

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority 2010 – 2011 Annual Progress Report on Section 75 of the NI Act 1998 and Section 49A of the Disability Discrimination Order (DDO) 2006

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2010 to 31 March 2011**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from **1 April 2010 to 31 March 2011**. Please enter information at the relevant part of each section and ensure that it is submitted electronically (by completing this template) and in hardcopy, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive to the Commission by **31 August 2011**.

In completing this template it is essential to focus on the application of Section 75 and Section 49. This involves progressing the commitments in your equality scheme or disability action plan which should lead to outcomes and impacts in terms of measurable improvement for individuals from the equality categories. Such outcomes and impacts may include changes in public policy, in service provision and/or in any of the areas within your functional remit.

Name of public authority (Enter details below)

CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

Equality Officer (Enter name and contact details below)

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DDO (if different from above):

Please indicate whether you would prefer to receive correspondence from the Commission by:

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S75 Executive Summary

- What were the key policy/service developments made by the authority during this reporting period to better promote equality of opportunity and good relations and what outcomes were achieved?

The Civil Service Commissioners for Northern Ireland are fully committed to promoting equality of opportunity and good relations in all areas of their work in line with Section 75 of the Northern Ireland Act 1998.

The Commissioners' primary role is to regulate appointments to the Northern Ireland Civil Service (NICS) to ensure these are made on merit on the basis of fair and open competition. Appointments to the NICS must be made in line with the expectations set out in the Commissioners' Recruitment Code. Commissioners audit NICS recruitment policies and practices followed in making appointments to the NICS to establish whether the Recruitment Code is being observed. Commissioners are committed to continuing to work in close partnership with all key stakeholders to uphold the Merit Principle and promote public confidence in NICS recruitment.

The Commissioners' 2010/11 Business Plan included an objective to fulfil effectively all statutory equality responsibilities and encourage the NICS to promote diversity, equality and good relations via the recruitment process.

During this reporting period, Commissioners continued to use their template to ensure that Human Rights issues were considered in their decision-making processes.

A key area of work during 2010/11 was a review of the Recruitment Code. As part of the review process, in September 2010, Commissioners issued a formal consultation document to seek views on a revised Code. An initial Equality and Human Rights screening of the revised Code was undertaken and, as a result, it was determined that a full equality impact assessment was not required. Consultees were, nevertheless, invited to let Commissioners know if, on examination of the draft Code, they found that any aspect of the proposals might have a differential impact on any Section 75 group. A summary of the outcome is outlined in Section 1.

Commissioners have, during this year, continued to promote their roles and responsibilities to stakeholders. It is important that stakeholders, and crucially the public, understand the Commissioners' independence and

regulatory role as this is a key factor in promoting public confidence in recruitment to the NICS.

Monitoring the Recruitment Code

Audit is one of the primary regulatory tools available to Commissioners to establish whether or not the expectations of the Recruitment Code are being observed during NICS recruitment. It presents an important independent challenge function, the primary aim of which is to seek an assurance that the Merit Principle is being upheld.

Revised Approach to Audit

During 2010/11, Commissioners commenced work on the development of a revised approach to audit in order to provide greater assurance to Commissioners that the requirements of the Recruitment Code were being met. To this end Commissioners established an Audit sub-group to review the current approach to audit and bring forward recommendations for a new approach to:

- establish the extent to which the Recruitment Code and its principles are being observed in both the interpretation and application of the Merit Principle;
- ensure audit is an effective and accepted mechanism to drive sustained improvement;
- ensure that the permissive nature of the Recruitment Code does not reduce the Commissioners’ ability to audit and regulate recruitment to the NICS; and
- inform the publication of recruitment-related information.

A summary of this work is outlined in Section 1.

NICS Recruitment and Selection Training

Commissioners regard appropriate training and skills development as fundamental to ensuring adherence to the principles set out in the Code. During the year, Commissioners continued to engage with the NICS in

relation to progress reports on the implementation of the Effectiveness of Training Audit recommendations. A very positive outcome resulting from the audit was the re-design and development of the NICS recruitment and selection training to address our concerns. In October 2010, Commissioners, as chairs of selection panels for the appointment of Senior Civil Servants, were delighted to attend the course which included the structure of the process, the skills of those involved and the recruitment context, including equality issues, disability awareness and any current and forthcoming legislation.

Chairing Senior Civil Service (SCS) Competitions

Throughout this reporting period, Commissioners continued to undertake the role of panel chair for all external competitions for appointments to the Senior Civil Service (SCS). This enabled Commissioners to oversee the process and ensure fairness and commonality of approach and has proven to be an effective means of promoting the Merit Principle and of ensuring that the recruitment principles are upheld.

4-Stage Authorisation Procedure

Throughout the year, the Commissioners' Secretariat continued to scrutinise all SCS competitions to ensure that they fully complied with the Commissioners' agreed 4-stage authorisation procedure. During the year Commissioners streamlined the process, to better clarify the roles and responsibilities of each party and to remove duplication in the checking processes.

