



**St Mary's
University College
Belfast**
A College of Queen's University

Equality Scheme

Drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998

If you have any questions or comments on this scheme or if you require it in an alternative format/language please contact The Human Resources and Equality Manager by any of the following methods:

@ Email: c.hanna@smucb.ac.uk
☎ Telephone: 028 9026 8308

Or if you prefer you can write to:

**Clodagh Hanna
St. Mary's University College
191 Falls Road
Belfast
BT12 6FE**

Foreword

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act.

In our equality scheme we set out how St. Mary's University College proposes to fulfil the Section 75 statutory duties.

We will commit the necessary resources, from those available, in terms of people, time and money to make sure that the Section 75 statutory duties are complied with and that the equality scheme is implemented effectively, and on time.

We commit to having effective internal arrangements in place for ensuring our effective compliance with the Section 75 statutory duties and for monitoring and reviewing our progress.

We will develop and deliver a programme of communication and training with the aim of ensuring that all our staff and board members are made fully aware of our equality scheme and understand the commitments and obligations within it.

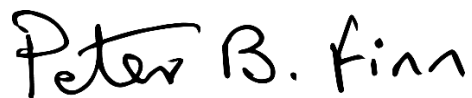
We, the Chair of the Board of Governors and the Principal of the College, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to have a positive influence on how we carry out our functions in line with our Section 75 statutory duties. It also offers the means for people directly affected by what they consider to be a failure, on our part, to comply with our equality scheme, to make complaints.

On behalf of St. Mary's University College and our staff we are pleased to support and endorse this equality scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.

A handwritten signature in black ink that reads "Donal McKeown". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

The Most Reverend Donal McKeown DD
Chair of the Board of Governors

A handwritten signature in black ink that reads "Peter B. Finn". The signature is written in a cursive style with a large initial 'P' and a long, sweeping underline.

Professor Peter Finn KSG
Principal

Date: 30/11/2023

Contents

	Page
Foreword	2
Chapter 1 Introduction	5
Chapter 2 Arrangements for assessing compliance with the Section 75 Duties	8
Chapter 3 Arrangements for consulting	11
Chapter 4 Arrangements for assessing, monitoring and publishing the impact of policies	14
Chapter 5 Staff training	19
Chapter 6 Arrangements for ensuring and assessing public access to information and services provided by St. Mary's University College	20
Chapter 7 Timetable for measures proposed in this equality scheme	22
Chapter 8 Complaints procedure	24
Chapter 9 Publication of equality scheme	25
Chapter 10 Review of our equality scheme	27
Appendix 1 Organisational chart	28
Appendix 2 Example groups relevant to the Section 75 categories for Northern Ireland purposes	30
Appendix 3 List of consultees	31
Appendix 4 Timetable for measures proposed	36
Appendix 5 Glossary of terms	38

Chapter 1

Introduction

Section 75 of the Northern Ireland Act 1998

1. Section 75 of the Northern Ireland Act 1998 (the Act) requires St. Mary's University College to comply with two statutory duties:

Section 75 (1)

In carrying out its functions relating to Northern Ireland, the College is required to have due regard to the need to promote equality of opportunity between

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

Section 75 (2)

In addition, without prejudice to the obligations above, in carrying out its functions in relation to Northern Ireland, the College is required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

2. "Functions" include the "powers and duties" of a public authority¹. Please see paragraph 5 for further information on the College and its core functions.
3. Schedule 9 4. (1) of the Act requires St. Mary's University College as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of the College's arrangements for fulfilling the Section 75 statutory duties and a plan for their implementation.

¹ Section 98 (1) of the Northern Ireland Act 1998.

4. St. Mary's University College is committed to the discharge of its Section 75 obligations in all parts of the organisation and it will commit the necessary resources, from those available, in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that its equality scheme can be implemented effectively.

Who we are and what we do

5. St Mary's University College is a Higher Education Institution located in West Belfast providing courses in Initial Teacher Education for both the primary and secondary sectors (BEd and PGCE), In Service courses for serving teachers, (including M-level courses), and a Liberal Arts degree. Established in 1900, St. Mary's has a long track record of delivering high quality primary and secondary teacher education with a strong faith-based ethos. The purpose of the College is to make a distinctive contribution of service and excellence, in the Catholic tradition, to higher education in Northern Ireland. St. Mary's is an academic community committed to the search for meaning and value in the intellectual life, to academic excellence and to individual attention for students.

