

equality scheme
for the
department of education



DEPARTMENT OF EDUCATION
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INVESTOR IN PEOPLE

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Foreword by the Minister for Education

As Minister for Education I am fully committed to the implementation of the Good Friday Agreement of which equality is a central tenet. I will take a close, personal interest in progress in relation to the implementation of this Equality Scheme and will ensure that my Department complies fully with the requirements of Section 75 of and Schedule 9 to the Northern Ireland Act 1998.

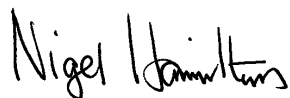
Martin Mc Guinness

**MARTIN McGUINNESS MP MLA
Minister for Education**

Foreword by the Permanent Secretary, Department of Education

The Department of Education is totally committed to the proper implementation of the duties imposed on public authorities by Section 75 of and Schedule 9 to the Northern Ireland Act 1998. These came into operation on 1 January 2000. They provide that a “public authority”, in carrying out its functions in relation to Northern Ireland, shall have due regard to the need to promote equality of opportunity between certain specified individuals and groups, and have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion and racial group.

The Department of Education will fulfil its statutory duties under the legislation and this Equality Scheme sets out how it proposes to do so. I will ensure that the necessary resources, in terms of people, time and money, are made available by the Department to implement this Scheme and that there are effective arrangements in place to ensure compliance and to monitor and review progress. I will also ensure that all officials of the Department are fully aware of and appropriately trained in these statutory duties and that this Scheme is fully implemented by the Department.



NIGEL HAMILTON
Permanent Secretary

Outcome of Consultations on Draft Equality Scheme

Introduction

The Department issued printed copies of its draft Equality Scheme to 450 organisations and individuals. Letters issued to all schools in Northern Ireland and press advertisements aimed at the general public indicated that the draft Scheme was available on the Department's Internet website or from the Department's Equality unit on request. The Scheme was also available on request in Braille, large print, audio-tape and Cantonese versions. No requests for copies of the draft Scheme in these alternative formats were received.

All organisations and individuals who received a copy of the draft Scheme are listed in Annex F. Some 60 consultees responded and of these 13 offered no substantive comments.

In addition, Departmental officials appeared before the Assembly Education Committee to discuss the draft Scheme and the Committee subsequently submitted comments which have been taken into account in the revised Scheme.

All submissions received have been carefully considered. In addition to some points in respect of specific policy issues, a number of common strands emerged. These are discussed in the succeeding paragraphs.

Provision of Resources

A number of respondents noted that whereas the draft Scheme had indicated that "adequate resources" would be provided by the Department in the execution of its Section 75 duties, the Equality Commission Guidelines stated that public authorities should make "the necessary resources" available for this purpose. Although the Department considers that the wording used in the draft Scheme was

not intended to suggest that the Equality Commission's requirements would not be met, it has revised the Scheme to indicate that the Department will make the "necessary resources" available for its statutory equality duties.

The Assembly Education Committee was concerned that the draft Scheme contained no information on the actual financial and human resources which the Department would make available to fulfil its statutory duties. In relation to the human resources issue, in response to the Education Committee, and having regard to similar comments from some other respondents to the consultations, a staff chart has been incorporated in the Scheme at Annex H. This shows the structure of the Department and identifies senior officials with personal responsibility for ensuring compliance with the statutory duties.

The Department, however, wishes to stress that at this early stage it is not possible to quantify the full resource implications which may be required to fulfil the statutory duties. Those costs will emerge as the Scheme is progressively implemented and in the light of any changes which might be required to any policy on completion of the detailed Equality Impact Assessment. Regardless of the costs, the Department must and will secure the necessary resources to ensure implementation.

Explanation of Each Policy

A significant number of consultees indicated that it was difficult to understand what each policy listed in the draft Scheme entailed. While those most closely and directly involved in education had no difficulty with the brief descriptions of individual policies, the Department has responded to this point which was made by a number of organisations. Consequently, the draft Scheme has been amended through the addition of further details at Annex A which provides a description of the nature and purpose of each policy. In addition, adjustments have been made to the main description of some policies to ensure greater clarity.

Cross-cutting Policies

A number of respondents commented on the fact that while the draft Scheme focused on its own policies, there were certain policies where the principal responsibility for ensuring compliance with the statutory equality duties rests with the Department of Finance and Personnel. These policies relate to human resources and procurement policies of the Northern Ireland Civil Service.

The Department accepts that while the Department of Finance and Personnel has the primary responsibility for such policies, the Department has responsibility for the implementation of such policies in respect of the exercise of its functions.

The Department also accepts that in relation to policies which might be developed on a national or international basis, it has a duty to ensure that any equality issues are taken into account in preparing its input to such policy developments.

Relationships with its NDPBs

Several respondents commented on the need for the Department to work closely with its Non-Departmental Public Bodies (such as the Education and Library Boards) in meeting its statutory equality duties. The Department accepts the need for close working relationships with its NDPBs and other partner bodies to ensure that equality issues are properly taken into account by all of the organisations concerned in the operation of policies and the delivery of services. To that end an inter-organisation working group chaired by the Department will provide the necessary mechanisms.

Screening of Policies

In producing the draft Equality Scheme, the Department undertook a systematic review of its policies in full compliance with the Equality

Commission's Guidelines which provide for the screening of policies having regard to criteria laid down in those Guidelines.

All consultees who responded to the consultations accepted those policies which had been identified by the Department during the initial screening process as requiring Equality Impact Assessment. Some respondents considered that the extent of the information contained in the draft Scheme in relation to the nature of individual policies was inadequate to enable them to decide whether or not the Department had legitimately screened these out and, thus, did not require detailed Equality Impact Assessment. A number of consultees expressed concern that the Department had not effectively screened its policies to identify those which should be subject to detailed Equality Impact Assessment. In a few cases, consultees believed that all policies should be subject to detailed Equality Impact Assessment..

