Parenthood Strategies: decision taken to account for the needs of particularly vulnerable people (e.g. young males in relation to suicide) in the further development of strategies and action plans.

Cardiac Surgery and Cardiology Joint Action Plan: decision taken to amend recommendations on teaching resuscitation skills in alternative settings. The EQIA concluded that teaching in schools and the workplace disadvantaged a number of groups who were either underrepresented or not present within either of these environments.

Domestic Cleaning: Armagh and Dungannon Health and Social Services Trust decided to return domestic cleaning services in-house. The EQIA identified clear equality gains to patients at weekends, and benefits for a mainly female, rural-based workforce with dependants.

Youth Service: Education and Library Boards decided to pilot outreach projects (with representative groups such as Mencap, Phab, young Travellers, Deaf Youth Association, rural groups) to identify barriers and encourage participation by 19 to 25 year olds, ethnic minorities, LGBT people, people with disabilities and young carers.

Recruitment and Selection: Education and Library Boards reduced the number of posts advertised through internal trawl procedures and removed certain eligibility requirements to address barriers to meet the needs of people with disabilities, older people, people with disabilities and ethnic minorities (including Irish Travellers) using information and communication technology.

Electronic Libraries: it was decided to introduce positive measures to mitigate adverse impact, including training of library staff to meet the support needs of older people, people with disabilities, and ethnic minorities (including Irish Travellers). The provision of adaptive technology was also agreed to meet the needs of these people using information and communication technology.

- 6.6 It would be necessary to explain any conclusions reached on the validity and reliability of quantitative and qualitative data, in particular where different types of data indicate variant determinations of whether or not there is adverse impact. For example, quantitative data may not indicate adverse impact on grounds of sexual orientation yet qualitative data may do so. In such circumstances the decision as to the weight attached to particular data must be explained.
- 6.7 On occasions it may not be possible to satisfy competing demands from various groups, or to ensure that there is no differential impact. However, it is important to ensure that any decisions which are reached can be justified and are reasonable. The EQIA process may lead a public authority to conclude that the existing policy is appropriate and no opportunities exist to better promote equality of opportunity. However, this conclusion is in itself a decision on the policy and must be made with top level involvement, and arrangements for future monitoring planned and agreed.
- 6.8 The following questions may help guide those managing the decision-making process:
- Who will play a role in the decision-making process?
  - What authority do the decision-makers hold in the public authority?
  - What information will inform the decision-making process?
  - What weights will be assigned to various pieces of information? How will these weights be determined?
  - How is the decision-making process to be structured?
  - Will the process involve face-to-face meetings? How many?
  - How will the decision-making process be recorded?
  - Have all EQIA processes and procedures been adhered to?
- 6.9 The following questions may help guide those involved in decision-making. If a decision is made to introduce or reject measures to mitigate adverse impact or alternative policies then each of the following questions (see Annex 1, para 4.2) should be considered:
- Have all options been explored?
  - How does each option further or hinder equality of opportunity?
  - How does each option reinforce or challenge stereotypes which constitute or influence equality of opportunity?

- What are the consequences for the group concerned and for the public authority of not adopting an option more favourable to equality of opportunity?
- How will the relevant representative groups be advised of the new or changed policy or service?
- What are the costs of implementing each option? Will the costs and benefits to the relevant group of implementing the option outweigh the costs to the public authority or other groups?
- Does the public authority have international obligations which would be breached by, or could be furthered by, each of the options?

### **Publication of Report of EQIA results**

- 6.10 It is not possible to be prescriptive in terms of giving guidance on the reporting of EQIA results. Public authorities must publish the results of the initial steps of an EQIA, consultation and decision-making. This should be done in a systematic and consistent manner, at the same time acknowledging that each EQIA will be unique.
- 6.11 Each public authority must publish a report on the results of the EQIA in a readily accessible form, paying particular attention to special needs of particular groups within each equality category. This is probably best achieved by presenting a report which includes the elements of data collection, assessment of impacts, consideration of mitigating measures and alternative policies, consultation responses, decision-making and future monitoring plans.
- 6.12 It is likely that a report will have been made publicly available during formal consultation. It is important that this is updated to give reasons for either rejecting or accepting the results of the consultations and decision-making and this is communicated to consultees in a timely manner. Public authorities should consider the two month consultation period as a timescale for publishing a report on EQIA results following decision making. The format of the published report is likely to vary depending on the nature of the policy under assessment.
- 6.13 The report should begin with an **Executive Summary** of the results of the EQIA, in particular focusing on any decisions which have been reached and intended outcomes for affected groups.

- 6.14 The report should contain a **Background** description of the policy aim, the context within which the policy operates, the scope of the policy and past policy development.
- 6.15 The first section, **Data Collection and Consultation**, should outline how data were collected for the EQIA, and will also include reference to consultees along with any other procedures which have been used to draw together pertinent information. Sufficient detail should be provided so that the research procedures could be replicated and the validity of the data confirmed. It should be made clear to all those providing information in relation to an EQIA how that information will be made available subsequently. For example, sensitive monitoring information, focus group interviews and individual interviews may be anonymous but responses to consultation with representatives will be attributable. More generally, in published reports public authorities should be wary of the possibility of allowing individuals to be identified where inappropriate.
- 6.16 The next section, **Key Findings**, should highlight results that have emerged and should ensure that due consideration is afforded to all nine equality categories. It would be useful to present summary statistics in tables.
- 6.17 The final section, **Conclusions**, should draw conclusions from the results in terms of the policy impact and will outline the decision-making process concerning policy review. This section should state the decisions made by the authority on the basis of the EQIA, for example by way of an action plan with associated timescales.
- 6.18 This section should also outline systems which will be put in place to monitor for adverse impact in the future and should include all relevant timetables.

### **Example**

#### **Publishing EQIA Results**

Various public bodies are planning to publish reports on EQIAs in a variety of ways including:

- in magazines which are sent regularly to households and groups;
- in Best Value performance plans, which are sent to households annually, and which are available in different languages on request;
- in staff newsletters;
- in annual reports on their equality scheme; and
- on websites.

## 7. Monitoring for Adverse Impact in the Future and Publication of the Results of such Monitoring

A system must be established to monitor the impact of the policy in order to find out its effect on the relevant groups and sub groups within the equality categories. The results of ongoing monitoring must be reviewed on an annual basis. The public authority is required to publish the results of this monitoring (Schedule 9 paragraph 4 (2) (b)). The results of monitoring must be included in the public authority's annual review on progress to the Equality Commission. The equality scheme must specify how and where such monitoring information will be published (see Guide Section 3 paragraph 5). It is therefore essential that monitoring is carried out in a systematic manner and that the results are widely and openly published. *Annex 1, para 7.1*

If the monitoring and analysis of results over a two year period show that the policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the public authority must ensure that the policy is revised to achieve better outcomes for the relevant equality groups. *Annex 1, para 7.2*

### 7.1 The following questions may help guide monitoring:

- Who will be responsible for monitoring?
- What has to be monitored?
- Are there monitoring procedures already in place which will generate this information?
- How could monitoring procedures already in place be adapted to better reflect Section 75 needs?
- Can existing monitoring procedures be adapted to collect the additional information required in relation to this policy?
- What monitoring techniques and tools will be the most effective?
- Will arrangements need to be put into place for others to collect monitoring and evaluation information? (for example where the public authority is not responsible for the implementation of the policy).
- What indicators or targets will be used to evaluate the effectiveness of the policy?
- In what format will monitoring information be published?
- Does the monitoring information identify opportunities for greater equality of opportunity to be promoted?