St Mary's is a publicly funded private institution. The College is academically integrated with Queen's University Belfast but remains legally and financially autonomous. The College property is owned by the Trustees and the institution is managed by the Board of Governors. The Senior Management Team (SMT) is made up of the Principal, a Director of Corporate Services, a Dean of Staff, and a Dean of Development. The SMT forms strategy and policy and oversees all operational matters. The Principal is the senior officer responsible for the management of the College and reports to the Board of Governors. He is ultimately responsible for all matters relating to staff, students, academic matters and financial affairs. Authority in specified areas, may be delegated by the Principal to the other members of staff in accordance with the Scheme of Delegated Authority.

Core functions of the College are teaching and learning, student support, employment, and procurement. The annual

budget of the College is approximately £10 million, comprising grants from the Department for the Economy and income generated by tuition fees paid by students. A Financial Memorandum between the College and the Department for the Economy sets out the responsibilities of the Governors, accountability and monitoring procedures and regulations for the allocation of funds.

The College has approximately 885 full-time students; 580 are enrolled on the BEd primary and post-primary courses; 285 on the Liberal Arts degree; and 20 are completing the one-year PGCE programme. There are approximately 120 part-time M-Level students.

The Equality Scheme is linked to Strategy 21, the institutional plan for sustainability, available at <http://www.smucb.ac.uk/mission/strategy21.asp>.

Chapter 2

Arrangements for assessing our compliance with the Section 75 duties

6. Responsibility for the effective implementation of the equality scheme lies with the Board of Governors of St. Mary's University College. The Principal is accountable to the Board of Governors for the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998. The Equality and Human Resources Steering Group oversees and reviews the implementation of the Scheme.
7. All questions or comments regarding the equality scheme should be directed to Clodagh Hanna, Human Resources and Equality Manager, (please see front cover for contact details). A response will be provided as soon as possible.
8. Objectives and targets relating to the statutory duties will be integrated into strategic and operational business plans.
9. Employees' job descriptions include the requirement for all staff to comply with its Equal Opportunities policy. Additionally, line managers have specific responsibility for ensuring compliance within their own area. Staff are made aware through training workshops, and online training of the requirement to comply with the College equality policies and procedures. Where appropriate individual job descriptions reflect contributions to the discharge of the Section 75 statutory duties and implementation of the scheme.
10. The College prepares an annual report on the progress it has made on implementing the arrangements set out in this equality scheme to discharge its Section 75 statutory duties (Section 75 annual progress report).
11. The Section 75 annual progress report is sent to the Equality Commission by 31 August each year and follows any

guidance on annual reporting issued by the Equality Commission.

12. Progress on the delivery of Section 75 statutory duties is reported to the Strategic Management Team through the Equality and Human Resources Steering Group and will also be included in the College's annual report.
13. The latest Section 75 annual progress report is available from the Human Resources and Equality Manager. It is also available at:

<http://www.smucb.ac.uk/equalityscheme>
14. The College liaises with the Equality Commission to review progress on the implementation of its equality scheme, for example by submitting annual progress reports.
15. The Equality Commission for Northern Ireland has recommended that all Equality Schemes are accompanied by an Action Plan to address Section 75 inequalities and that such plans should be informed by an Audit of Inequalities.
16. The College has developed an Action Plan which seeks to promote equality of opportunity and good relations.
17. An audit of inequalities gathered and analysed information across the Section 75 categories² to identify any inequalities that may exist for service users and those affected by College policies.
18. The action plan will last for five years to align with the College's corporate planning cycle which is due to be reviewed in 2024. Implementation of the action measures will be incorporated into the College's business planning process. The Chair of the Equality and HR Steering Group oversees and reviews the implementation of the Action Plan.

² See paragraph 1 and Appendix 2 of this equality scheme for a list of these categories.