Meetings with the NICS

Commissioners held regular meetings with the Head of the Civil Service, the Permanent Secretaries Group (PSG) and the PSG Sub-group to discuss the broader strategic direction of the NICS and explore the potential impact of this in terms of selection and recruitment policy and practice.

Commissioners carried out a programme of Links meetings with Departmental Permanent Secretaries and senior HR officials to explore issues of concern and ideas for development and improvement.

Commissioners had regular meetings with senior representatives of CHR to discuss issues of concern and help inform and shape recruitment policy and encourage best practice.

During all meetings with NICS representatives, Commissioners continued to seek to use their influence to encourage the NICS to take proactive measures to promote diversity, equality of opportunity and good relations throughout all stages of the recruitment process. Commissioners consider this to be crucial if the NICS is to be as reflective as possible of the community it seeks to serve and believe that using their influence makes a positive contribution in this area.

Secretariat

Staff in the Secretariat include targets in relation to equality duties and responsibilities in their forward job plans which are reviewed bi-annually. Staff also identify training needs aimed at raising their awareness of the statutory duties.

Raising awareness and understanding

As part of the induction of Commissioners and members of the Secretariat, equality responsibilities and diversity awareness are explored, to ensure their understanding of equality issues are sound and up-to-date. During 2010/11, Commissioners engaged with Dr John Kremer, an applied social psychologist with particular expertise in equality and diversity, to present an overview of Section 75 issues and advice on the development of a revised Equality Scheme and notable developments in the equality arena. The session with Dr Kremer enhanced Commissioners' understanding, knowledge and awareness of their statutory duties.

Commissioners also continued to take advice from Dr John Mallon, NISRA, who kept Commissioners informed about the implementation of the Statistics and Registration Act 2007 and the implications of this for Commissioners. The sessions with Dr Mallon provided Commissioners with a clearer and deeper insight into the use, analysis and impact of data in competitions, which then informed discussions with the NICS in an effort to ensure that panels were well-equipped to address diversity considerations in recruitment. Commissioners engaged closely with NISRA in seeking to

establish improvements in the understanding and interpretation of recruitment-related information for the Annual Report.

Disability Action Plan

During this reporting period, Commissioners continued to honour the commitments in their Disability Action Plan which sets out measurable actions to promote positive attitudes towards disabled people and encourage participation by disabled people in public life.

Good Relations Strategy

During this reporting period, Commissioners continued to honour their commitment to promote good relations by seeking to promote public confidence in the recruitment to NICS, ensuring that issues around under-representation were highlighted and discussed as appropriate with the NICS. Commissioners pursued these aims by seeking to influence the senior representatives of the NICS, as appropriate. All end-year progress reports and other documents were published on the Commissioners' website which has been updated to facilitate the downloading of information and the completion of forms.

- What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of opportunity and good relations for individuals from the nine categories covered by Section 75?

A Business Plan was prepared by Commissioners setting out the strategic direction for the three year period 2011 – 2014. It outlines the Commissioners' 3-year strategic priorities and the specific actions to be taken during 2011/12 that will contribute to the achievement of those priorities. All the objectives, targets and actions contained within the Plan, have been developed to support Commissioners to fulfil their statutory responsibilities to uphold the principle that selection for appointment to posts in the NICS should be on merit on the basis of fair and open competition and to safeguard ethics within the NICS.

Strategic issues Commissioners will focus on during this period are to:

- be an exemplary regulator; guard the Merit Principle; promote equality and diversity; and examine complaints under the NICS Code of Ethics and thereby promote public confidence in recruitment to the NICS;
- ensure the work of the Commissioners is led strategically, in order that they can fulfil effectively their role and responsibilities;
- secure, deploy and account skilfully and effectively for the financial and other resources made available to Commissioners; and
- strive for innovation and continuous improvement in the working methods, systems and procedures adopted by Commissioners in discharging their statutory role and responsibilities.

Commissioners have a specific objective in the 2011/12 Business Plan to fulfill all statutory equality obligations as a public authority in line with Section 75 of the Northern Ireland Act 1998. A target has been set to encourage the NICS to promote equality, diversity and good relations via the NICS recruitment process. Specific actions to achieve this target include:

- within the required timescales, undertake a review of the Commissioners' Equality Scheme following publication of relevant guidance by ECNI;
- by end August 2011, submit to ECNI an Annual Report on the implementation of the Commissioners' 2010/11 Equality Plan and include a report on the implementation of the Commissioners' Disability Action Plan;
- continue to encourage the NICS to ensure that panels are equipped to address diversity considerations in selection and recruitment processes;
- as necessary, comment on progress reports on implementation of the NICS Employment Equality & Diversity Plan insofar as it relates to recruitment; and
- where possible and appropriate, promote, to the NICS, the positive benefits of supporting and employing people from all Section 75 Groups.

Commissioners will evaluate progress towards both the strategic priorities and the annual objectives and targets on a quarterly basis and report formally on this in future Annual Reports.