- 7.2 Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data; it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy review.
- 7.3 The advice given at the 'Consideration of Available Data and Research' stage about data collection is equally applicable to monitoring. Monitoring should consist of both quantitative and qualitative methods as described in that section. Systems established to allow for the routine collection of data on the nine equality categories should be used to monitor adverse impact in the future. Alongside these procedures there may be a need to establish particular methods for data collection in response to particular policy impacts. These methods should focus in particular on those groups which are adversely affected by the policy in question and which experience barriers to participation.

#### **Example**

Following an EQIA decision a Health Body planned to monitor the impact of a policy decision in terms of:

- Effects on staff posts affected;
- Meeting with customer representatives and relevant affected groups; and
- Undertaking a customer survey to assess the impact of changes on service users within eight months.

- 7.4 Monitoring involves the processing of personal information and must therefore comply with the Data Protection Act 1998. Under Section 75 monitoring information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, political opinions, religious beliefs etc). There are special rules under the Act relating to the processing of sensitive personal data. Further advice and guidance on how to carry out monitoring in a privacy friendly manner will be available from the office of the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, telephone 016 2554 5700, web – [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk). There is now a regional office of the Information Commissioner at Regus House, 33 Clarendon Dock, Laganside, Belfast BT3 1BG. Telephone 028 9051 1270 or email [ni@ico.gsi.gov.uk](mailto:ni@ico.gsi.gov.uk).

- 7.5 Monitoring must be sensitive to issues of human rights and privacy and the public authority should seek advice from consultees, the relevant agency or group representatives when establishing such procedures.
- 7.6 The results of ongoing monitoring must be reviewed annually. The public authority is required to publish the results of this monitoring and its review which will be included in its annual report on progress to the Equality Commission.

**Example**

An Agency established a comprehensive corporate monitoring system including:

- Utilising and developing existing information systems;
- Developing a dual system with emphasis on production of statistical data supplemented by appropriate qualitative data and information from other sources;
- An initial development focus on high priority areas;
- Developing a process for ongoing assessment of the quality of available data; and
- Production of regular monitoring reports by a designated officer for managers and senior officers.



## Appendix 1 Examples of Groups by Equality Categories

Category	Examples of Groups
Age	For most purposes, the main categories are: those under 18; people aged between 18 and 65; and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration. For example, (i) in relation to employment policies the middle aged are often a vulnerable group, pensionable age is different for men and women and legal ages for working and voting vary; (ii) in relation to policies concerning young people narrower age bands are likely to be more appropriate.
Marital status	Married people; unmarried people; divorced or separated people; widowed people.
Men and women generally	Men (including boys); women (including girls); transgender people; transsexual people.
Persons with a disability	Persons with a disability as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995.
Persons with dependants	Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for the care of a dependant elderly person.
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party; other.
Racial group	Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Black African; Black Caribbean; White; mixed ethnic group; any other ethnic group; nationality.
Religious belief	Protestant; Catholic; Hindu; Jewish; Islam / Muslim; Sikh; Buddhist; other religion; people of no religious belief.
Sexual orientation	Gay; lesbian; bisexual; heterosexual.



## Appendix 2 Consultation Methods and Practice

The Northern Ireland Act [Schedule 9, paragraph 4.2(b)] requires public authorities to carry out consultations in relation to 'the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity'. This appendix provides some brief guidance on the planning, management, implementation and best practice methods relating to consultation and the conduct of Equality Impact Assessments (EQIA).

Ranging from the dictionary to the textbook to the experience of those at the coalface, there are numerous definitions of consultation. Within the context of consultation with equality groups a working definition is:

*'Consultation is when we provide opportunities for those who wish to express their opinion on an area of our work (such as identifying issues, developing or changing policies, testing proposals or evaluating provision) to do so in ways which will inform and enhance that work'<sup>1</sup>*

When conducting EQIAs consultation should not be viewed as one discrete phase. Meaningful engagement, accessible information and participation should be an integral consideration throughout the entire EQIA process.

Before initiating consultation, there are a few general points that may be worth considering. Amongst these are:

- Has this or another public authority previously completed a consultation exercise on a similar issue?
- Realistically, as an outcome of the consultation process, what types of changes to policy are likely to happen?
- To what extent can the expectations and wishes of those consulted be met?

The above points are particularly relevant in those instances where a policy, and hence the consultation documents, may be complex. There may be a need to engage pre-consultation with relevant groups and individuals. In effect this pre-consultation engagement is a type of capacity-building. This engagement may diminish subsequent misunderstanding and confusion between those being consulted and those doing the consulting.

---

<sup>1</sup> Good Practice Guidance - Consultation with Equalities Groups (2002), Reid - Howie Associates, Scottish Executive Central Research Unit and Equality Unit, Edinburgh, p 8

All public authorities have many stakeholders: individuals and groups with an interest in policies and how those policies impact on their lives. These stakeholders include employees, service users (actual and potential), suppliers, employees, trade unions and partner organisations, be they in the public, private or social sectors. When consulting during the EQIA process a crucial input will be from those groups and people representative of the nine Section 75 equality categories.

Exclusion of groups from consultation can and does occur. Evidence from Northern Ireland and elsewhere indicates the most prevalent reason for 'unconscious' exclusion is that the public authority does not take into account the circumstances and needs of **all** groups who may have an interest in the consultation process. At any stage of the consultation exercise - planning, management, implementation or evaluation - full and fair participation in the consultation process may be enhanced or inhibited.

The Scottish Executive Equality Unit has identified a number of such barriers, including:<sup>2</sup>

- **methods** used (for example, by relying on methods which use IT, or which focus only on written communication)
- **physical** barriers (for example, the inaccessibility of venues or the lack of facilities at events)
- **attitudinal** barriers (the ways in which staff approach or respond to groups and individuals and the assumptions they make)
- **financial** (many equalities groups lack resources and this often affects whether they can respond to consultations)
- **cultural** (for example, using inappropriate facilities or language)

It is important when planning consultation to think carefully about who might be excluded by such barriers and to act to address this through pre-consultation engagement. **A checklist approach to identifying barriers or excluded groups will not work. These must be identified on a case by case basis.**

---

<sup>2</sup> Ibid., p 7

There are numerous methods of consultation and no one list can claim to be complete and comprehensive. However all methods fall into two general categories:

- **Written Methods.** Involving some form of written comments. These methods may include survey questionnaires, papers soliciting views and responses, Internet consultation, comments and complaint cards; and
- **Face-to-face methods.** In essence, this involves direct contact between those looking for and providing views. Face-to-face consultation may involve conferences, citizens' panels and juries, focus groups, workshops, discussion groups, public meetings or one-to-one interviews.