Some respondents were concerned that specific policies had been screened out, and requested that the Department schedule these for detailed Equality Impact Assessment. In particular, respondents requested that Equality Impact Assessments be conducted on a number of affirmative action policies which the Department operates to address known inequalities in education outcomes and which were referred to in paragraph 2.5 of the draft Scheme. The Department accepts this point and has included these policies in the list for Equality Impact Assessment in the revised Scheme.

The Department has also reviewed its initial screening of other policies which it had not designated for detailed Equality Impact Assessment in the draft Scheme. As a result of this review some of these have also been included in the list of policies in Annex C and in the timetable for action in Section 11 of this Scheme.

In total, as a result of the consultations, the Department has scheduled a further 12 policies for Equality Impact Assessment.

As for the remaining policies, in the 6 months following the approval of this Scheme, the Department will consult further with the Equality Commission and, having regard to their advice, with major representative groups on these policies. If, after these consultations, it is concluded that any of these policies should be subject to detailed Equality Impact Assessment, it will inform the Equality Commission in writing of its decision(s), including the timetable in which any additional Equality Impact Assessment will be conducted. In addition, the list of policies for which detailed Equality Impact Assessments will be conducted, and the timetable contained in Section 11 of the Scheme, will be amended.

Conduct of Equality Impact Assessments

The Assembly Education Committee and some respondents were concerned that the draft Scheme did not provide sufficient detail on the processes and procedures for the conduct of Equality Impact Assessments. The Guide to the Statutory Duties published by the Equality Commission provide, at Annex 1, the procedure to which all public authorities must adhere in the conduct of such Assessments.

The Equality Commission has indicated that it wishes to work with Government departments and other public authorities on the development of practical guidance for the conduct of Equality Impact Assessments and the Department is fully prepared to participate in this process. The Department will draw on such further guidance as it is developed.

Training

A number of organisations considered that the Department's training plans should provide more detail of the timing and numbers of staff involved. In addition, several representative organisations suggested that the personal knowledge and experience of issues relating to particular groups should be incorporated in equality training of Departmental officials.

Section 7 of the revised Scheme takes these comments into account. Some further details are provided on the training programme for Departmental officials. The Department will actively pursue the development of training with representative groups on a number of issues which are relevant to the implementation of the Scheme.

Equality Scheme for the Department of Education

1. Introduction

1.1 The Department of Education (“the Department”) was established on 2 December 1999 as part of the new Departmental arrangements under Section 21 of the Northern Ireland Act 1998.

1.2 The Department is responsible for strategic policy, legislation and resource issues relating to:-

B pre-school provision;

B education in schools including administration and support services for schools and pupils; and

B youth

In addressing its responsibilities, the Department’s aim is “to ensure that the education service addresses the needs of the community and to lead and support it in doing so”. To meet this aim the Department has developed the following supporting objectives:-

B targeting underachievement and increasing employability;

B supporting teaching and learning;

B targeting the needs of individuals;

B promoting equity and a culture of inclusion;

- B improving the school estate;
- B supporting education partners;
- B promoting improvement and assuring quality in teaching and learning;
- B supporting the changing needs of today's youth;
- B promoting accountability.

1.3 The Department performs this role in partnership with the following executive Non-Departmental Public Bodies (NDPBs) who have responsibility for the delivery of education in schools and in the youth service:-

B Education and Library Boards (5): which are responsible, within their areas, mainly for ensuring that there are sufficient schools of all kinds, the funding of schools under their management, maintaining and meeting the other running costs of maintained schools, the provision of other necessary support and related auxiliary services to all schools, and for securing the provision of youth service facilities.

B Council for Catholic Maintained Schools (CCMS): which is responsible for the employment of teachers in Catholic maintained schools and a range of other, mainly advisory, functions.

B The Northern Ireland Council for the Curriculum, Examinations and Assessment: which advises the Department on matters relating to the curriculum, examinations and assessment, and conducts a range of examinations and assessments.

- B The Youth Council for Northern Ireland:** which advises the Department, the Education and Library Boards and other relevant bodies on the development of the youth service, grant-aids certain youth headquarters bodies and encourages cross-community activity by the youth service.
 - B The Staff Commission for Education and Library Boards:** which exercises general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of the 5 Education and Library Boards and makes recommendations to Boards on such matters.
- 1.4 Annex A to this Scheme sets out the Department’s wide ranging functions and associated policies to deliver them. For the purposes of this Scheme, a “policy” as defined in the Equality Commission’s Guidelines means *“a course or principle of action adopted or proposed by a government, party, business or individual”*.
- 1.5 The Department, as an integral part of the Northern Ireland Civil Service (NICS), fully subscribes to and operates NICS corporate personnel policies which are now subject to the requirements of Section 75 of the Northern Ireland Act 1998. In addition, the Department, in concert with other employing Departments and their Agencies working in conjunction with the Central Personnel Group in the Department of Finance and Personnel, contributes and will continue to contribute positively to the development and maintenance of such policies including any Equality Impact Assessment, through existing NICS-wide personnel for, for example, the Personnel Directors Group. All Northern Ireland Departments and the Northern Ireland Office are represented, at Senior Management (Assistant Secretary) level, on the Personnel Directors Group (PDG). The Group, which is chaired at Under Secretary level by the Central Personnel Group, meets at least 12 times a year to provide leadership and strategic

direction on NICS Corporate personnel policies. In the application of those policies, the Department of Education will continue to ensure that it applies its equal opportunities policies.

- 1.6 While the Department of Finance and Personnel has overall responsibility for procurement policies for Northern Ireland departments, the procurement arrangements for the Department of Education are governed by a Service Level Agreement with the Government Purchasing Agency of the Department of Finance and Personnel. Under this Service Level Agreement, the Government Purchasing Agency has undertaken to comply with all relevant legislation, including the requirements of Section 75 of the Northern Ireland Act 1998.
- 1.7 The Department acknowledges that certain policies may cut across different functions and different Departments (eg New Targeting Social Need (NTSN)). It is also recognised that there are different levels of policy eg UK government manifesto commitments, local policies adopted by Boards and policies implemented by this Department may have been developed elsewhere.
- 1.8 Where the Department of Education has lead responsibility for a policy which requires close co-operation with, or is implemented by other Departments, it will ensure that those other Departments actively participate in any Equality Impact Assessment which may be necessary. This will include, in particular, their participation in a steering group for the Assessment.
- 1.9 Similarly, where this Department has lead responsibility for a policy delivered by NDPBs or other public authorities, it will involve them with any Equality Impact Assessment which may be necessary. The Department will also contribute as necessary and appropriate to Equality Impact Assessments carried out by

other public bodies on their own policies when they derive substantially from the central policies of this Department.