Commissioners are fully committed to working in close partnership with key stakeholders in order to achieve the strategic priorities outlined in the 2011/12 Business Plan. The NICS, and in particular the Permanent Secretaries of the NI Departments and representatives of CHR in the Department of Finance & Personnel (DFP), have a shared interest in protecting the Merit Principle, upholding the Code of Ethics and promoting public confidence in recruitment to the NICS. Commissioners will continue to work closely with these key stakeholders in order to achieve these common goals.

Chairing SCS Competitions

Commissioners will continue to chair all SCS external competitions for appointments to the SCS and develop a better understanding of the operation of NICS recruitment processes and policies. Commissioners will continue to use their influence to encourage the NICS to produce appropriate diversity data to enable panels to consider diversity and outreach issues during the recruitment process. This will give Commissioners the opportunity to oversee the process and ensure fairness and commonality of approach.

4-Stage Authorisation Process

The Commissioners' Secretariat will continue to scrutinise all SCS competitions to ensure that they comply fully with the Commissioners' agreed 4-stage authorisation procedure.

Review of the Commissioners' Recruitment Code

During 2011/12, Commissioners will launch the revised Recruitment Code with key NICS Departmental stakeholders and HRConnect representatives. The new Code aims to provide advice and guidance so that all those involved in the recruitment process can understand the requirements of the Code and how these might be satisfied.

Meetings with NICS

A programme of regular meetings will be scheduled with the Head of the Civil Service, the Permanent Secretaries Group and CHR. The regular meetings with senior representatives of CHR will progress key priorities identified in the Commissioners' 2011/12 Business Plan, in particular the implementation of the NICS Employment Equality and Diversity Plan, the revised approach to audit and the recommendations arising from the Effectiveness of Training Audit.

Secretariat

Staff in the Secretariat will continue to include targets and references to equality and Section 75 in their forward job plans and personal development plans and to review them twice a year. Staff will identify training needs aimed at raising awareness and enhancing knowledge and understanding of the statutory duties.

Raising awareness and understanding

Commissioners will continue to actively seek opportunities to ensure that their understanding of equality issues is sound and up-to-date. This will include awareness sessions and further engagement with, for example, Dr John Kremer to further develop the Commissioners' understanding, knowledge and awareness of their statutory duties and Dr John Mallon (NISRA) on the implications of the implementation of the Statistics and Registration Act 2007 and how best to consider diversity and equality data.

Disability Action Plan

Commissioners will continue to implement, monitor and report on actions and targets set out in the Disability Action Plan and actively seek opportunities to promote positive attitudes towards disabled people and encourage participation by disabled people in public life.

Good Relations Strategy

Commissioners will continue to proactively seek opportunities to promote good relations by seeking to promote public confidence in the NICS. Commissioners will use their influence to seek to ensure that issues around under-representation are highlighted and discussed with the NICS.

- Please give examples of changes to policies or practices which have resulted in outcomes. If the change was a result of an EQIA please tick the appropriate box in column 3 and reference the title of the relevant EQIA in the space provided below:

A key aspect of the Commissioners' work is to use their influence to encourage the NICS to take proactive measures to promote equality of opportunity and good relations throughout all stages of the recruitment process. Commissioners have adopted a partnership approach to working with the NICS in bringing about improvements in recruitment practices and policies to ensure equality of opportunity for all Section 75 groups. Commissioners used their influence to help shape and develop the NICS Employment Equality and Diversity Plan and have been provided with progress reports in October 2009 and May 2011.

	Outline change in policy or practice which have resulted in outcomes	Tick if result of EQIA
Persons of different religious belief	• N/A	
Persons of different political opinion	• N/A	
Persons of different racial groups	• N/A	
Persons of different age	• N/A	
Persons with different marital status	• N/A	
Persons of different sexual orientation	• N/A	
Men and women generally	• N/A	
Persons with and without a disability	• N/A	
Persons with and without dependants	• N/A	

- Title/s of EQIAs referenced: N/A

Section 1: Strategic Implementation of the Section 75 Duties

- Please outline evidence of progress made in developing and meeting equality and good relations objectives, performance indicators and targets in corporate and annual operating plans during 2010-11

All Commissioners are involved in ensuring that commitments under Section 75 are met. Targets and objectives within the Equality Scheme were incorporated into the Commissioners' Strategic Priorities: 2008-11 & Business Plan 2010/11. The associated objectives and tasks for the Secretariat were included in their forward job plans and assessed via the performance management system. An acknowledged expert in equality and diversity is invited annually to update Commissioners on developments and to advise on best practice. A quarterly review (linked to the quarterly review of the Business Plan) on the implementation of the Good Relations Strategy and the Disability Action Plan has become an effective tool to maintain momentum and focus on the implementation of plans and in making Equality Scheme, Good Relations Strategy and Disability Action Plan commitments an integral part of Commissioners' role.

The following provides evidence of progress against key targets set by Commissioners for the 2010/11 business year:

Target 1 – To be an exemplary regulator; guard the Merit Principle; promote equality and diversity; examine complaints under the NICS Code of Ethics; and thereby promote public confidence in recruitment to the NICS.