### **Publications on Consultation**

There are numerous publications that discuss and analyse a range of consultation methods. No one document can claim to be comprehensive and authoritative. However, there are number of recent papers that assess, based on practical experience, the variety of consultation methods that may be appropriate. The publications listed in the following boxes are, at time of publication, available on the Internet.

Good Practice Guidance for Conducting Consultation. 2002 Rotherham Metropolitan Borough Council. Civic Building, Walker Place Rotherham S65 1UF. Tel 01709 382121. Available at [www.rotherham.gov.uk/pages/council](http://www.rotherham.gov.uk/pages/council)

This Guidance contains descriptions, including the advantages, disadvantages, planning considerations and cost implications for thirteen different consultation methods. Also in the document are useful examples of good practice and a consultation planning protocol.

Participation Works! : 21 Techniques of Community Participation for the 21<sup>st</sup> Century. 1999. New Economics Foundation. Cinnamon House, 6-8 Cole Street. London SE1 4YH. Tel 0207 407 7447. Available at [www.neweconomics.org](http://www.neweconomics.org)

This publication contains 21 consultation techniques from around the world that have been proven to work. Based on actual case studies, information is given on selecting appropriate techniques, how to use them properly and contact details of practitioners involved in the cited case studies.

Assessment of Innovative Approaches to Testing Community Opinion. 2000. Scottish Executive Central Research Unit. The Stationery Office. 71 Lothian Road, Edinburgh EH3 9AZ.  
Tel 0870 606 5566 Available at [www.scotland.gov.uk/innovative.pdf](http://www.scotland.gov.uk/innovative.pdf)

Based on an audit of 126 public sector organisations in Scotland that established the range of consultation techniques used, this report reviews the effectiveness and appropriateness of 22 different consultation techniques. With an emphasis on innovation, the techniques evaluated range from brainstorming to future search. The report contains chapters on the planning and evaluation of consultation exercises.

Listen Up! Effective Community Consultation. 1999. Audit Commission, 1 Vincent Square, London SW1P 2PN  
Tel 020 7630 0421. Available at [www.audit-commission.gov.uk/publications](http://www.audit-commission.gov.uk/publications)

This paper is primarily intended to help officers and board members in public bodies to plan and carry out consultation more effectively in making policy decisions and improving services. The paper does not contain a detailed discussion of consultation techniques. The strength of the paper lies in its discussion of the principles of good practice, identifying and overcoming common obstacles to effective consultation and evaluating the effectiveness of consultation.

**Other useful publications on consultation include: -**

Corporate Consultation Principles and Protocols, Barnsley Metropolitan Borough Council. Town Hall, Barnsley, South Yorkshire. 2001.  
[www.barnsley.gov.uk/consultation/principles.pdf](http://www.barnsley.gov.uk/consultation/principles.pdf)

Good Practice Guidance - Consultation with Equality Groups, Scottish Executive, Central Research Unit and Equality Unit, Scottish Executive, Victoria Quay Edinburgh, 2002  
[www.scotland.gov.uk/library5/social/gpgc.pdf](http://www.scotland.gov.uk/library5/social/gpgc.pdf)

Learning from Experience: Lessons in Mainstreaming Equal Opportunities, Scottish Executive Social Research, St Andrew's House, Regent Road, Edinburgh, 2003, [www.scotland.gov.uk/socialresearch](http://www.scotland.gov.uk/socialresearch)

Participatory Methods, Mayoux, Linda, Enterprise Development Impact Assessment Information Service (EDIAIS), University of Manchester, Harold Hankins Building, Oxford Road, Manchester, [www.enterprise-impact.org.uk/pdf/ParticMethods.pdf](http://www.enterprise-impact.org.uk/pdf/ParticMethods.pdf)

### **Involving Different Target Groups: Issues and Solutions**

Some groups representing equality constituencies have reported negative experiences of consultation. The complaints range from their views not being taken into account to the view that consultation is seen by public authorities to be a 'bolt-on' or a postscript in making policy.

In their approved equality schemes all public authorities have made a serious commitment to effectively consulting with equality groups and to take a meaningful account of their views. In reality, public authorities should be able to demonstrate that in all stages of the EQIA process methods have been used to ensure that equality groups have been given a fair chance to participate.

Mindful of the pitfalls of a checklist approach, the following table includes some of the barriers to consultation that equality groups have experienced. The table also suggests practical solutions to the issues encountered.

## Involving Different Target Groups: Issues and Solutions

Target Group	Issues	Possible Solution/Action
Women	Childcare and other caring commitments.	<ul style="list-style-type: none"> <li>• Time meetings around school day.</li> <li>• Time meetings in daylight.</li> <li>• Arrange meetings at a more acceptable venue by considering face-to-face meetings at the person's home, in a local community centre etc.</li> <li>• Provide child care facilities on site at the meetings.</li> <li>• Provide information in schools and playgroups.</li> </ul>
	Access to transport.	<ul style="list-style-type: none"> <li>• Provide safe and accessible transport.</li> <li>• Reimburse participant with travelling expenses.</li> <li>• Provide free parking facilities at the venue.</li> <li>• Think about the venue in relation to participation by women living in rural areas.</li> </ul>
	Domestic responsibilities.	<ul style="list-style-type: none"> <li>• Consider face to face meetings in person's own home.</li> </ul>
	Feeling unsafe.	<ul style="list-style-type: none"> <li>• Consider safe transport as a means to overcome fear.</li> <li>• Time meetings in daylight.</li> <li>• Choose a venue which is not intimidating, think about community centres, local parish halls etc.</li> </ul>



Target Group	Issues	Possible Solution/Action
People with a physical disability	Access to transport, buildings etc.	<ul style="list-style-type: none"> <li>• Consider accessibility of the venue for people with a physical disability.</li> <li>• Also consider ease of movement within the building for disabled persons, especially where workshops are organised as part of the participation exercise.</li> <li>• If lunch is provided, think about access to the lunch area and seating arrangements.</li> <li>• Provide transport.</li> <li>• Reimburse travelling expenses.</li> <li>• Provide free car parking facilities adjacent to the venue.</li> </ul>
People with a hearing impairment	<p>Hearing the speakers.</p> <p>Participating in discussions.</p> <p>Feeling isolated.</p>	<ul style="list-style-type: none"> <li>• Consider 'loop' system in reception and meeting rooms.</li> <li>• Consider using a British Sign Language facilitator, an Irish Sign Language facilitator or both.</li> <li>• Consider Minicom.</li> <li>• Consider Typetalk.</li> <li>• Consider the use of appropriate videos.</li> <li>• Ensure the hearing impaired person is welcomed and introduced to others participating in the discussion.</li> </ul>