19. The College will consult on its action plan (Appendix 4) before it is sent to the Equality Commission.
19. The College will monitor progress on the delivery of the action measures annually and update the action plan if considered appropriate, to ensure that it remains effective and relevant to its functions and activities.
20. The College will inform the Equality Commission of any changes or amendments to its action plan and will also include this information in its Section 75 annual progress report to the Equality Commission. Its Section 75 annual progress report will incorporate information on progress the College made in implementing its action plans/action measures.
21. Once finalised, the action plan will be available from the Human Resources and Equality Manager. It will also be available at:

<http://www.smucb.ac.uk/equalityscheme>

Chapter 3

Arrangements for consulting

22. The College recognises the importance of consultation in all aspects of the implementation of its statutory equality duties. Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.
23. The College will consult on matters to which the duty is likely to be relevant, including its equality scheme, action measures and the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (i.e. screening reports and equality impact assessments) in accordance with the principles contained in the Equality Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*'.³
24. Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy³ being consulted upon to ensure they are aware of all consultations. Where appropriate the College will take a targeted approach to consultation for those consultees who may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance.
25. The College will engage with affected individuals and representative groups to identify what their preferred consultation methods are, and will give consideration to these. Consultation with all stakeholders will begin as early as possible.
26. The College will consider the accessibility and format of every method of consultation used in order to remove barriers to the consultation process and ensure meaningful consultation. The College will give particular consideration as to how best to communicate with children and young

³ See Glossary for definition of 'policy'

people, those with disabilities and minority ethnic communities.

27. All relevant information will be made available to consultees in appropriate formats to ensure meaningful consultation. Information will be made available on request, in alternative formats⁴, in a timely manner (i.e. usually within one month of the request being received, unless the timescales of third party providers dictate otherwise e.g. translation providers). Consultees requiring alternative formats will have adequate time to respond.
28. Consultation periods will normally last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), the consultation period may be shortened to eight weeks or less before the policy is implemented. Consultation thereafter may continue to inform the review of the policy as part of our monitoring commitments⁵.
29. However, if the policy must be implemented immediately or the consultation period shortened to eight weeks or less it will be reviewed as part of the monitoring commitment, and comments received will be taken into consideration.
30. In making any decision with respect to a policy adopted or proposed to be adopted, the College will take into account any assessment and consultation carried out in relation to the policy together with any feedback received during consultation.
31. The College provides feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a

⁴ See Chapter 6 of the equality scheme for further information on alternative formats of information we provide.

⁵ Please see Chapter 4 for details on monitoring.

summary of consultees' comments and a summary of the College's consideration of and response to consultees' input. The feedback is normally provided electronically, for example by email or by placing it on the College's website.

32. A list of consultees is included in this equality scheme at Appendix 3. It can also be obtained from our website at <http://www.smucb.ac.uk/equalityscheme>
33. The College's consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.
34. The College welcomes enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact Clodagh Hanna (contact details on the front cover) to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform the College at this stage if you would like information sent to you in a particular format or language.

Chapter 4

Arrangements for assessing, monitoring and publishing the impact of policies

35. The College uses the screening and equality impact assessment (EQIA) tools to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments it relates them to the intended outcomes of the policy in question and follows Equality Commission guidance.
36. The purpose of screening is to identify those policies which are likely to have an impact on equality of opportunity and/or good relations. Screening is completed at the earliest opportunity in the policy development/review process and normally before implementation. For more detailed strategies or policies that are to be put in place through a series of stages the policy decision maker will screen at various stages during implementation.
37. The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening normally involves other relevant staff, for example, human resources and equality staff, those who implement the policy and staff members from other relevant departments.
38. The following questions are applied to all College policies as part of the screening process:
 - What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
 - Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
 - To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)

- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?
39. In order to answer the screening questions, relevant information and data is gathered. In taking this evidence into account the College considers the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.
40. The screening process will lead to one of the following three outcomes:
1. the policy has been ‘screened in’ for equality impact assessment
 2. the policy has been ‘screened out’ with mitigation⁶ or an alternative policy proposed to be adopted
 3. the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
41. If screening concludes that the likely impact of a policy is ‘minor’ in respect of one, or more, of the equality of opportunity and/or good relations categories, the College may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted the College will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.
42. If screening concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity and/or good relations categories, this will normally result in an equality impact assessment being carried out.

⁶ Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and / or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

43. If screening concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, the policy will be screened out.
44. As soon as possible following the completion of the screening process, the screening form will be signed off and approved by those involved in the equality screening process. At an appropriate time, the equality screening form will be made available on request from the Human Resources and Equality Manager or downloaded from the website at:

<http://www.smucb.ac.uk/equalityscheme>

All screening decisions and the reasons to support these will be set out in the screening template.