Revised Recruitment Code

A key area of work during 2010/11 has been a review of the Recruitment Code. In reviewing the Code, Commissioners examined a number of important issues including, in particular, our expectations; the circumstances necessary for these to be satisfied; and how the Code should be interpreted and applied. We also examined the arrangements for Ministerial involvement in appointments and the requirements of those appointments made by way of exception to the Merit Principle. We took account of changes in the wider environment which impact on recruitment to the NICS.

As part of the review process, in September 2010, Commissioners issued a formal consultation document to seek views on the revised Recruitment Code. Consultees were invited to comment on the content, structure, layout

and language of the revised Code and to consider if the provisions of the Code, if fully adhered to, were sufficient to promote confidence in recruitment to the NICS. Consultation closed on 30 November 2010.

Consultees were advised that an initial Equality and Human Rights screening of the revised Code had been undertaken and, as a result, it was determined that a full equality impact assessment was not required. However, consultees were invited to let Commissioners know if, on examination of the draft Code, they found that any aspect of the proposals might have a differential impact on any Section 75 group.

The outcome of the consultation process did not identify any differential impact. The main points made by those who commented on the draft Code can be summarised as follows:

- it was suggested that it might be helpful to more clearly define a number of terms used in the Code;
- the further clarity provided in relation to the Commissioners' expectations and how the requirements of the Code might be satisfied was welcomed;
- it was suggested that it might be timely to review the Civil Service Commissioners for Northern Ireland General Regulations 2007 which set out the circumstances in which appointments by way of exception to merit might be permissible;
- there were no concerns in relation to any potential differential impact on any Section 75 group; and
- one specific concern was raised in relation to the need to ensure fair treatment of people with criminal convictions.

After detailed consideration of all the views and comments received, a number of amendments were made to the Recruitment Code. The new Code seeks to provide greater clarity on the interpretation and application of the Merit Principle so that all those involved in the recruitment process may understand better the requirements of the Code and how these might be satisfied in practice. Commissioners' plan to publish a copy of the consultation response document and the revised Code in the Autumn.

These will be available on the Commissioners' website at www.nicscommissioners.org.

Audit

The Commissioners' primary role is to regulate recruitment to the NICS, at all levels, to ensure that the Merit Principle is adhered to, both in spirit and in practice. Commissioners discharge their statutory duties in a number of ways, including:

- auditing recruitment policies and practices followed in making appointments to the Civil Service to establish whether the Recruitment Code is being observed; and
- requiring the publication of such information as Commissioners may specify relating to recruitment and to the use of permitted exceptions to the Merit Principle.

The audit role presents an important independent challenge function. This audit function seeks to ensure that the NICS satisfies the Commissioners' requirements in respect of the Merit Principle, which is underpinned by the four principles set out in the Recruitment Code. Commissioners undertake audits to scrutinise specific aspects of the NICS recruitment process to examine the extent to which the principles of the Recruitment Code are being delivered in practice and the extent to which the Commissioners' expectations are being met. This process is key to safeguarding the Merit Principle and to ensuring that Commissioners, and the general public, can have confidence in NICS recruitment. For Commissioners, the audit process is premised on a spirit of seeking improvement and with a view to sharing knowledge and learning from best practice in other comparable organisations.

Revised Approach to Audit

During 2010/11, Commissioners commenced work on the development of a revised approach to Audit in order to provide greater assurance to Commissioners that the requirements of the Recruitment Code were being met. To this end Commissioners established an Audit sub-group to review the current approach to audit and bring forward recommendations for a new approach to:

- establish the extent to which the Recruitment Code and its principles are being observed in both the interpretation and application of the Merit Principle;
- ensure audit is an effective and accepted mechanism to drive sustained improvement;
- ensure that the permissive nature of the Recruitment Code does not reduce the Commissioners’ ability to audit and regulate recruitment to the NICS; and
- inform the publication of recruitment-related information.

As part of their work, the Audit sub-group, assisted by the Northern Ireland Statistical Research Agency (NISRA), undertook a benchmarking exercise and worked alongside key internal and external stakeholders, international partners, as well as Departmental Permanent Secretaries and HR Directors. This exercise contributed significantly to the development of a draft Audit Framework which was presented to Commissioners at the end of March 2011. One of the key challenges going forward will be to build on this work, to develop a revised new approach and engage with key stakeholders as to how this will be taken forward. Progress on the implementation of this work will be included in the 2011/12 Report.

NICS Recruitment and Selection Training

During 2010/11, progress reports on the implementation of the agreed recommendations in relation to the Effectiveness of Training Audit have been received and discussed with the NICS on a regular basis. Commissioners regard appropriate training and skills development as fundamental to ensuring adherence to the principles set out in the Code.

We were pleased with the very positive response to the findings of this Audit. In particular, a key outcome of this audit was the re-design and development of the recruitment and selection training to address our concerns. In October 2010, Commissioners, as chairs of selection panels for the appointment of Senior Civil Servants were delighted to attend the course which included the structure of the process, the skills of those

involved and the recruitment context, including equality issues, disability awareness and any current and forthcoming legislation.

Target 2 – To promote equality, diversity and good relations in line with Section 75 of the Northern Ireland Act 1998.