Target Group	Issues	Possible Solution/Action
People with a visual impairment	<p>Reading information literature.</p> <p>Reading slides.</p> <p>Accessing the building/signage in the building.</p> <p>Feeling isolated.</p>	<ul style="list-style-type: none"> <li>• Ensure printed material is in large print (preferably 14 Arial).</li> <li>• Consider Braille if appropriate.</li> <li>• Consider colour combinations of printed material (and slides) - use contrast colours of type and background i.e. black on yellow.</li> <li>• Provide information in alternative formats – audiotapes.</li> <li>• Consider using a computer to store information - many PCs can be adapted for visually impaired people using the 'Bobby' standard.</li> <li>• Think about the formats and the language of the written literature.</li> <li>• Ensure the signage in the building is appropriate - especially important to allow the person to access not only the conference room but also toilet facilities, lifts, lunch areas etc.</li> <li>• Ensure the visually impaired person is welcomed and introduced to others participating in the discussion.</li> </ul>

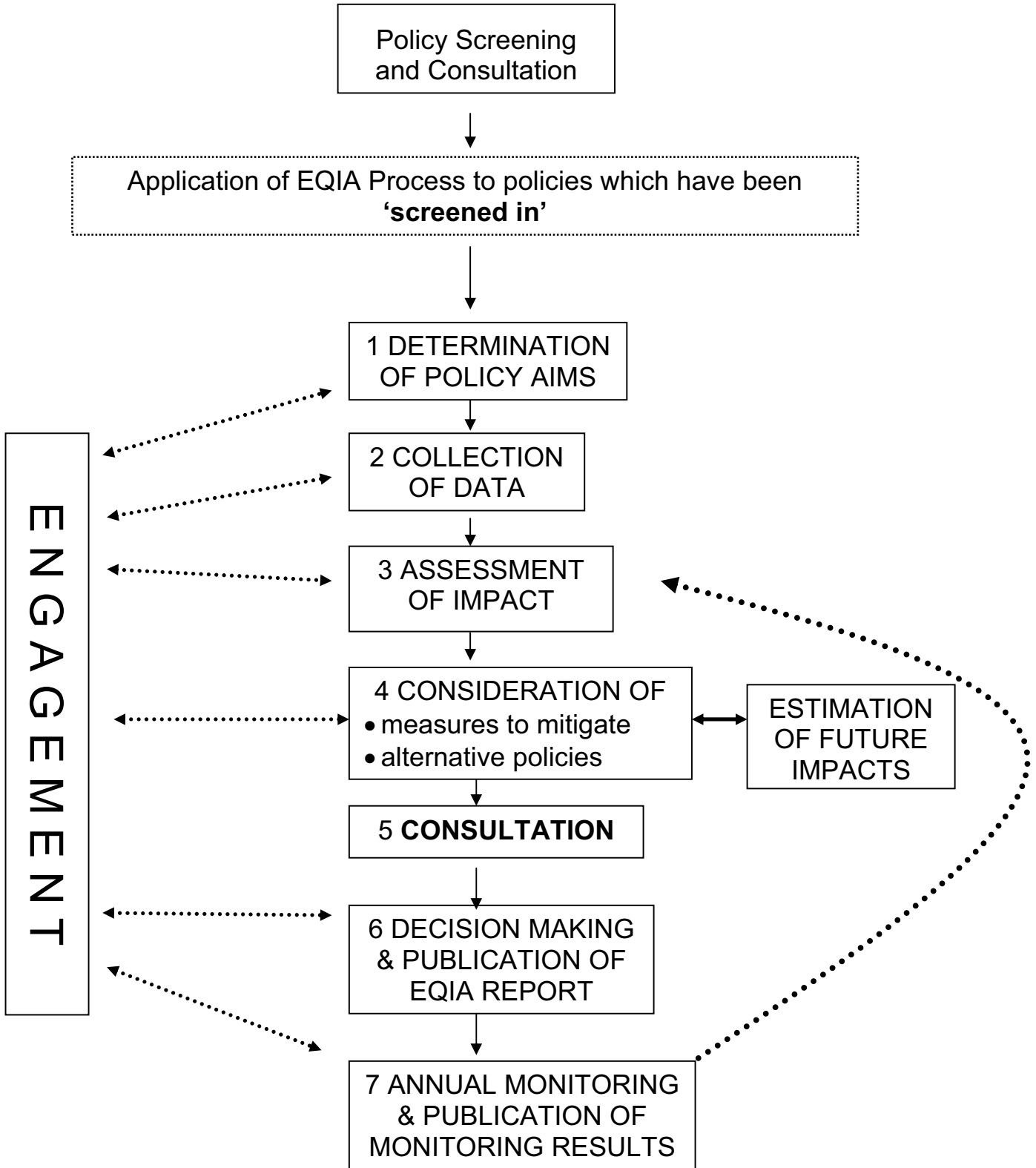
Target Group	Issues	Possible Solution/Action
<p>Black and Minority Ethnic Communities</p>	<p>May not be fully represented in local groups.</p> <p>English may not be their first language.</p> <p>Cultural and religious practice may influence involvement.</p> <p>Major events and festivals may affect their ability to attend discussions and meetings.</p> <p>There may exist diversity within an ethnic group which will need to be recognised and dealt with by those consulting.</p>	<ul style="list-style-type: none"> <li>• Organisations need to be approached directly.</li> <li>• Provide alternative language formats - Irish, Ulster Scots, Cantonese, Urdu.</li> <li>• Provide translators, interpreters.</li> <li>• Offer separate meetings.</li> <li>• Check dates with local groups to ensure these do not clash with cultural and religious festivals etc.</li> <li>• Hold meetings in neutral venues.</li> </ul>

Target Group	Issues	Possible Solution/Action
Young People	<p>There are three distinct age groups to be considered, if appropriate:</p> <ol style="list-style-type: none"> <li>1. Pre-School</li> <li>2. Under 18 year olds</li> <li>3. Those between 18 and 26 years old.</li> </ol> <p>Their opinions are not often sought.</p> <p>A lack of resources to enable participation.</p> <p>A use by consultants of technical language and jargon.</p> <p>A lack of training and/or confidence of young people.</p> <p>Formal processes can cause barriers.</p> <p>Young people are not always perceived as shoppers, users of services.</p>	<ul style="list-style-type: none"> <li>• Contact young people directly through schools and youth groups.</li> <li>• Consider incentives - fees, 'free' leisure facility or activity, training and certification.</li> <li>• Provide jargon-free information.</li> <li>• Provide alternative formats of written information using plain language, pictograms etc.</li> <li>• Provide assertiveness training, decision-making skills.</li> <li>• Provide guidance and support with the procedures and policies under discussion.</li> <li>• Provide technical assistance to submit projects to fund holders.</li> <li>• Try to contact young people at the point of use.</li> </ul>