1.10 When, as a result of an Equality Impact Assessment, the Department identifies a significant equality of opportunity issue arising from a UK-wide policy, it will advise the appropriate UK Department of its findings.

1.11 The Department recognises the complementarity between its Section 75 obligations and the NTSN initiative. Focused programmes to redress social disadvantage may be an effective way of promoting equality of opportunity in terms of several Section 75 categories. The Department will seek to develop synergies between NTSN and the statutory obligations. Terry Smyth, who has personal responsibility for the overall review and monitoring of the implementation of the Section 75 obligations within this Department, is also responsible for its implementation of the NTSN policy.

1.12 Section 75(1) of the Northern Ireland Act 1998 ('the Act') requires that the Department:-

“shall in carrying out its functions relating to Northern Ireland, have due regard to the need to promote equality of opportunity:-

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

- 1.13 In addition, without prejudice to its obligation above, Section 75(2) requires that the Department shall, in carrying out its functions relating to Northern Ireland, “have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group”.
- 1.14 Schedule 9 to the Act requires the Department to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75. This Scheme is intended to fulfil that statutory requirement and relates to how the Department carried out all its functions, powers and duties relating to Northern Ireland.
- 1.15 The Department, under the leadership of the Minister for Education, is fully committed to complying with the Section 75 obligations. The Department is committed to ensuring that there are effective internal arrangements in place so that there is effective compliance and also to monitor and review progress. The Department’s Policy and Strategy Group (PSG), chaired by the Permanent Secretary and comprising the Heads of Divisions, will be responsible for the implementation, quarterly monitoring and periodic review of this Equality Scheme. Day-to-day co-ordination and monitoring within the Department will be undertaken by the Department’s Equality Unit under the personal responsibility of Terry Smyth, Head of Equality Rights and Social Inclusion Division¹ who also represents the Department in inter-departmental structures to co-ordinate the implementation of Section 75 obligations. This will also be the central point of contact for the Equality Commission and for complainants.

¹ The officer named and the address given are currently correct. However, over the lifetime of the Scheme it is likely that the postholder and office location will change. In that event, the Department will inform the Equality Commission and consultees listed at Annex F.

An organisational chart showing the structure of the Department's Policy and Strategy Group and Equality Unit is set out at Annex H.

- 1.16 Objectives and targets relating to the statutory obligations have been integrated into the Department's planning regime and will be included in Annual Business Plans. Relevant officials have included implementation of the statutory obligations in their personal responsibility plans. Such relevant officials would be those directly involved in policy development, consultation, or training staff in Section 75 obligations. Staff performance will be monitored and reviewed through performance review arrangements to ensure that these objectives are being fulfilled.
- 1.17 The Department will provide the necessary resources in terms of people, time and money to ensure compliance with its statutory equality duties. Effective arrangements will be put in place to ensure compliance and to monitor and review progress.
- 1.18 The Department is committed to the development and provision of an effective communication and training programme for all appropriate staff on the content of the Equality Scheme, the requirements of the statutory obligations and how the staff will implement this Scheme. (Further details are contained in Section 7.)

2. Procedures for Assessing Compliance with Section 75(1)

2.1 Section 75(1) of the Act requires that the Department “shall in carrying out its functions relating to Northern Ireland, have due regard to the need to promote equality of opportunity” between the specified persons and groups.

2.2 For the purposes of identifying those policies which are likely to have a significant impact on equality of opportunity, the Department has undertaken an inventory of its existing policies (see Annex A). It has conducted a screening exercise on these to determine which policies are appropriate for more detailed Equality Impact Assessment (see Annex B). This screening process was undertaken by considering, in respect of each existing policy, whether in relation to the 9 categories listed at Section 75(1) of the Act:-

- a. there are any inherent risks of adverse impact on the promotion of equality of opportunity; and
- b. there is any potential to enhance equality of opportunity through the policy in question.

2.3 Each policy was subject to consideration using the following criteria during this process:-

- B** Is there any evidence of higher or lower participation or uptake by different groups within any of the 9 categories (see Annex E) in relation to the particular policy?
- B** Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the policy area?

- B Is there any potential to enhance equality of opportunity for any of the 9 categories through the policy in question?

- B Have consultations in the past with relevant representative organisations or individuals within groups indicated that a particular policy creates problems that are specific to them?

2.4 The initial scrutiny, conducted prior to the publication of the draft Scheme, suggested that a number of policies may have an adverse impact on the promotion of equality of opportunity in relation to each of the groups to which Section 75(1) relates, or that the function to which the policy relates may have the potential to enhance equality of opportunity. In the draft Scheme, those policies were identified as requiring a detailed Equality Impact Assessment.

2.5 As a result of the consultations on the draft Scheme, a further number of policies have been identified as warranting detailed Equality Impact Assessment. Annexes B and C to this Scheme reflect these additions.

2.6 However, having regard to the fact that a number of respondents to the consultations were concerned that the Department had screened out other policies from the need for Equality Impact Assessment, the Department undertakes to review those remaining policies, in consultation with the Equality Commission and affected groups over the next 6 months. If after this review the Department considers that further policies should be subject to Equality Impact Assessment, it will notify the Equality Commission and will revise Annexes B and C to this Scheme, and the timetable at Section 11. Any policies proposed by those consulted as appropriate for Equality Impact Assessment which will not be impact assessed will be included in the Department's screening report in its published Annual Review.