Commissioners are fully committed to the promotion of equality, diversity and good relations and seek to use their influence with the NICS at every opportunity to promote and encourage equality of opportunity and good relations through NICS recruitment practices. During the reporting period, Commissioners further developed their constructive relationships with the Head of the Civil Service, the Permanent Secretaries and other senior NICS representatives. They consulted with the NICS on a number of significant areas, including the provision and use of diversity data required by panels in preparation for competitions. Commissioners used their influence to help shape and develop the first NICS Employment Equality and Diversity Plan, and received progress reports in October 2009 and May 2011. During the reporting period, Commissioners continued to adopt a successful partnership approach to working with the NICS, which has allowed them to explore key issues and concerns together in greater depth and enhance the shared understanding of the common objectives to protect the Merit Principle and promote public confidence in recruitment to the NICS. Commissioners will continue to work with the NICS to ensure that recruitment panels have access to appropriate and improved data to inform diversity considerations.

Section 2: Screening

- Please provide an update of new/proposed/revised policies screened during the year.

Commissioners have a very specific remit which focuses on regulating recruitment to the NICS, ensuring that appointments are made on merit on the basis of fair and open competition. The Commissioners' main policy, the Recruitment Code, which is under review, sets out the essential principles on which Commissioners believe recruitment to the NICS must be based and compliance with it is mandatory. Commissioners included an objective in the 2010/11 Business Plan to review the Code. An Equality and Human Rights screening was carried out and found that a full EQIA was not required. Nevertheless all consultees were invited to consider if any aspect of the Code had a differential impact on any Section 75 group. The consultation ran from 1 September until 30 November 2010. In total, twenty organisations contributed by submitting written responses, participating in workshops and / or attending meetings. The outcome of the consultation process did not identify any differential impact. Commissioners plan to publish a copy of the consultation response document and the revised Code in the Autumn.

Title of policy subject to screening	Was the <u>F</u> ull Screening Report or the <u>R</u> esult of initial screening issued for consultation? <i>Please enter <u>F</u> or <u>R</u></i>	Was initial screening decision changed following consultation? <u>Yes/No</u>	Is policy being subject to EQIA? <u>Yes/No</u> ? If yes indicate year for assessment.
Revised Recruitment Code	Consultees were advised of the outcome and given access to a copy of the initial screening document on the Commissioners' website. All consultees were encouraged to let Commissioners know if they	N	N

	considered that any aspect of the proposals might have a differential impact on any section 75 group.		
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Section 3: Equality Impact Assessment (EQIA)

- Please provide an update of policies subject to EQIA during 2010-11, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2011-12.

EQIA Timetable – April 2010 - March 2011

Title of Policy EQIA	EQIA Stage at end March 2011 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals, and the relevant Section 75 categories due to be affected.
N/A		

- Where the EQIA timetable for 2010-11 (as detailed in the previous annual S75 progress report to the Commission) has not been met, please provide details of the factors responsible for delay and details of the timetable for re-scheduling the EQIA/s in question.

N/A

Ongoing EQIA Monitoring Activities April 2010- March 2011

Title of EQIA subject to Stage 7 monitoring	Indicate if differential impacts previously identified have reduced or increased	Indicate if adverse impacts previously identified have reduced or increased
N/A		

- Please outline any proposals, arising from the authority’s monitoring for adverse impacts, for revision of the policy to achieve better outcomes the relevant equality groups:

2010-11 EQIA Time-table

During 2010/11, Commissioners carried out a review of the Recruitment Code. An Equality and Human Rights screening was carried out and found that a full EQIA was not required. To ensure that any equality, diversity and adverse impact considerations were taken into account during the review process, all consultees were invited to consider if any aspect of the Code had a differential impact on any Section 75 group. The outcome of the consultation process did not identify any differential impact. The Secretariat will continue to liaise with ECNI representatives to ensure any consultation is carried-out in line with ECNI requirements and good practice.

2011-12 EQIA Time-table

Title of EQIAs due to be commenced during April 2011 – March 2012	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6
N/A		

Section 4: Training

- Please outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision and conclusions from any training evaluations.

The Commissioners’ Training and Development Plan reinforces their commitment to continue to ensure that all Commissioners and the Secretariat receive equality / Section 75 training, including awareness training, as appropriate. Commissioners and the Secretariat remain committed to receiving timely training and guidance on issues that will ensure that their Section 75 statutory duties are effectively understood and implemented and to keep up-to-date with recent developments.

Commissioners, via the Secretariat, are proactive in identifying opportunities to further their understanding of equality–related issues and recent developments. During the reporting period, the Secretariat made

arrangements for a number of training/awareness–raising sessions, including:

Induction Training

A comprehensive programme has been developed for the induction of new Commissioners and the Secretariat. One section focuses on the importance of, and responsibilities in relation to, equality and diversity, which includes an overview of: the Commissioners' equality and diversity duties; the Commissioners' Equality Scheme; the Equality Scheme Implementation Plan; the Disability Action Plan; and the Good Relations Strategy.