Target Group	Issues	Possible Solution/Action
<p>Vulnerable young people</p> <p>(These can be people who have a learning disability or those with a mental health disability)</p>	<p>Can be people of all ages but particular attention is required to ensure participation of young vulnerable people.</p> <p>Alternative formats should be considered for all written material relating to consultation with vulnerable people.</p>	<ul style="list-style-type: none"> <li>• Consider using pictograms etc.</li> <li>• Consider involving the representatives of vulnerable groups and organisations i.e. Mencap.</li> <li>• Consider using different approaches using video tape, face-to-face meetings audio-tape recordings etc.</li> <li>• Meet with them in their environment which will be less intimidating.</li> </ul>
<p>Older people</p> <p>(These can be people who have a learning disability or those with a mental health disability)</p>	<p>Being labelled as frail or confused and so refused access to facilities and services.</p> <p>Those living in sheltered accommodation, residential/nursing homes.</p> <p>This group have genuine fear of crime – particularly at night.</p> <p>Can be any one of the target groups listed above with similar problems and concerns.</p>	<ul style="list-style-type: none"> <li>• Consult organisations with significant numbers of older members or service providers who act as advocates of the aged - Help the Aged, Age Concern.</li> <li>• Make contact through social services or housing departments.</li> <li>• Arrange meetings etc at a time and venue suitable to them - see solutions at 'People with a Physical Disablement' above, as many elderly people face similar problems of access, timing, transport etc.</li> </ul>

Target Group	Issues	Possible Solution/Action
Irish Travellers	<p>Distrust of public bodies and their officers.</p> <p>Literacy problems.</p> <p>Problems encountered as under Black and Minority Ethnic communities and Vulnerable Young People above.</p>	<ul style="list-style-type: none"> <li>• Ensure contact with the organisations who represent these communities –</li> <li>• Traveller Movement (NI) local Traveller Support Groups and other voluntary organisations working with Travellers</li> <li>• Consider innovative ways to engage with them by using video and audio-tape to record their responses.</li> <li>• Use solutions suggested above for other disadvantaged groups.</li> </ul>
Lesbians, Gays	<p>This group may find it difficult to be open about who they are and what they need.</p> <p>Difficulties may exist in making contact with organisations who represent this group.</p> <p>They may not wish to attend public meetings or forums.</p>	<ul style="list-style-type: none"> <li>• Try to set up face to face meetings with local gay and lesbian groups such as CoSO, NIGRA etc.</li> <li>• Try to build trust with the members of these organisations.</li> <li>• Provide separate meetings if appropriate.</li> <li>• Use the publication networks of these groups to contact members about issues and topics you may wish to consult on.</li> <li>• Ensure confidentiality by setting out the parameters for disclosure of information given etc.</li> </ul>

### Appendix 3 EQIA Process Flow Chart







## **Appendix 4 Sources of Data**

### **FOREWORD**

Guidance on conducting an EQIA stresses the need to 'Consider Available Data and Research'. Part of this consideration will be the assessment of the extent to which the various Section 75 groups are able to be separately identified and analysed in various administrative and research data sets. The provision of such information is the responsibility of all public authorities, departments and non-departmental public bodies. As suppliers of statistics and research on a range of subjects, the Northern Ireland Statistics and Research Agency carried out an audit of key sources of data within Northern Ireland Departments and the results were published in 2001. The 2001 audit has now been updated and details of the latest audit are provided in this appendix.

The following table provides a brief outline of the range of relevant Section 75 information that is collected or accessed by the Northern Ireland Statistics and Research Agency. Where information is collected for a particular Section 75 category the quality of that information is indicated as poor, fair, good or excellent. It is important to note, however, that robust and detailed information for each Section 75 category may not always be available for analysis due to the small numbers involved and/or data confidentiality constraints. Contact details are provided for each NISRA branch. These individuals can provide further advice on the detail and range of available information.

A fuller description of each of the data sets will be made available on the NISRA website ([www.nisra.gov.uk](http://www.nisra.gov.uk)) when the information is finalised. In addition information on qualitative research will be added.

**The Northern Ireland Statistics and Research Agency  
2003**

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
<b>Central Survey Unit (CSU)</b>										
Continuous Household Survey (CHS)	E	E	E	E	P <sup>1</sup>	E <sup>2</sup>	E <sup>3</sup>	N	N	NUTS III <sup>4</sup>
Expenditure and Food Survey (EFS)	E	E	E	E	P	N	E <sup>3</sup>	N	N	EWB <sup>4</sup>
<b>Census Office for Northern Ireland (CONI)</b>										
Results of the Census of Population & Housing carried out in Northern Ireland in April 1991	E	E	E	E	N	E <sup>7</sup>	E <sup>8</sup>	N	N	Parl, W, DC
Results of the Census of Population & Housing carried out in Northern Ireland in April 2001	E	E	E	E <sup>5</sup>	E <sup>6</sup>	E <sup>7</sup>	E <sup>8</sup>	N	N	Parl, W,DC, NutsIII, Oth
<b>General Register Office (GRO)</b>										
All births registered in Northern Ireland by calendar-year	E	E	Part Cov <sup>9</sup>	N	N	N	E	N	N	PC
All stillbirths registered in Northern Ireland by calendar year	E	E	Part Cov <sup>9</sup>	N	N	N	E	N	N	PC
All deaths registered in Northern Ireland by calendar year	E	E	E	N	N	N	N	N	N	PC
All marriages registered in Northern Ireland by calendar year	E	E	E	Prox <sup>10</sup>	N	N	N	N	N	DC
All divorces occurring in Northern Ireland by calendar year	E	E	E	Prox <sup>10</sup>	N	N	E	N	N	NI
<b>Regional Reporting &amp; EU Programmes Branch (RREP/B)</b>										
Applications and Monitoring Database for EU Structural Funds 2000 to 2006	CAY	CAY	CAY	CAY	CAY	CAY	CAY	CAY	CAY	AD, PC
Special Support Programme for Peace and Reconciliation Central Database	P	F	N	PROX	N	P	N	N	N	AD,PC

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
<b>Department of Health, Social Services &amp; Public Safety (DHSSPS)</b>										
<b>Regional Information Branch (RIB)</b>										
Telephone Number : 028 9052 2522										
<b>Contact : Dr Liz McWhirter</b>										
<b>Information available centrally</b>										
Hospital Inpatients System (HIS)	E	E	E	N	N	N	N	N	N	PC
Mental Health Inpatients System (MHIS)	E	E	G	G	N	G	N	N	N	PC
Community Returns <sup>11</sup>	E <sup>12</sup>	N	N	N	N	G	N	N	N	CHSST
Korner Aggregate (KARs)										
Community Returns <sup>11</sup>	E <sup>12</sup>	E	N	P	P	G	N	N	N	CHSST
Children's Order (NI) 1995										
<b>Information available from Trusts</b>										
The Northern Ireland Regional Accident and Emergency System (NIREAS)	E	E	G-E	N	N	N	N	N	N	PC
Soscare	F	G	F	P	P	F	F	N	N	PC
Mental Health & Psymon	G-E	E	F	P	N	F-G	P	N	N	PC
LCID	E	E	P	N	N	N	N	N	N	PC
CLAN	G	G	P	N	N	N	N	N	N	PC
Abacus	E	F-E	N	N	N	E	N	N	N	PC
Procare	E	E	P	N	N	N	N	N	N	PC
PAS - In Patients	E	E	E	E	N	N	N	N	N	PC
PAS - Out Patients	E	E	G-E	P-F	N	N	N	N	N	PC
PAS - Waiting Lists	E	E	F-E	G-F	N	N	N	N	N	PC
DSS - In Patients	E	E	E	E	N	N	N	N	N	PC
DSS - Out Patients	E	E	N	N	N	N	N	N	N	PC
DSS - Waiting Lists	E	E	N	N	N	N	N	N	N	PC
Clinical System - Diabetic	E	E	N	N	N	N	N	N	N	PC
Clinical System - Medical	E	E	G	G	N	N	N	N	N	PC
Clinical System - Paediatric	G-E	G-E	N	N	N	N	N	N	N	PC
Clinical System - Surgical	E	E	G	G	N	G	N	N	N	PC
NIMATS	G	G	N	N	N	N	N	N	N	PC
NIRADS	G-E	G-E	N	N	N	N	N	N	N	PC
PULSE	E	E	P	N	N	P	N	N	P	PC
Patient Testing System	E	E	N	N	N	N	N	N	N	PC
LABS	E	E	N	N	N	P	N	N	N	PC