2.7 It should be noted that for some months prior to the coming into operation of Section 75 of and Schedule 9 to the Act, action has been ongoing to review the following existing policies:-

- B Arrangements for School Funding (Local Management of Schools).
- B Selective Structure of Post-Primary Education; Transfer Procedure Tests.
- B Promotion of personal and social development of young people through leisure activities.
- B Maintenance of statutory Northern Ireland Curriculum.

2.8 The screening exercise has shown that in relation to each of these reviews an Equality Impact Assessment is required as an integral part of the development of any policies which might be proposed as a result of the reviews.

2.9 In respect of each policy currently identified in Annex C the Department will undertake detailed Equality Impact Assessments to:-

- B determine whether any of these policies has an adverse impact on the promotion of equality of opportunity; and
- B consider and initiate such corrective action as may be required to ensure compliance with its statutory duties under Section 75(1) of the Northern Ireland Act 1998.

2.10 The detailed Equality Impact Assessment of each policy so identified will aim to:-

- a. confirm whether, in respect of each relevant Section 75(1) category, the policy under consideration creates differential impacts between the relevant persons or groups or has the potential to enhance equality of opportunity between groups in terms of outcomes; and
- b. contribute to recommendations, where necessary and appropriate, for action to amend the policy either to remove such differential impact or to provide mechanisms for the enhancement of equality of opportunity.

2.11 The Department will conduct Equality Impact Assessments in accordance with the guidance published by the Equality Commission at Annex 1 of their Guidelines. However, the Equality Commission has indicated that it wishes to work with Government departments and other public authorities on the development of practical guidance for the conduct of Equality Impact Assessments and the Department is fully prepared to participate in this process. The Department will apply such further guidance as is developed.

2.12 Within 3 years of the approval of this Scheme, the Department will conduct detailed Equality Impact Assessments on all of the policies identified in Annex B for such scrutiny. These detailed Assessments have been prioritised having regard to their:-

- B relevance to social need;
- B effect on people's daily lives;
- B effect on economic, social and human rights; and
- B scale of expenditure incurred by the policy.

- 2.13 The proposed timetable for detailed Equality Impact Assessment of policies identified in Annex C is set out in Section 11.
- 2.14 In addition to the scrutiny of existing policies under this Scheme, the Department shall apply the same principles and procedures to any new policies which are developed. Detailed Equality Impact Assessments will be undertaken for any new policy which is not screened out by virtue of the criteria listed in paragraph 2.3 above.
- 2.15 Moreover when the Department puts forward a proposal for legislation, a summary assessment of implications for the statutory equality obligation will be included in any submission to the Executive Committee and the Explanatory Memorandum to any Assembly Committee considering the legislative proposals. As legislation is normally part of the process of implementing policy the Department will, where appropriate, have carried out an Equality Impact Assessment with associated public consultation, on the policy which gives rise to legislation.
- 2.16 In making any decision on a current or proposed policy, the Department will take into account any relevant Equality Impact Assessment and the outcome of associated consultation. This is a statutory requirement under paragraph 9(2) of Schedule 9 to the Northern Ireland Act 1998.
- 2.17 In addition to the Department, the following NDPBs are also “public authorities” for the purposes of Section 75 of the Northern Ireland Act 1998. Each of these bodies is required to submit its own Equality Scheme to the Equality Commission:-

B Belfast Education and Library Board

B North-Eastern Education and Library Board

- B South-Eastern Education and Library Board

- B Southern Education and Library Board

- B Western Education and Library Board

- B Council for Catholic Maintained Schools

- B Northern Ireland Council for the Curriculum, Examinations and Assessment

- B Youth Council for Northern Ireland

- B Staff Commission for Education and Library Boards

2.18 In carrying out its statutory equality duties, including the co-ordination of Equality Impact Assessments, the Department will liaise and co-operate with its NDPBs and other partner bodies (eg Northern Ireland Council for Integrated Education, Governing Bodies Association (NI), Comhairle Na Gaelscolaíochta, etc). The Equality Liaison Committee, established in Autumn 1999 for the purposes of assisting in the development of the Equality Schemes to be produced by the Department and each of its NDPBs will provide the forum for inter-organisational co-operation on equality issues. This Committee will be chaired by Gillian Ardis (Principal Officer) who works directly with Terry Smyth and runs the day-to-day business of the Equality Unit, and shall meet on at least a quarterly basis.

3. Procedures for Assessing Compliance with Section 75(2)

3.1 Section 75(2) of the Act requires the Department to “have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group”.

3.2 The Department has, as part of its functions, the promotion and support of good community relations among young people in Northern Ireland. This is manifest in the inclusion in the Northern Ireland Curriculum of the cross-curricular themes of Education for Mutual Understanding and of Cultural Heritage. In addition, the promotion of good relations is a core element of the Youth Service Curriculum. The Department’s Community Relations and Youth Service Branches provide funding support to the Education and Library Boards and a range of voluntary and community organisations for the promotion of good community relations among young people.

3.3 Having regard to the Section 75(2) requirement each policy was considered with a view to determining whether there is any opportunity to promote “good relations between persons of different religious belief, political opinion or racial group”. To assess the position in respect of each policy the following criteria were used:-

B Does the policy have the effect of promoting good relations between such persons? or

B Is there any opportunity to promote good relations by altering policy or working with others in Government or the community at large?

3.4 The outcome of this exercise is shown in Annex D. The Department will consider what scope may be available, and what action it may be appropriate to take, for the further

promotion of good relations between the groups concerned in respect of each of these policies. Any action which is proposed will be subject to prior consultation with the Community Relations Council and such other bodies and organisations as are relevant.

- 3.5 The Department will conduct and publish an Annual Review of Progress and forward a copy of this report to the Equality Commission.