Equality & Diversity

John Kremer, an applied social psychologist and expert on matters relating to equality and diversity, presented an awareness session for the Commissioners and the Secretariat on 28 March 2011 to provide an update on notable developments in the equality arena and on the potential implications of recent case law on recruitment and selection. He also provided advice and guidance on key issues and ECNI requirements for revising the Commissioners' Equality Scheme.

All Commissioners and Secretariat completed Equality & Diversity e-learning through Diversity Now in April 2011.

Presentation by Dr John Mallon

Dr John Mallon from NISRA attended a meeting with Commissioners in March 2011 to share his professional knowledge on data, how it can be analysed, challenged and evaluated, how to manage adverse impact and consideration of NICS-wide data in the diversity profiles of candidates in SCS competitions. Dr Mallon also contributed to the work of developing a revised approach to audit. A key output of this work was the development of an Audit Framework, which reflects his advice on how best to seek recruitment-related information to ensure appointment to the NICS is made on merit, on the basis of fair and open competition.

Human Rights

During this reporting period, Commissioners continued to consider the Human Rights Policy Statement and flowchart which they developed and to ensure that Human Rights issues are considered in all decision-making processes.

A member of the Secretariat attended an event organised and facilitated by ECNI/NIHRC to launch the UNCRPD (United Nations Convention on Rights of People with Disabilities).

Selection and Recruitment Training

Commissioners attended selection and recruitment training facilitated by the Centre for Applied Learning (CAL) on 4 October 2010. This was designed to update and enhance Commissioners' knowledge and skills in five key areas: Strategy, Operations, Legislation, Standards and Panel Member Interviewing.

Section 5: Communication

- Please outline how the authority communicated progress on delivery of the Section 75 Duties during the year and evidence of the impact/success of such activities.

The primary means of communication is via the Commissioners' website. Annual updates are posted on the site to reflect progress made in relation to the implementation of equality duties, good relations duties and duties under the Disability Discrimination Act.

The Commissioners' Business Plan is published on the website and all details in relation to the equality duties are included within the associated targets and objectives.

Commissioners publish their Annual Report on the website and key stakeholders, including all Section 75 groups are made aware the Report is available on the website. The Annual Report includes a section on promoting equality and diversity providing detail on how the Commissioners have met their statutory obligations during the reporting period.

Section 6: Data Collection & Analysis

- Please outline any systems that were established during the year to supplement available statistical and qualitative research or any research undertaken/commissioned to obtain information on the needs and experiences of individuals from the nine categories covered by Section 75, including the needs and experiences of people with multiple identities.

Commissioners rely on DFP to provide recruitment monitoring and statistical information in relation to the composition of the NICS and applications for recruitment competitions. Commissioners have, on a number of occasions during this reporting period, highlighted to the NICS the importance of securing relevant diversity recruitment-related data and continue to encourage the NICS to develop appropriate mechanisms to ensure that recruitment panels have access to relevant data so as to inform diversity considerations during the recruitment process.

Commissioners welcome the introduction of the Statistics and Registration Act 2007, which, as implementation progresses, transfers responsibility for the collation and provision of data to NISRA. NISRA report direct to The UK Statistics Authority who determine and assess compliance with the Act.

- Please outline any use of the Commission's Section 75 Monitoring Guide.

Commissioners make use of the ECNI Section 75 Monitoring Guide as a reference document.

Section 7: Information Provision, Access to Information and Services

- Please provide details of any initiatives/steps taken during the year, including take up, to improve access to services including provision of information in accessible formats.

All publications are available in alternative formats on request. The Commissioners' website is currently being upgraded to allow easier accessibility through compliance with PAS78 regulations (Guide to good practice in commissioning accessible websites) and easier navigation for all users.

Section 8: Complaints

- Please identify the number of Section 75 related complaints:
 - received and resolved by the authority (including how this was achieved);
 - which were not resolved to the satisfaction of the complainant;
 - which were referred to the Equality Commission.

Commissioners have a complaints procedure in relation to the Equality Scheme. Where a person believes that he/she has been directly affected by a failure of the Commissioners to comply with the Equality Scheme, he/she should, in the first instance, bring the complaint to the attention of the Office of the Civil Service Commissioners for Northern Ireland. The Commissioners aim to respond within one month. No Section 75 complaints were received during the reporting period and there are no ongoing complaints.

Section 9: Consultation and Engagement

- Please provide details of the measures taken to enhance the level of engagement with individuals and representative groups during the year.
- Please outline any use of the Commission's guidance on consulting with and involving children and young people.

During the reporting period Commissioners consulted ECNI and other key stakeholders (including NIHRC and Section 75 groups) in relation to revising the Commissioners' Recruitment Code. Commissioners also engaged with ECNI and a number of key stakeholders including other regulatory bodies while undertaking research into developing a revised approach to audit. Commissioners will continue to liaise with ECNI representatives to ensure any consultation is carried out in line with ECNI requirements and good practice.

Commissioners received a copy of the ECNI Summary Guidance on Consulting with and involving Children and Young People. Commissioners consider this guidance, in conjunction with all other ECNI guidance issued, as a reference document.