Consultees will be informed of screening decisions in a bi-annual screening report.

45. If a consultee raises a concern about a screening decision based on supporting evidence, the screening decision will be reviewed.
46. Once a policy is screened and screening has identified that an equality impact assessment is necessary, an EQIA will be carried out in accordance with Equality Commission guidance, normally before implementation.
47. An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.
48. Any EQIA will be subject to consultation at the appropriate stage(s).

Arrangements for publishing the results of the assessments of the likely impact of policies (which have been adopted or it is proposed to adopt) on the promotion of equality of opportunity

49. The College will make publicly available the results of its assessments (screening and EQIA) of the likely impact of its policies on the promotion of equality of opportunity and good relations. The bi-annual screening report should include the following detail:

- all policies screened by the College in the intervening period;
- screening decisions; and
- a link to the completed screening template(s) on the College website for more information on the policy and screening assessment.

50. EQIA reports are published once the impact assessment has been completed. These should include:

- a statement of the aim of the policy assessed;
- information and data collected;
- details of the assessment of impact(s);
- consideration given to measures which might mitigate any adverse impact;
- consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- consultation responses;
- the decision taken; and
- future monitoring plans.

51. All published information is accessible and can be made available in alternative formats on request. Results of assessments (screening reports, completed templates and the results of equality impact assessments) will be available from the Human Resources and Equality Manager and at:

<http://www.smucb.ac.uk/equalityscheme>
52. The College recognises that monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief etc.). In order to carry out monitoring in a confidential and effective manner, the College follows guidance from the Office of the Information Commissioner and the Equality Commission.
53. The College monitors any adverse impact on the promotion of equality of opportunity of policies which it has adopted through policy screening, equality impact assessments and policy/EQIA review. It also recognises that monitoring can identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.
54. In addition, the College reports on its equality profile on an annual basis to its Equality and Human Resources Steering Group. This information will continue to inform screening and EQIAs.
55. Qualitative and quantitative data are collected, collated and analysed across the equality categories on an on-going basis. Equality monitoring systems are reviewed on an on-going basis. New data will be commissioned where necessary. EQIA monitoring information is reviewed on an annual basis, together with other monitoring information.
56. If over a two-year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy

is revised to achieve better outcomes for relevant equality groups.

57. Monitoring information, including EQIA monitoring information, is published as part of the College's Section 75 annual progress report which is available on the College's website or on request.

Chapter 5

Staff training

58. The College recognises that awareness raising and training play a crucial role in the effective implementation of the Section 75 duties. Therefore, it has introduced an effective training and communication programme for all staff, which aims to achieve the following objectives:
- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, the College's equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that staff fully understand their role in implementing the scheme;
 - to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively;
 - to provide those staff who deal with complaints in relation to compliance with the College's equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively;
 - to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively; and
 - to provide those staff involved in the implementation and monitoring of the College's equality scheme with the necessary skills and knowledge to do this work effectively.
59. Furthermore it will ensure that the College's commitment to the Section 75 statutory duties is made clear in all relevant publications.
60. In addition, the following arrangements are in place to ensure all staff and Board members are aware of and understand their equality obligations:
- a summary of this equality scheme will be developed and made available to all staff;

- access to the full equality scheme will be provided for all staff and they will be informed that they can raise queries or questions of clarification from the Human Resources and Equality Manager;
- staff will receive a briefing on the new equality scheme within 6 months of its approval;
- information on the Section 75 statutory duties will continue to be included in induction training for new staff;
- focused training will continue to be provided for key staff who are directly engaged in the implementation of the equality scheme;
- mandatory equality awareness workshops will be provided to ensure staff are aware and understand the College Equality Policies;
- where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups;
- when appropriate and on an on-going basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments;
- training on Section 75 and the new equality scheme will be provided to all members of the Board of Governors;
- where relevant, training and awareness raising programmes may be developed and delivered in association with the appropriate Section 75 groups and staff;
- where appropriate, participants' learning will be assessed. This will also indicate the effectiveness of the training provision;
- the extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission; and
- the College will continue to maintain a record of individual staff who have completed training. This will assist in targeting future training activity.