4. Consultation in Relation to Section 75 Duties

- 4.1 The Department recognises the importance of proper consultation and in carrying out its equality duties will endeavour to conduct consultations with groups and individuals in a timely, open and inclusive manner, and in accordance with the Guiding Principles on consultation as laid down by the Equality Commission's Guidelines (see Annex I). The Department recognises the need to begin the consultation in relation to Section 75 duties as early as possible. However, there may be circumstances when this may not be possible. In such cases the Department will monitor and keep the situation under review. It will also report such occurrences in the Annual Review of Progress.
- 4.2 The Department will consult with the Equality Commission and the Community Relations Council, as appropriate, on issues which are relevant to the fulfilment of its statutory obligations and will take account of any proposals from those bodies arising from such consultation.
- 4.3 The nature of the policy under review, and its relevance to any particular body or interest group, will determine which organisations are consulted on any given policy. The Department will consult with the Equality Commission and the Community Relations Council, voluntary, community and trade union groups and organisations representing the various categories included in Section 75 on issues relevant to the fulfilment of the Section 75 obligations. The full list of bodies is set out at Annex F. The list is not exhaustive and may be amended or augmented in light of experience. The Department will consult any representative organisation or group which has an interest in its work and/or the impact of its policies on the promotion of equality and good relations.

- 4.4 Other than in exceptional circumstances the Department will aim to provide a period for response of at least 8 weeks.
- 4.5 In consulting on any matter to which this Scheme relates the Department will normally write to the relevant bodies referred to in this section of the Scheme. The Department will work with representative groups and individuals of the Section 75 categories in order to identify how best to obtain their views. In considering the consultation method most appropriate in the circumstances the Department may also consult through meetings, standing or ad hoc consultative or advisory groups, attitude surveys, questionnaires, representative sampling and Internet discussion. All consultees will be provided with relevant quantitative and qualitative documentation/information including any specifically commissioned consultants' reports to enable them to fully consider the issues and make a meaningful contribution to the process.
- 4.6 In organising consultation meetings, and in line with the best practice outlined in the Equality Commission's Guiding Principles, the Department will aim to ensure maximum participation in setting the time, venue and accessibility, the provision of childcare facilities, the use of appropriate language and how the meeting is to be run eg the use of a signer.
- 4.7 It is intended that barriers to proper consultation should, as far as practicable, be eliminated by ensuring accessibility of language and appropriate format. Information will be made available in consultation with the affected groups to ensure the highest level of inclusivity in any policy decision making. In any consultation, the Department will therefore seek to maximise accessibility by interest groups and the public. Where appropriate consideration will be given on how best to communicate information to young people and those with learning disabilities. In this respect the Department will be drawing from such sources as the conference organised by the

Office of the First Minister and Deputy First Minister on practical issues in carrying out future consultations in the context of Section 75 obligations together with the work being done by other education providers such as Education and Library Boards. This would include inputs from representatives of groups which have traditionally been marginalised. It would also address the special difficulties in consulting children on policy issues in which they have an interest. In developing new approaches in this area, the Department will also draw on advice from the Equality Commission and lessons from other jurisdictions. Issues concerning access to information are considered further in Section 8.

5. Monitoring

- 5.1 It is essential that the Department has adequate knowledge and understanding of any adverse impact of individual policies on the promotion of equality of opportunity. This will involve the collection and analysis of information. The Department is committed to conduct Equality Impact Assessments in accordance with the Equality Commission's Guidelines. This includes the monitoring for adverse impact of policies. A system will be established to monitor the impact of policies in order to identify their effects on relevant groups. This will be reviewed on an annual basis and the results will be published as part of the Department's Annual Review of Progress. In this context, the Department will assess, within the first year of the Scheme, the extent of existing sources and quality of information relating to each of the policies and will consider the scope for extending the information. The Department will seek the co-operation of the Northern Ireland Statistics and Research Agency (NISRA) in its review of existing information sources and in its consideration of any additional measures which may be deemed necessary in respect of any particular policy. The Department recognises that information and knowledge of organisations representative of particular groups may be invaluable particularly where this information is not readily available through normal sources. In these circumstances, the Department will draw upon such sources to augment the information already held. Where monitoring and evaluation show that a policy results in a greater adverse impact than predicted the policy will be revised.
- 5.2 The implementation of this Scheme will be subject to continuous monitoring by the Department's Equality Unit and through meetings of the Department's Policy and Strategy Group which will report to the Minister on a quarterly basis.
- 5.3 The Department will conduct and publish an Annual Review of Progress. This report will be sent to the Equality Commission to assist it in compiling in own Annual Report, as required by

sub-paragraph 5(1)(b) of Schedule 8 to the Act. The Department will liaise with the Equality Commission to ensure that progress is maintained.

6. Publication of Equality Impact Assessments and Monitoring

- 6.1 The Department will publish the outcome of any Equality Impact Assessment and of any monitoring undertaken in relation to the implementation of this Scheme. In this context, “publication” normally means in printed form, but material will also be accessible on the Department’s Internet website at <http://www.deni.gov.uk> and, on request, in a range of alternative formats, ie Braille, disk, audio-cassette and minority languages. Where appropriate consideration will also be given on how best to communicate information to young people and those with learning disabilities.
- 6.2 The Department will inform such bodies and individuals as are involved in the Equality Impact Assessment process of the publication of any report or other material arising from such assessment. The Department will also inform the general public about the availability of such reports through press releases and public advertisements.
- 6.3 Published documentation on any Equality Impact Assessment will include:-
- B** the aims and objectives of the policy under consideration;
 - B** details of the outcome of the assessment, highlighting if an adverse impact has been identified;
 - B** associated available monitoring data;
 - B** the outcome of the Equality Impact Assessment including details of any decisions taken by the Department to mitigate any adverse impact of the policy on the promotion of equality of opportunity or to introduce an alternative policy which might better achieve the promotion of equality of opportunity.