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
Central Services Agency (CSA)										
Central Health Index (CHI)	E	E	P	N	N	P	N	N	N	PC
Dental Payment Information System (DPIS)	E	E	P	N	N	P	N	N	N	PC
<b>Project Support Analysis Branch (PSAB)</b>										
Child Health System (CHS)	E	E	N	N	N	G	N	N	N	NI <sup>13</sup>
Human Resources Management System (HRMS) <sup>14</sup>	E	E	P	N	N	N	N	N	N	NI
Equal Opportunities Monitoring System	E	E	P	E	G	G	N	N	N	PC
<b>Surveys and Research Management Branch (SRMB)</b>										
Infant Feeding Survey 2000	E	E	E	E	N	N	E <sup>15</sup>	N	N	B,DC
NI Health & Social Well-being Survey (NIHSWS) 1997	E	E	E	E	N	E	E <sup>15</sup>	N	N	PC
NI Health & Social Well-being Survey (NIHSWS) 2001	E	E	E	E	E	N	E <sup>15</sup>	N	E <sup>16</sup>	PC
Cancer Registry	E	E	G	E	N	N	N	N	N	PC
Millennium Cohort Study - September 2001	E	E	E	E	E	E	E <sup>15</sup>	E	N	PC
Millennium Cohort Study - second sweep commencing Dec 2003	E <sup>17</sup>	E <sup>17</sup>	E <sup>17</sup>	E <sup>17</sup>	N	E <sup>17</sup>	E <sup>15,17</sup>	N	N	PC
Public Opinion Survey on the NI Health & Social Services	E	E	E	E <sup>18</sup>	E	E	E <sup>19</sup>	E	N	PC
<b>Drug and Alcohol Information and Research Unit (DAIRU)</b>										
Drug Misuse Database	G	G	N	P	P	N	P	N	N	Part PC
Young Persons' Behaviour and Attitudes Survey (Drug and Alcohol sections)	G	G	N	N	N	N	N	N	N	ELB area
Addicts' Index Database	G	G	N	N	N	N	N	N	N	PC
Needle and Syringe Exchange Scheme	G	G	N	N	N	N	N	N	N	Part PC
<b>Department for Regional Development (DRD)</b>										
Northern Ireland Travel Survey	E	E	E	G	G	E	N	N	N	EWB
Regional Transportation Strategy Attitudes to transportation survey of residents	E	E	G	G	N	N	G	N	N	PC
<b>Contact : Dr Tracy Power Telephone Number : 028 9054 0878</b>										
<b>Contact : Kieron Moore Telephone Number - 028 90 522501</b>										

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
Price Waterhouse Coopers (PWC) public transport customer survey	G	G	N	N	N	N	N	N	N	N
<b>Contact : Dr Tracy Power</b>										
Department of the Environment (DOE)	E	E	N	PROX <sup>20</sup>	N	G	N	N	N	PC
Driver & Vehicle Licensing in Northern Ireland (DVLI) Driver Licensing Database	N	N	N	PROX <sup>20</sup>	N	N	N	N	N	PC
Driver & Vehicle Licensing in Northern Ireland (DVLI) Vehicle Licensing Database	N	N	N	N	N	N	N	G	N	DEA
2001 Local Council Election Results										
<b>Contact : Dr Chris Morris</b>										
Department for Social Development (DSD)	G-E	G-E	IN	N	N	IN	G-E	N	N	PC
Income Support	G-E	G-E	IN	N	N	IN	G-E	N	N	PC
Jobseekers Allowance	G-E	G-E	N	N	N	IN	N	N	N	PC
Disability Living Allowance										
Attendance Allowance	G-E	G-E	N	N	N	IN	N	N	N	PC
Retirement Pension	G-E	G-E	IN,Part Cov	N	N	N	IN, Part Cov	N	N	PC
Child Benefit	G-E	G-E	IN,Part Cov	N	N	N	G-E	N	N	PC
Incapacity Benefit	G-E	G-E	IN,Part Cov	N	N	IN	Part Cov	N	N	PC
Working Families Tax Credit (WFTC)21	G-E	G-E	IN	N	N	N	G-E	N	N	PC
Disabled Persons Tax Credit (DPTC)22	G-E	G-E	IN	N	N	IN	G-E	N	N	PC
Child Support Agency - Non Resident Parent	G-E	G-E	IN,Part Cov	N	N	N	G-E	N	N	PC
Child Support Agency - Parent With Custody	G-E	G-E	IN,Part Cov	N	N	N	G-E	N	N	PC
Child Support Agency - Parent With Custody	G-E	G-E	IN,Part Cov	N	N	N	G-E	N	N	PC
Industrial Injuries Disability Benefit	G-E	G-E	N	N	N	IN	N	N	N	PC
Maternity Allowance	G-E	G-E	IN	N	N	N	N	N	N	PC
Widows Benefit	G-E	G-E	IN	N	N	N	N	N	N	PC
Invalid Care Allowance	G-E	G-E	N	N	N	N	N	N	N	PC
Housing Benefit	G-E	G-E	IN,Part Cov	N	N	N	Part Cov	N	N	PC