Chapter 6

Arrangements for ensuring and assessing public access to information and services the College provides

61. The College strives to ensure that the information it disseminates and the services it provides are fully accessible to all parts of the community in Northern Ireland. In line with the general monitoring arrangements the College monitors across all its functions in relation to access to information and services to ensure that equality of opportunity and good relations are promoted. The College keep our arrangements under review to ensure that this remains the case. The College also adheres to the relevant provisions of current anti-discrimination legislation.
62. To ensure equality of opportunity in accessing information, the College provides information in alternative formats on request, where reasonably practicable. This may include Braille, audio formats, and large print or minority languages to meet the needs of those for whom English is not their first language. This list of alternative formats is not exhaustive. Where the exact request cannot be met the College will ensure a reasonable alternative is provided.
63. The College is aware that some groups will not have the same access to information as others and where reasonably practicable will seek to address this. The College will continue to liaise with the Equality Commission and representative organisations with regard to good practice in this area.
64. The College will respond to requests for information in alternative formats usually within one month of the request being received, unless the timescale of the third party providers dictate otherwise.
65. The College will continue to use its website as the primary means of disseminating information.

66. The College endeavours to ensure that all of its services are fully accessible to everyone in the community through its Teaching and Learning Strategy, Widening Participation Strategy, Human Resources Strategy, and its Student Recruitment and Admissions Policy.

Chapter 7

Timetable for measures proposed in this equality scheme

67. Appendix 4 outlines the timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into the College's business planning processes.
68. This timetable is different from and in addition to the College's commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations (as described in Chapter 2). The College has included in its equality scheme a commitment to develop an action plan.

Chapter 8

Complaints procedure

69. The College is responsive to the views of members of the public and will endeavour to resolve all complaints made in relation to its scheme.
70. Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme.
71. If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.
72. A person wishing to make a complaint that the College has failed to comply with its approved equality scheme should contact, Ms Clodagh Hanna, Human Resources and Equality Manager (please refer to the cover page for contact details).
73. Complaints will be acknowledged within 5 working days of being received.
74. The College will carry out an internal investigation of the complaint and will respond substantively to the complainant within one month of the date of receiving the complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.
75. During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.
76. In any subsequent investigation by the Equality Commission, the College will co-operate fully, providing access in a timely

manner to any relevant documentation that the Commission may require.

77. Similarly, the College will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.
78. The College will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

Chapter 9

Publication of the equality scheme

79. The College's equality scheme is available free of charge in print form and alternative formats from the Human Resources and Equality Manager. It is also available online at:

<http://www.smucb.ac.uk/equalityscheme>

80. The following arrangements are in place for the publication of the equality scheme:

- The College will make every effort to communicate widely the existence and content of its equality scheme;
- It will email a link to its approved equality scheme to its consultees on its consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. It will respond to requests for the equality scheme in alternative formats in a timely manner, as described in paragraph 27.