7. Training

- 7.1 Since Autumn 1999, the Department has taken a number of steps to ensure awareness amongst its staff of their responsibilities in relation to the statutory equality duties, and in relation to the implementation of the Scheme which will require many of them to develop additional skills to enable them to meet the challenges of the Section 75 requirements.
- 7.2 In February 2000, the Department issued personal copies of the Office of the First Minister and Deputy First Minister Circular entitled, "Northern Ireland Act 1998 - Section 75 Statutory Equality Obligation" to staff at Executive Officer level and upwards. Equality seminars have also been held and to date approximately 60 middle and senior management staff have received initial training. The Department will ensure that all relevant staff continue to receive a programme of training on the Section 75 obligations, the requirements of this Equality Scheme and, in particular, on the conduct of Equality Impact Assessments, commensurate with their grade and responsibilities. Particular attention will be paid to the training of the specialised staff of the Department.
- 7.3 All Departmental officials at Staff Officer and above will be required to undergo an equality training programme within 6 months of approval of this Scheme. All remaining staff be trained during the following 12 months. All new staff will be informed of the requirements of Section 75 and will be provided with a copy of this Equality Scheme during their induction training.
- 7.4 In addition, the Department will develop, in conjunction with bodies representing the various affected groups, awareness training in relation to the issues specific to each of those groups.
- 7.5 As an equal opportunities employer the Department ensures that those staff applying or implementing personnel policies receive

appropriate training to ensure that the Department's personnel management functions are delivered in accordance with its Equal Opportunities policy.

7.6 Following the receipt of further guidance on training, the Department will be drawing up a planned programme of its delivery as per the Equality Commission's published Guidelines and advice. The training programme will include more focused training for staff in management roles and other specialist staff such as trainers and those involved in research/data collection, policy development, service design, monitoring and evaluation. This focused training will be developed in association with the affected groups. The key training objectives of this training plan will be:-

- B** to prepare a detailed training plan for all of the Department's staff over the 5-year period to which the Equality Scheme refers, which will aim to achieve the objectives outlined below;
- B** to raise awareness of current anti-discrimination legislation in Northern Ireland, including the provisions of Section 75, Schedule 9 and Section 76 of the Northern Ireland Act 1998. This should include an explanation of the duties and their implications for all employees;
- B** to provide those employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively;
- B** to provide those employees involved in the Equality Impact Assessment of policies with the necessary skills and knowledge to do this work effectively;

- B to provide those employees who deal with complaints in relation to the implementation of the Department's Scheme, with the necessary skills and knowledge to investigate and monitor complaints effectively;
- B to provide those employees involved in the consultation processes with the necessary skills and knowledge to do this work effectively;
- B to provide those employees involved in the implementation and monitoring of the effective implementation of the Department's Equality Scheme to do this work effectively;
- B to evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.

The Department will as part of this also develop training programmes to support those staff who will be engaged in consultations to ensure that they have the necessary skills to communicate effectively.

- 7.7 All staff were advised of the publication of the draft Scheme in April 2000 and were provided with access to the text on the Department's Intranet. Following approval of the Scheme by the Equality Commission, the Department will, as part of its communication strategy for its Statutory Duty, provide personal copies to all staff and the approved Scheme will be published on the Intranet. The Department is currently considering the other elements of the wider communication strategy.

8. Public Access to Information

- 8.1 The Department is committed to the provision of information through effective communication with the public. Information will normally be published in printed form and on the Department's website.
- 8.2 However, the Department is conscious that certain sections of the public, including important sections of the education constituency, have specific needs, for example, people with sensory and learning disabilities who may have particular difficulties with information in print, or members of minority ethnic groups whose first language is not English and who may have difficulties with information provided only in English. The Department also acknowledges that some local newspapers are read predominantly by members of only one section of the community.
- 8.3 The Department will, within the first year following approval of this Scheme, reassess its arrangements for providing information other than in standard printed form. The Department has already taken initial action to address the requirements of the Disability Discrimination Act 1995 in terms of making information available in a range of formats (eg Braille, large print, audio-cassette) for disabled members of the public. The reassessment will take account of the new statutory requirements of Section 75, the likely historic demand for information in such formats across its policies, resource implications and, the recommendations of the cross-departmental Promoting Social Inclusion (PSI) working groups on minority ethnic people and on access to information which will report later this year. The reassessment will make recommendations on how public access to information might improve arrangements for providing information in different formats and languages. This exercise will, of course, be undertaken in conjunction with relevant interest groups to ensure that the Department is in a position to make informed decisions. In addition, the Department will consider what action might feasibly be taken to monitor access to information to ensure

equality of opportunity. The Department will inform the Equality Commission of the changes that will be made following this review. The Department will also publicise widely the new revised arrangements.

- 8.4 The Department's commitments in this Scheme on equality of opportunity in accessing information are without prejudice to any rights to information in the current Code of Practice on Open Government or in the new Freedom of Information legislation.
- 8.5 Where the Department requires to disseminate information by public advertisement or through Press Releases, the Department will publish these in all 3 Belfast daily newspapers including the North-West version of the Belfast Telegraph. Information which may have relevance to a particular geographic locality will also be publicised in any newspapers published in the local district.
- 8.6 In relation to the functions of the Department, neither its Headquarters at Rathgael House, Bangor, nor its subsidiary office at Waterside House, Londonderry, are considered to be generally open to the public. However, the Department is committed to complying with the provisions of the Disability Discrimination Act 1995 in the operation of these buildings.

9. Publication of the Scheme

The Department wishes to ensure that the Equality Scheme is widely available and accessible to all. Therefore, following approval by the Equality Commission, the Scheme will issue to those bodies and organisations involved in the consultation process and on request to any other interested parties. The Scheme will also be available in alternative formats on request from the Department of Education, Equality Unit, Rathgael House, 43 Balloo Road, Bangor, Co Down BT19 7PR and will be published on the Department's Internet website at <http://www.deni.gov.uk> The Department will issue a Press Statement when the Scheme is approved by the Equality Commission and will place prominent advertisements in the 3 daily newspapers published in Belfast (including the North-West version of the Belfast Telegraph).

Staff will also receive a copy of the full Scheme. Consideration will be given to how best to communicate the Scheme to young people and those with learning difficulties. The principles used in consultation with young people and those with learning disabilities will also be applied in relation to the publication of the Scheme.