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
<b>Department of Enterprise, Trade &amp; Investment (DETI)</b>										
Interdepartmental Business Register (IDBR)	N	N	N	N	N	N	N	N	N	PC, W, DC, PARL, TTWA
Northern Ireland Manufacturing Sales and Exports Survey	N	N	N	N	N	N	N	N	N	NI
Labour Force Survey	E	E	E	E	G-F	E	E	N	N	PC, DC, TTWA,
Claimant Count	E	E	G-E	N	N	N	N	N	N	PC, W, DC,
New Earnings Survey (NES)	E	E	N	N	N	N	N	N	N	PC, DC, PARL,
Annual Business Inquiry (ABI) - Production, Construction and Services	N	N	N	N	N	N	N	N	N	TTWA
Census of Employment	N	E	N	N	N	N	N	N	N	PC, DC, PARL, TTWA
Quarterly Employment Survey (QES)	N	G	N	N	N	N	N	N	N	NI
Annual Survey into Northern Ireland Business Expenditure on Research and Development	N	N	N	N	N	N	N	N	N	NI
Equality Commission Monitoring Returns	G	G	N	G	N	N	N	N	N	NI
Quality Assurance Database Northern Ireland Tourist Board (NITB)	N	G	N	N	N	N	N	N	N	PC, DC
United Kingdom Occupancy Survey (UKOS)	N	N	N	N	N	N	N	N	N	PC, DC
Visitor Attraction Survey	N	N	N	N	N	N	N	N	N	PC, DC
New Targeting Social Need (TSN)	N	G	N	G	F	F	N	N	N	PC, W, DC,
Enhanced Monitoring Returns	N	N	N	N	N	N	N	N	N	PC, W, DC
Laser Database	N	N	N	N	N	N	N	N	N	PC, W, DC
Industrial Development Board (IDB)	N	N	N	N	N	N	N	N	N	PC, W, DC
Corporate Database	N	N	N	N	N	N	N	N	N	PC, W, DC
Business Start-up Programme Database	G	E	G	P	F	E	G	P	N	PC, DC
<b>Northern Ireland Office (NIO)</b>										
<b>Contact : Dr Michael Willis - Telephone Number : 028 9052 7538</b>										
Northern Ireland Crime Survey (NICS)	E	E	E	E	E	E	E	N	N	EWB
Community Attitudes Survey (CAS)	E	E	E	E	N	E	E	N	N	EWB
Courts Dataset	G	E	N	N	N	N	N	N	N	CT, PD
Court Activity and Offenders (CAO)	G	E	N	N	N	N	N	N	N	AD

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
Administrative Time Limits (ATL)	E	G	N	N	N	N	N	N	N	NI
Prisons Dataset	E	E	G	G	N	N	N	N	N	MT
Juvenile Justice	E	E	N	G	N	N	N	N	N	PC
<b>Police Service of Northern Ireland (PSNI)</b>	<b>Contact : Mr Tony Mathewson</b>									
Recorded Crime Dataset	G <sup>23</sup>	G	N	N	N	N	N	N	N	PC, PD, W
Road Traffic Injury Collisions Dataset	E	E	N	N	N	N	N	N	N	PD
<b>Northern Ireland Court Service (NICtS)</b>	<b>Contact : Dr Malcolm Megaw</b>									
Court of Appeal	N	N	N	N	N	N	N	N	N	CT
High Court Bails	N	N	N	N	N	N	N	N	N	CT
High Court - Chancery	N	N	N	N	N	N	N	N	N	CT
High Court - Queen's Bench	N	N	N	N	N	N	N	N	N	CT
High Court - Family (Matrimonial)	N	N	E	N	N	N	E	N	N	CT
Crown Court	G	N	N	N	N	N	N	N	N	CT
County Court	N	N	N	N	N	N	N	N	N	CT
Magistrate's Court	N	N	N	N	N	N	N	N	N	CT
Children Order	E <sup>24</sup>	E <sup>24</sup>	N	N	N	N	N	N	N	CT
Coroners Court	N	N	N	N	N	N	N	N	N	CT
Enforcement of Judgements Office	N	N	N	N	N	N	N	N	N	CT
Court Funds Office	P	N	N	N	N	P	N	N	N	CT
Social Security and Pensions Appeals Office	N	N	N	N	N	N	N	N	N	CT
<b>Department of Education (DE)</b>	<b>Contact : Dr Ivor Johnston</b>									
Secondary School Census	E	E	N	E	E	G	N	N	N	PC
Nursery and Primary Schools	E	E	N	E	E	G	N	N	N	NI <sup>25</sup>
Pre-School Education Centre Census	N	E	N	G	E	N	N	N	N	NI <sup>25</sup>
School Leavers' Survey	E	E	N	E	E	G	N	N	N	PC
Summary of Annual Examinations results (formerly the School Performance Survey - Year 12 & Year 14 Pupils)	N	E	N	N <sup>26</sup>	G <sup>27</sup>	N	N	N	N	NI <sup>25</sup>

Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
<b>Department for Employment and Learning (DEL)</b>										
<b>Tertiary Education Analytical Services Branch (TESAB)</b>										
Further Education Leavers Survey (FELS)	E	E	Part	G <sup>28</sup>	G <sup>29</sup>	G	Part	N	N	PC
Further Education Statistical Record (FESR)	E	E	Part	G <sup>28</sup>	G <sup>29</sup>	G	Part	N	N	PC
Higher Education Statistics Agency (HESA) Database	E	E	Cov	P <sup>28</sup>	G <sup>30</sup>	G	Cov	N	N	PC
<b>Contact : Robert Kidd</b> Telephone Number : 028 9025 7897										
<b>Department for Employment and Learning (DEL)</b>										
<b>Research &amp; Evaluation Branch (REB)</b>										
Jobskills	G	G	G	G <sup>31</sup>	G <sup>32</sup>	G	N	N	N	NI
International Fund for Ireland/Wider Horizons	G	F	N	E <sup>31</sup>	P <sup>32</sup>	N	N	N	N	PC
New Deal 18-24	G	G	G	G <sup>31</sup>	G <sup>32</sup>	G	P	N	N	Part PC
New Deal 25+	G	G	G	G <sup>31</sup>	G <sup>32</sup>	G	P	N	N	Part PC
New Deal for Disabled People	G	G	G	G <sup>31</sup>	G <sup>32</sup>	G	F	N	N	Part PC
New Deal 50+	G	G	G	G <sup>31</sup>	G <sup>32</sup>	G	P	N	N	Part PC
Worktrack	E	E	E	E <sup>31</sup>	E <sup>32</sup>	E	G	N	N	PC
Enterprise Ulster	E	E	E	E <sup>31</sup>	E <sup>32</sup>	E	E	N	N	PC
Job Bridge	E	E	E	E <sup>31</sup>	E <sup>32</sup>	E	E	N	N	PC
Premiere 2	E	E	E	E <sup>31</sup>	E <sup>32</sup>	E	E	N	N	PC
Rapid Advancement Programme	E	E	E	E <sup>31</sup>	E <sup>32</sup>	E	G	N	N	PC
Job Brokerage	E	E	G	G <sup>31</sup>	G <sup>32</sup>	G	N	N	N	PC
Walsh Visas	E	E	G	E <sup>31</sup>	E <sup>32</sup>	G	P	N	N	PC
Employment Support	E	E	E	G <sup>31</sup>	G <sup>32</sup>	E	P	N	N	PC
Bridge To Employment	E	E	E	G <sup>31</sup>	E <sup>32</sup>	E	F	N	N	PC
Disablement Advisory Service	E	E	E	G <sup>31</sup>	G <sup>32</sup>	E	E <sup>33</sup>	N	N	PC
	E	E	E	G <sup>31</sup>	G <sup>32</sup>	E	F	N	N	NI
<b>Contact : Ivor Graham</b> Telephone Number : 028 9052 4850										
<b>Department of Agriculture and Rural Development (DARD)</b>										
Social Survey of Farmers and their Families	G	G	G	G	G	G	G	N	N	NUTS III
DARD Colleges Student Enrolments	F	F	F	F	F	F	F	N	N	PC