81. A list of the College's consultees is provided at Appendix 4 of the equality scheme available at:

<http://www.smucb.ac.uk/equalityscheme>

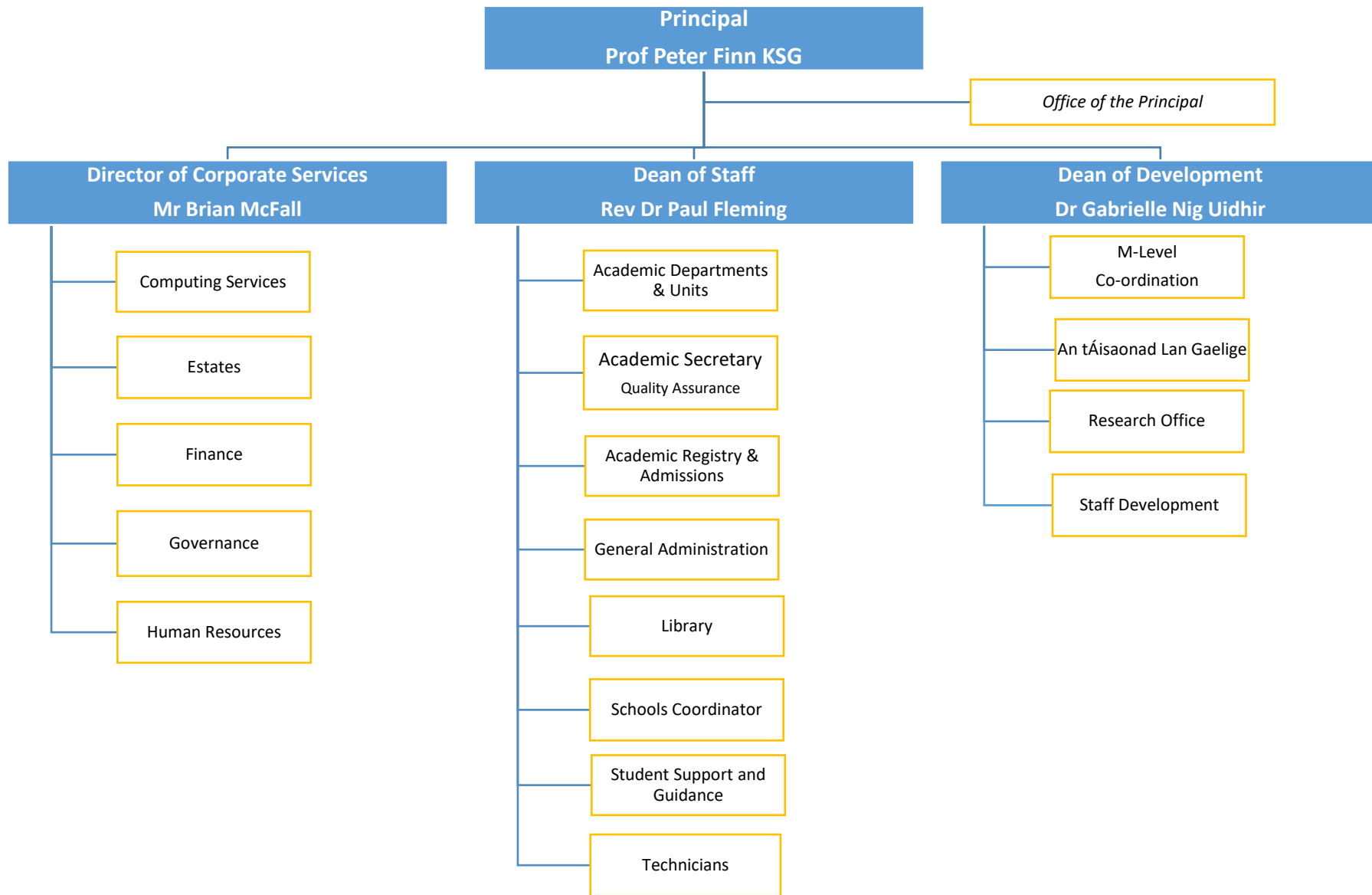
It can also be requested from the Human Resources and Equality Manager using contact details set out in page 1.

Chapter 10

Review of the equality scheme

82. As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 the College will conduct a thorough review of this equality scheme, either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.
83. The review will evaluate the effectiveness of the scheme in relation to the implementation of the Section 75 statutory duties relevant to the College's functions in Northern Ireland.
84. In undertaking this review the College will follow any guidance issued by the Equality Commission.

Appendix 1 Organisational Structure



Appendix 2 Example groups relevant to the Section 75 categories for Northern Ireland purposes

Please note, this list is for illustration purposes only, it is not exhaustive.

Category	Example groups
Religious belief	<p>Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.</p> <p>For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment & Treatment (NI) Order</i>⁷. Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “<i>similar philosophical belief</i>”.</p>
Political opinion ⁸	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995 and subsequent amendments.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

⁷ See Section 98 of the Northern Ireland Act 1998, which states: “*In this Act... “political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.*”

⁸ *ibid*

Appendix 3 List of consultees

(Schedule 9 4. (2) (a))