10. Complaints

- 10.1 When a person believes that he/she has been directly affected by a failure of the Department to comply with this Scheme, he/she should submit their complaint in writing and bring their complaint to the attention of:

Terry Smyth
Equality Rights and Social Inclusion Division
Room 703
Department of Education
43 Balloo Road
BANGOR
Co Down BT19 7PR

Telephone No: 028 9127 9312
E-mail Address: terry.smyth@deni.gov.uk
Fax No: 028 9127 9266

The Unit will instigate an internal initial investigation of the complaint and will respond to the complainant, normally within one month of receipt of the complaint.

- 10.2 In responding to the complainant, the Unit will inform him/her of the procedure for pursuing the complainant further with the Equality Commission, as set out in paragraph 10 of Schedule 9 to the Northern Ireland Act 1998. The Department will co-operate fully in any subsequent investigation by the Equality Commission under paragraph 11(1)(b) of Schedule 9 to the Northern Ireland Act 1998, and provide access to any relevant documentation which the Commission may require.
- 10.3 The Department undertakes to review its complaints procedure in light of experience in the implementation of the Scheme.

11. Summary Timetable

The following timetable summarises the measures which the Department proposes to take during the 3 years following approval of this Scheme. It should be noted, however, that an Equality Impact Assessment will not necessarily be completed in the year in which it commences. For example, the current review of the selective structure of post-primary education has already commenced and will continue throughout 2001.

Year 1:

- B review of policies currently not scheduled for Equality Impact Assessment;
- B review of monitoring arrangements;
- B review of arrangements for providing information to the public;
- B undertake an equality duty staff training programme;
- B Equality Impact Assessment of policies:-
 - Arrangements for School Funding (Local Management of Schools).
 - Selective Structure of Post-Primary Education: Transfer Procedure Tests.
 - Differential Eligibility for Retirement from Teaching for Men and Women.
 - Payment of Benefits to Surviving Family or Other Nominated Beneficiaries.
 - Promotion of Personal and Social Development of Young People through Leisure Activities.

- Promotion of Inclusion of Children with Special Educational Needs in Mainstream Schools and Classes.
- School Building Programme - to ensure that available capital resources are directed to highest priorities in terms of educational need.

Year 2:

B Equality Impact Assessment of Policies:-

- Home to School Transport.
- Raising Standards of Literacy/Numeracy through Literacy/Numeracy Strategy.
- Support for Low and Underachieving Schools.
- Promotion of Inclusion for Pupil Groups in Danger of Education Underachievement.
- Maintenance of Statutory Northern Ireland Curriculum.
- Maximising Learning Opportunities for Children with Learning Difficulties/Special Educational Needs.

Year 3:

B Equality Impact Assessment of Policies:-

- Open Enrolment.
- School Meals Provision.
- Free School Meals.
- Initial Teacher Training.
- Funding of Youth Services Capital Projects According to Need.

12. Review of Scheme

The Department will conduct a comprehensive review of this Scheme within 5 years of its approval by the Equality Commission and will take account of any guidance which the Equality Commission may issue on such reviews. This review will include an assessment of how the Department has complied with its Section 75 obligations and how equality of opportunity and good relations have been advanced in relation to the main policy areas.

13. Contacting the Department

Address: Department of Education
Equality Rights and Social Inclusion Division
Rathgael House
43 Balloo Road
BANGOR
Co Down BT19 7PR

Telephone No: 028 9127 9628

Fax No: 028 9127 9248

E-mail Address: equality@deni.gov.uk

Website: <http://www.deni.gov.uk>

Functional Responsibilities and Policies

| Functional Responsibilities | Policies | Aims/Scope |
|-----------------------------|--|--|
| School Finance | Arrangements for School Funding (LMS) | The arrangements for the financing of schools including the means by which the delegated budgets of individual schools are calculated. |
| Open Enrolment | <p>Open Enrolment to Post-Primary School</p> <p>Open Enrolment to Primary School</p> <p>Open Enrolment to Pre-School Education</p> | <p>These policies afford parents the opportunity to seek the admissions of their child to a preferred school. Where applications to a school exceed the approved admissions number published admissions criteria, drawn up and applied by the Board of Governors, are used to determine which children are to be admitted. Parents may appeal where they consider that a school's admissions criteria were not, or were not properly, applied.</p> |

| Functional Responsibilities | Policies | Aims/Scope |
|------------------------------|---|---|
| Transfer Procedure Policy | Selective Structure of Post-Primary Education; Transfer Procedure Tests | Traditionally NI has had a selective structure of post-primary education ie selective grammar schools and non-selective secondary schools. Pupils seek admission to selective grammar schools on the basis of the grades obtained in the Transfer Procedure tests which is the main determinant in admission decisions by Boards of Governors. |
| Financial Support for Pupils | School Meals Provision Free School Meals | <p>The aim of school meals provision is to ensure that all school children have access to a nutritionally balanced meal during the school day. Meals are provided by Education and Library Boards and Boards of Governors of Voluntary Grammar and Grant Maintained Integrated Schools under arrangements approved by the Department.</p> <p>Free school meals are provided as part of the overall school meals service to pupils from socially disadvantaged circumstances (entitlement is based on parental receipt of Income Support or non-contributory job seekers allowance).</p> |

| Functional Responsibilities | Policies | Aims/Scope |
|--|---|--|
| Financial Support for Pupils <i>(continued)</i> | Home to School Transport | Home to School Transport is designed to support the attendance of children at school. Pupils at grant-aided schools are provided with free home to school transport where they are unable to gain a place in a “suitable” school within statutory walking distance of their home and where a Board or public transport service to, or in the vicinity of, the school is available. |
| Teacher Education | Initial Teacher Training | The allocation of student places to QUB, University of Ulster, Stranmillis University College and St Mary’s University College for post-graduate and undergraduate courses of training for the teaching profession, to meet the needs of Northern Ireland schools. |
| | Continuing Professional Development of Teachers | The provision of financial support to the Education and Library Boards to enable them to maintain an effective curriculum advisory and support service, and Regional Training Unit, which will support the continuing professional development of teachers through the provision of in-service training courses and courses leading to professional qualifications. |