Section 10: The Good Relations Duty

- Please provide details of additional steps taken to implement or progress the good relations duty during the year. Please indicate any findings or expected outcomes from this work.

Commissioners have a clearly defined area of responsibility and published a Good Relations Strategy in 2006 and refreshed it in 2007. The Strategy, which is reviewed on a quarterly basis each year, concentrates on general aspects of promoting good relations through encouraging diversity by means of the Commissioners' functions and roles. The Good Relations Strategy consists of 3 main strands:

- Commissioners carrying out their statutory responsibilities in a totally objective manner and in a context which emphasises accessibility, diversity, equality of opportunity, fairness, transparency and merit;
- building constructive relationships with those involved in designing and operating recruitment policies and practices on behalf of the NICS; and
- appreciating the expectations and concerns of people interested in applying for jobs in the NICS and of stakeholder groups representing their interests.

The Strategy sets out key action points in relation to each of these strands. The Good Relations Strategy implementation plan has been monitored in-year by the Commissioners and is reviewed quarterly as part of the business planning process. The end-of-year position of progress against actions was reported to Commissioners at the end of 2010/11 and published on the website in April 2011. Commissioners believe that the Good Relations Strategy helps demonstrate their commitment to promoting good relations when carrying out their responsibilities to ensure appointment on merit and to safeguard ethics in the NICS. They recognise the importance of embracing diversity in attracting candidates to apply to the Civil Service and will continue to use their influence with the NICS and other interest groups to promote good relations and equality.

As reported in the Executive Summary, Commissioners have consulted with the NICS on a number of significant areas, including: the provision and use of diversity data required by panels in preparation for competitions; contributed to the NICS Employment Equality and Diversity Plan and were provided with progress reports in October 2009 and May 2011. During 2011/12, Commissioners will continue to work with the NICS to ensure that

recruitment panels have access to appropriate and improved data to inform diversity considerations.

- Please outline any use of the Commission's Good Relations Guide.

Commissioners make use of the Commissions' Good Relations Guide as a reference document.

Section 11: New/Revised Equality Schemes

- If the Commission has notified you of its intention to request a new/revised scheme or formally requested a new/revised scheme and associated action plan, please outline below what progress has been made in this reporting period.

The Civil Service Commissioners received a formal request for a revised scheme and associated action plan on 1 May 2011 and work on this is underway. Members of the Secretariat met with ECNI staff and are continuing to liaise with them in relation to the review process and ECNI requirements.

Section 12: Additional Comments

- Please provide any additional information/comments.

Commissioners are fully committed to using their influence, where possible, with the NICS to encourage diversity and equality of opportunity through the recruitment practices to help create a Civil Service which broadly reflects the diversity of the community it seeks to serve.

Annual Report 1 April 2010 / 31 March 2011
'Disability Duties' Questions

1. How many action measures for this **reporting period** have been

8

Fully
Achieved?



Partially
Achieved?



Not
Achieved?

2. Please outline the following detail on **all actions that have been fully achieved** in the reporting period.

2 (a) Please highlight what **public life measures** have been achieved to encourage disabled people to participate in public life at National, Regional and Local levels:

Level	Public Life Action Measures	Outputs ⁱ	Outcomes / Impact ⁱⁱ
National ⁱⁱⁱ			
Regional ^{iv}	Commissioners' Recruitment Code to clearly encourage the NICS to consider how best to facilitate disabled people to compete on merit in fair and open competition with others.	Commissioners have included a statement reflecting their commitment to this expectation in the Recruitment Code. All NICS Departments and Agencies are required to adhere to the Code. Commissioners sought assurances from Corporate HR on actions being taken by the NICS to encourage disabled people into employment with the NICS.	<p>NICS and general public are aware of the Commissioners' expectation in relation to facilitating disabled people to compete on merit.</p> <p>Commissioners were consulted on and played a key role in shaping and influencing the development and implementation of the first NICS Employment Equality and Diversity Plan and were provided with progress reports in October 2009 and June 2011.</p>