Action Deaf Youth
Action Mental Health
Action on Hearing Loss
ADD NI
Age NI
Alliance Party of Northern Ireland
An Munia Tobre
Arthritis Care in Northern Ireland
Association for Spina Bifida & Hydrocephalus
Association of Baptists in Northern Ireland
Association of Head Teachers
Autism NI
Aware
Bahai Council for Northern Ireland
Barnardos Northern Ireland
Belfast Butterfly Club
Belfast City Council
Belfast Health & Social Care Trust
Belfast Interface Project
Belfast Islamic Centre
Belfast Jewish Community
Belfast Metropolitan College
Belfast Unemployed Resource Centre
British Council
British Deaf Association (Northern Ireland)
Bryson Charitable Group
Bryson Intercultural
Buddhist Centre
Business in the Community
Cara Friend
Carers Northern Ireland
Catholic Schools Trustee Service
Cedar Foundation
Charter NI
Children's Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association
Clanrye Group
Colin Neighbourhood Partnership
College of Agriculture, Food and Rural Enterprise (CAFRE)
Comhairle na Gaelscolaíochta

Community Foundation for Northern Ireland
Community Relations Council
Confederation of British Industry (NI)
Co-operation Ireland
Council for Catholic Maintained Schools
Council for Curriculum, Examinations and Assessment
Democratic Unionist Party
Department for Communities
Department for the Economy
Department of Education
Disability Action
Disabled Christian Fellowship
Diocese of Down & Connor
Early Years - The Organisation for Young Children
East Belfast Community Development Agency
East Belfast Mission
EastSide Partnership
Education Authority
Education Training Inspectorate
Elim Ireland
Employers for Disability NI
Equality Commission for Northern Ireland
Extern
Falls Community Council
Falls Women's Centre
Federation of Small Businesses
Fermanagh and Omagh District Council
Fibromyalgia Support Northern Ireland
GEMS Belfast
Gender Jam
Gingerbread NI
Include Youth NI
Indian Community Centre
Irish National Teachers' Organisation
Lemis+ Project
LGBT NI
MENCAP NI
Men's Action Network
Methodist Church in Ireland
Mindwise
MS Society Northern Ireland
National Association for Head Teachers
National Union of Students - Union of Students in Ireland
NIACRO

NILGOSC

North West Centre for Learning & Development

North West Regional College

Northern Ireland Anti-Poverty Network

Northern Ireland Chamber of Commerce & Industry

Northern Ireland Chest, Heart & Stroke

Northern Ireland Council for Voluntary Action (NICVA)

Northern Ireland Council Integrated Education (NICIE)

Northern Ireland Deaf Youth Association (NIDYA)

Northern Ireland Gay Rights Association (NIGRA)

Northern Ireland Human Rights Commission

Northern Ireland Sikh Association

Northern Ireland Social Care Council

Northern Ireland Somali Association (NISA)

Northern Ireland Women's Aid Federation

Northern Ireland Women's European Platform

Northern Regional College

NSPCC - Regional Office

Opportunity Youth

Orchardville Society

POBAL

Polish Educational and Cultural Association

PRAXIS

Presbyterian Church in Ireland

Probation Board for Northern Ireland

Progressive Unionist Party

Queer Space

Queen's University

Rainbow Project

Royal National Institute for the Blind (RNIB)

Rural Community Network

Rural Development Council

Sai Pak (NW) Chinese Community Association

SAIL NI

Sense Northern Ireland

Shelter Northern Ireland Ltd

Shine

Simon Community

Sinn Féin

Social Democratic & Labour Party

Society of St Vincent de Paul

South Belfast Partnership Board

South Eastern Regional College

South West College

Southern Regional College
St. Mary's Students Union Executive
Start 360
Stepping Stones
Stranmillis University College
Sudanese Community Association (NI) (SCANI)
The Church of Ireland
The Executive Office
The National Autistic Society Northern Ireland
The Worker's Party
Traditional Unionist Voice (TUV)
Training for Women's Network
Triangle Housing
Ulster People's College
Ulster Scots Agency
Ulster Scots Community Network
Ulster Supported Employment Ltd (USEL)
Ulster Teachers' Union
Ulster Unionist Party
UNESCO Centre
Unison Trade Union
Unite the Union
University and Colleges Union (UCU)
Volunteer Now
Wah-Hep Chinese Community Association
West Belfast Economic Forum
West Belfast Partnership Board
Women's Resource & Development Agency
Women's Support Network
Youth Action Northern Ireland
Youthnet NI