Datasets	Age	Gender	Marital Status	Religion	Racial Group	Disability	Dependents	Political Opinion	Sexual Orientation	Geographical Identifier
Fisheries Employment Status at Ports	N	G	N	N	N	N	N	N	N	NI
People in Agrifood Industry Enrolled on Lifelong Learning Programmes	F	F	F	F	F	F	F	N	N	PC
<b>Department of Culture, Arts &amp; Leisure</b>										
<b>Policy Evaluation and Research Unit</b>										
Public Library User Survey - NI Omnibus Survey	E	E	E	E	N	N	E	N	N	B
Culture, Arts & Leisure Participation Rates-RES Omnibus Survey	G	G	G	G	G	N	G	N	N	DC
In-Library Public Library User Survey Omnibus Surveys (2000 & 2001)	G	G	N	N	N	G	N	N	N	B
Omnibus Surveys (2000 & 2001)	G	G	G	G	N	N	G	N	N	N
Omnibus Surveys (2000 & 2001)	G	G	G	G	N	N	G	N	N	N
<b>Office of the First and Deputy First Minister</b>										
<b>Equality Unit Research Branch</b>										
Young People's Behaviour & Attitude Survey	E	E	N	PROX <sup>3,4</sup>	N	N	N	N	N	S
<b>Review of Public Administrations Team</b>										
Sept. 2002 NI Omnibus Survey	E	E	E	E	N	N	N	N	N	EWB
Feb. 2003 NI Omnibus Survey	E	E	E	E	N	N	N	N	N	EWB
Apr. 2003 NI Omnibus Survey	E	E	E	E	N	N	N	N	N	EWB
Focus Groups study	In	In	N	In	In	In	N	N	In	N
<b>Probation Board For Northern Ireland (PBNI)</b>										
Statutory PBNI supervision	E	E	F	N	N	N	N	N	N	AD, PC

**Data Assessment**

C	The system contains individual records and is maintained by the Central Services Agency
CAY	Cannot assess yet
E	Quality of data is excellent
F	Quality of data is fair
G	Quality of data is generally good although there may be some gaps
IN	Indicative data
N	No
P	Quality of data is poor
Part COV	Partial coverage
PROX	Proxy
Q	The Department queries the database via the Board Database Managers
S	School
SAP	School as proxy
TBD	To be decided
Y	Yes

**Geographical Identifying Codes**

AD	Address
B	Board
CHSST	Community Health and Social Services Trust
CT	Court
DC	District Council
DEA	District Electoral Area
EWB	East, West & Belfast
MT	Main Town
NI	Not Available below NI level
NUTSIII	Nomenclature of Units for Territorial Statistics III
Oth	Other
PARL	Parliamentary Constituency
Part PC	Partial Postcode
PC	Postcode
PD	Police District
S	School
TTWA	Travel to work area
W	Ward

**Notes**

- 1 Race - CHS has included a question on race for 3 years. However, fewer than 25 individuals from non-white backgrounds are picked. Additionally, there is the suggestion of confusion between 'national identity' and race.
- 2 Disability – The current definition is long standing illness based.
- 3 Dependents - Child dependants only.
- 4 Postcode - Postcodes not available with current address samples, but already starting postcode survey samples - effective on CHS 2001.
- 5 In addition to a person's current religion a new community background variable was introduced for the 2001 Census. This variable records current religion or if none is available records the religion brought up in. Census output uses the community background variable.
- 6 Census output uses the following 12 ethnic groups categories: White, Irish Traveller, Mixed, Indian, Pakistani, Bangladeshi, Other Asian, Black, Black Caribbean, Other Black, Chinese, Other Ethnic group.
- 7 The Census information is long-standing illness based.
- 8 The definition of dependent children has changed between the 1991 and 2001 Censuses. In the 1991 Census a dependent child was defined as a person aged 16-18, never married, in full time education and economically inactive. In the 2001 Census the definition of dependent children has changed to include children aged 15 in a household or a person aged 16-18, never married, in full time education and economically inactive. In the 2001 Census the definition of dependent children has changed to include children aged 15 in a household or a person aged 16-18, never married, in full time education and economically inactive. In the 2001 Census the definition of dependent children has changed to include children aged 15 in a household or a person aged 16-18, never married, in full time education and economically inactive. In the 2001 Census the definition of dependent children has changed to include children aged 15 in a household or a person aged 16-18, never married, in full time education and economically inactive.
- 9 Married or Unmarried Only.
- 10 Partial coverage of religious denomination proxied from method of celebration.
- 11 Community Returns include Korner Community, Korner PSS and Children Order/Children in Need Returns.
- 12 Age bands rather than individual years.
- 13 Postcode is collected on the Child Health System but is not complete in all cases.
- 14 The codes for the Human Resources Management System relate only to the information that is available centrally in DHSSPS.
- 15 Information on number of persons in the household and/or relationship to head of household.
- 16 Restricted to those aged 16 - 44.
- 17 Data not yet available for analysis. However, when available it is expected to be rated as 'Excellent'.
- 18 Community background.
- 19 Children only.
- 20 Proxy is based on religious make-up of applicant's residential area by postcode. Figures are derived from Census Output Areas and made where 60% or more of the population is either Catholic or Protestant. Those postcodes with a percent of the population that is Catholic or Protestant.
- 21 Previously Family Credit.
- 22 Previously Disability Working Allowance.
- 23 Age details are only recorded for victims of violent crime
- 24 For Children Only.

Notes Cont'd

- 25 Data is held by postcode of school.
- 26 School Management Type is Available.
- 27 Data for main indicators are held for three ethnic groups white (excl traveller) traveller and other ethnic group.
- 28 Religion for HESA; Community background for FELS and FESR.
- 29 Further Education Institutions in DEL currently monitor using the following categories: Not known, White, Black Caribbean, Black African, Pakistani, Bangladeshi, Chinese, Other
- 30 Higher Education Institutions in DEL currently monitor ethnicity as follows: White, White-British, White Irish, White Scottish, Irish Traveller, Black or Black British – Caribbean, Black or Black British - African, Other Black background.
- 31 Community background.
- 32 REB in DEL currently monitors ethnicity using the following categories: White, Irish Traveller, Mixed, Indian, Pakistani, Bangladeshi, Black Caribbean, Other Black, Chinese, Other Ethnic group.
- 33 Dependant children only.



**Equality Commission for Northern Ireland  
Equality House  
7–9 Shaftsbury Square  
Belfast  
BT2 7DP**

**Tel: 028 9050 0600  
Fax: 028 9031 5993  
Textphone: 028 9050 0589**

**E mail: [jmcalister@equalityni.org](mailto:jmcalister@equalityni.org)  
Website: [www.equalityni.org](http://www.equalityni.org)**

**ISBN: 1-903941-68-7**