	<p>Commissioners' Business Plan to promote the positive benefits of supporting and employing people with disabilities.</p> <p>Recognise the scale of disability amongst our stakeholders by ensuring positive and proportionate imagery on all corporate documentation.</p> <p>Review external and internal communication policies,</p>	<p>Commissioners have regular dialogue with senior NICS representatives and use their influence to encourage and support employment of people with disabilities and seek regular feedback on new initiatives within the NICS.</p> <p>All main corporate documents were reviewed.</p> <p>A comprehensive consultation process</p>	<p>The NICS is aware that Commissioners are committed to monitoring data relating to persons with disabilities.</p> <p>Commissioners are content that their corporate documentation reflects their commitment to the statutory duties in relation to disability. The Commissioners' Annual Report uses font size 14 and introduced a revised lay-out in the 2007/08 Annual Report to ensure that it is more user-friendly and meets the needs of the visually impaired.</p> <p>The Commissioners' website was upgraded and</p>
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	<p>practices and procedures.</p> <p>Ensure training on disability duties and disability legislation is delivered to existing Commissioners, new Commissioners and Secretariat staff.</p> <p>Ensure specialist training is provided for Commissioners and the Secretariat involved in recruitment and selection panels</p>	<p>was held in November 2007 and will be reviewed as necessary.</p> <p>The Secretariat contacted the Omnibus Partnership, a disabled-led group, who delivered a specifically tailored disability training session to all Commissioners and Secretariat staff on 16 June 2009 and will be updated as necessary.</p> <p>All Commissioners and relevant staff attend regular training on recruitment processes and practices within the NICS. Commissioners will use their influence with the NICS to ensure</p>	<p>made more accessible for all users to enable the download of documents and on-line completion of forms. A revised database of consultees has been developed and is kept under regular review.</p> <p>Commissioners and the Secretariat have enhanced their knowledge and understanding of disability duties and any new requirements/changes in legislation have been identified.</p> <p>Commissioners and staff enhance their knowledge and understanding of various strands and elements of the recruitment and selection processes and, in particular, emerging legislative changes and</p>
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	<p>DDA and statutory duties in relation to recruitment to be taken into account when developing terms of reference for the Commissioners' schedule of audits.</p>	<p>that diversity considerations, including the needs of disabled people, are properly considered by recruitment panels. An acknowledged authority in the field of equality and diversity is invited annually to provide Commissioners with updates in relation to legislative changes and emerging case law. Dr Kremer delivered a presentation updating Commissioners on matters related to equality/diversity on 28 March 2011.</p> <p>An appropriate reference has been included in the audits. The findings and recommendations of audits are discussed with the NICS.</p>	<p>relevant case law.</p> <p>NICS and those undertaking audits are aware of the Commissioners' commitment to their statutory duties in relation to disability and of Commissioners' expectations.</p>
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	Discuss with sponsor Department, as appropriate, actions which might help attract disabled candidates to apply for Civil Service Commissioner appointments.	This is raised with the NIO sponsor unit when considering arrangements for competitions to appoint new Commissioners.	Secretariat and Commissioners are content that the issue has been raised for action as appropriate.
Local ¹			

¹**Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

²**Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

³**National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

⁴**Regional**: Situations where people can influence policy decision making at a middle impact level

⁵**Local** : Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

2(b) What **training action measures** were achieved in this reporting period?

	Training Action Measures	Outputs	Outcome / Impact
1	Commissioners and Secretariat staff attended an awareness session on 28 March 2011 to provide an update on notable developments in the equality arena and on the potential implications of recent case law on recruitment and selection.	Advice and guidance received.	Commissioners and the Secretariat enhanced their knowledge and understanding of developments in relation to disability and the possible implications of case law and industrial tribunals which may impact on recruitment and selection decisions. The training session also provided Commissioners with the reassurance that they were up-to-date in relation to any pertinent issues impacting on their remit.
2	All Commissioners and Secretariat completed Equality & Diversity e-learning through Diversity Now in April 2011.	Advice and guidance received.	As above.
3			
4			

2(c) What Positive attitudes **action measures** in the area of **Communications** were achieved in this reporting period?

	Communications Action Measures	Outputs	Outcome / Impact
1	None in this reporting period		

2 (d) What action measures were achieved to ‘**encourage others**’ to promote the two duties:

	Encourage others Action Measures	Outputs	Outcome / Impact
1	Commissioners engage regularly with Permanent Secretaries and senior NICS officials, where equality and diversity are discussed.	Face to face discussion.	Awareness is raised within the NICS of the importance that Commissioners attach to the areas of equality and diversity and to meeting the needs of disabled people.
2			

2 (e) Please outline **any additional action measures** that were fully achieved other than those listed in the tables above:

	Action Measures fully implemented (other than Training and specific public life measures)	Outputs	Outcomes / Impact
1	NONE		
2			
3			

3. Please outline what action measures have been **partly achieved** as follows:

	Action Measures partly achieved	Milestones ² / Outputs	Outcomes/Impacts	Reasons not fully achieved
1	N/A			
2				
3				
4				

² **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

4. Please outline what **action measures have not been achieved** and the reasons why?

	Action Measures not met	Reasons
1	N/A	
2		
3		

5. What **monitoring tools** have been put in place to evaluate the degree to which actions have been effective / develop new opportunities for action?

(a) Qualitative

The Commissioners monitor the Disability Action Plan closely, review and report on it on a quarterly basis. Commissioners discuss reports at regular intervals at business meetings.

(b) Quantitative

The Commissioners monitor the Disability Action Plan closely, review and report on it on a quarterly basis. Commissioners discuss reports at regular intervals at business meetings.

6. As a result of monitoring progress against actions has your organisation either:

- made any **revisions** to your plan during the reporting period or
- taken any **additional steps** to meet the disability duties which were **not outlined in your original** disability action plan / any other changes?

Please delete: ~~Yes~~ / No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Timescale
1			
2			
3			
4			
5			

7. Do you intend to make any further **revisions to your plan** in light of your organisation's annual review of the plan? If so, please outline proposed changes?

No further amendments identified; Disability Plan will be kept under review and amended, as necessary.