Appendix 4 Timetable for Measures Proposed

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report	Principal	31 August (annually)
Develop an action plan to promote equality of opportunity and good relations.	Principal, Senior Managers and Section Leaders, and the HR and Equality Manager	30 November 2023
Consultation on action plan	HR and Equality Manager	30 November 2023 – 26 February 2024
Implement and deliver an action plan to promote equality of opportunity and good relations	HR and Equality Manager	2024 – 2029
Submit equality scheme to ECNI for approval.	HR and Equality Manager	30 November 2023
Development of summary equality scheme	Principal and the HR & Equality Manager	Within 3 months of approval of Scheme by ECNI
Communication of equality scheme and notification to consultees	HR and Equality Manager	As above
Arrangements for review of the Scheme	HR and Equality Manager	Five years from approval
Publication of screening reports	HR and Equality Manager	Twice yearly publication of summary reports on policies screened

Measure	Lead responsibility	Timetable
Review of equality monitoring information	HR and Equality Manager	Annually
Publication of monitoring information	HR and Equality Manager	Annually in Section 75 Progress Report
Training		
Development of summary scheme for staff and students	HR and Equality Manager	Within 3 months of approval of Scheme by ECNI
Review, plan and implement equality training in relation to Section 75	HR and Equality Manager	Annually or as required for each new and revised policy.
Monitor completion of mandatory online and face-to-face equality awareness training	HR and Equality Manager	Annually
Brief the Board of Governors on the revised equality scheme	Secretary to the Board of Governors	30 November 2023
Assessing access to information and services	HR and Equality Manager	Annually in Section 75 Progress Report

Appendix 5 Glossary of terms

Action plan

A plan which sets out actions a public authority will take to implement its Section 75 statutory duties. It is a mechanism for the realisation of measures to achieve equality outcomes for the Section 75 equality and good relations categories.

Action measures and outcomes

Specific measures to promote equality and good relations for the relevant Section 75 and good relations categories, linked to achievable outcomes, which should be realistic and timely.

Adverse impact

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.

Affirmative action

In general terms, affirmative action can be defined as being anything consistent with the legislation which is necessary to bring about positive change. It is a phrase used in the Fair Employment and Treatment Order (NI) 1998 to describe lawful action that is aimed at promoting equality of opportunity and fair participation in employment between members of the Protestant and Roman Catholic communities in Northern Ireland.

Audit of inequalities

An audit of inequalities is a systematic review and analysis of inequalities which exist for service users and those affected by a public authority's policies. An audit can be used by a public authority to inform its work in relation to the Section 75 equality and good relations duties. It can also enable public authorities to assess progress on the implementation of the Section 75 statutory duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

Consultation

In the context of Section 75, consultation is the process of asking those affected by a policy (ie, service users, staff, the general public) for their views on how the policy could be implemented more effectively to promote equality

of opportunity across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Differential impact

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

Discrimination

The anti-discrimination laws prohibit the following forms of discrimination:

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless: (a) in an age discrimination case, the decision can be objectively justified, or (b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

Indirect discrimination

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

- (a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.
- (b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

Victimisation

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

Harassment

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

Equality impact assessment

The mechanism underpinning Section 75, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

Equality of opportunity

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

Equality scheme

A document which outlines a public authority's arrangements for complying with its Section 75 obligations. An equality scheme must include an outline of the public authority's arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

Good relations

Although not defined in the legislation, the Commission has agreed the following working definition of good relations: 'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'.

Mitigation of adverse impact

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems.

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 screening.

Northern Ireland Act

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

Policy

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as ‘a course or principle of action adopted or proposed by a government party, business or individual’. In the context of Section 75, the term **policies** covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

Positive action

This phrase is not defined in any statute, but the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.

Positive discrimination differs from positive action in that *positive action* involves the taking of lawful actions whereas *positive discrimination* involves the taking of unlawful actions. Consequently, *positive action* is by definition lawful whereas *positive discrimination* is unlawful.

Qualitative data

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis. Consultations are more likely to yield qualitative than quantitative data.

Quantitative data

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine ‘significance’ either in relationships or differences in the data.

Screening

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies. Screening requires a systematic review of existing and proposed policies.

Schedule 9

Schedule 9 of the Northern Ireland Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an equality scheme.

Section 75

Section 75 of the Northern Ireland Act provides that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due

regard to the need to promote equality of opportunity between:-

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

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Section 75 investigation

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme.

There are two types of Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved equality scheme;
2. An investigation initiated by the Commission, where it believes that a public authority may have failed to comply with its approved equality scheme.