| Functional Responsibilities | Policies | Aims/Scope |
|----------------------------------|--|--|
| Teacher Education (continued) | Education Technology in Schools | The implementation of the NI Strategy for Education Technology, including training for teachers, the development of the NINE website and the provision of IT infrastructure in schools. |
| Teachers' Superannuation | Differential Eligibility for Retirement | Under the Teachers' Superannuation Regulations, a facility exists under which women who entered teaching before 1 April 1972 and who have at least 30 years service may retire on reaching age 55. No equivalent provision exists for men who meet the same criteria. |
| | Payment of Benefits to Surviving Family or other Nominated Beneficiaries | Pensions are payable to widows, widowers and children of persons who die in, or after having been in pensionable employment as a teacher. Unmarried persons may nominate for benefits a financially dependent person who is an immediate family relation or a widowed step-parent. |

| Functional Responsibilities | Policies | Aims/Scope |
|-----------------------------|---|---|
| Community Relations | Promotion of Good Community Relations among Young People | The provision of financial support for a range of educational programmes, initiatives and facilities which provide structured, sustained, opportunities for young people to meet, in order to foster self respect, respect for others and the improvement of relationships between different cultural traditions. |
| School Improvement | Raising Standards of Literacy/ Numeracy through Literacy/ Numeracy Strategy | The Literacy and Numeracy Strategy is a co-ordinated approach to promote improvements in literacy and numeracy standards in primary and secondary schools. The Strategy incorporates a wide range of approaches to raising standards overall, including a programme of training for all teachers. |

| Functional Responsibilities | Policies | Aims/Scope |
|---|--|---|
| <p>School Improvement (continued)</p> | <p>Support for Low and Underachieving Schools</p> <p>Dissemination of Good Practice</p> <p>Raising School Standards - Maximum Class Sizes at Key Stage 1 (30 pupils)</p> | <p>The School Support Programme provides help to identified low and underachieving schools. Support consists of professional advice from the Boards' Curriculum Advisory and Support Services and, on foot of the school's own approved Action Plan for improvement, some additional funding. Schools will remain in the Programme for between 3 and 5 years and the objective is for schools to become self-sustaining in improvement with normal levels of support.</p> <p>The dissemination of good practice initiative provides funding to enable schools to develop their own innovative approaches to school improvement and to disseminate and share good practice with other schools.</p> <p>The policy of limiting class sizes in Key Stage 1 (P1-P4) to 30 pupils is designed to enhance learning in the early years. The policy is applied to all schools by Boards within agreed parameters and criteria.</p> |

| Functional Responsibilities | Policies | Aims/Scope |
|-----------------------------|---|---|
| Pupil Support Unit | Promotion of Positive Pupil Behaviour | A framework for service development as set out in ‘Promoting and Sustaining Good Behaviour: a Discipline Strategy for Schools’ (DENI 1998) to support and promote positive behaviour and to meet the needs of pupils experiencing difficulties with the behaviour requirements of mainstream schools. |
| | Promotion of Inclusion for Pupil Groups in Danger of Educational Underachievement | Policy on service provision to meet the needs of specific groups of pupils considered ‘at risk’, eg pregnant schoolgirls/teenage mothers, children ‘looked after’, pupils from minority ethnic communities, excluded pupils. |
| | Promotion of Child Protection Policies and Procedures in Schools | - |
| Curriculum and Assessment | Maintenance of Statutory Northern Ireland Curriculum | Policy on the subjects required by law to be taught to pupils in school, by age. |
| | Statutory Assessment of Pupils | Pupils are statutorily assessed in English and mathematics (and Irish in IM schools) at ages 8 and 11, and in these, plus science, at age 14. |

| Functional Responsibilities | Policies | Aims/Scope |
|--|--|---|
| Curriculum and Assessment (continued) | <p>Provision of Information by Schools to Parents and Others</p> <p>The Use by Schools of Target-Setting and Development Planning to Improve Performance</p> | <p>Policy on format, contents and timing of publication of schools' Governors' Annual Reports, prospectuses and annual reports on individual pupils.</p> <p>Policy on nature, timing, publication etc of schools' targets and what their development plans should consist of.</p> |
| Qualifications/Business - Education Links | <p>Implementation of National Qualifications Framework in Schools</p> <p>Annual Publication of School Performance Tables</p> | <p>To ensure that a range of nationally-recognised qualifications, both vocational and academic, are available which will meet the needs of pupils, employers and Higher Education.</p> <p>To enable schools to consider and compare their own performance in public examinations with that of similar schools, and to enable parents generally, and parents of Year 7 pupils in particular, to see how individual schools perform.</p> |

| Functional Responsibilities | Policies | Aims/Scope |
|---|--|--|
| <p>Qualifications/Business - Education Links (<i>continued</i>)</p> | <p>Promotion of Effective School-Industry Links</p> | <p>To assist young people in choosing a career suitable to their needs and abilities and in preparing them for the transition to working life, and to enable employers to have an input to the education process and the preparation of young people for the world of work.</p> |
| | <p>Promotion of Work-Related Learning for Pupils aged 14+</p> | <p>To allow schools to provide courses more suitable to the needs of individual pupils by creating more flexibility in the curriculum through selective, planned disapplication of the statutory requirements in favour of tailored, DE-approved programmes offering more vocationally-oriented courses.</p> |
| <p>Youth Services</p> | <p>Promotion of Personal and Social Development of Young People through Leisure Activities</p> | <p>To ensure the provision of a Youth Service which includes all those organisations and projects whose primary purpose is the personal and social development of children, young people and young adults.</p> |

| Functional Responsibilities | Policies | Aims/Scope |
|-------------------------------------|--|--|
| Youth Services (<i>continued</i>) | Funding of Youth Service Capital Projects According to Need | To maximise the use of resources for capital funding projects by ensuring that applications are prioritised not only on a 'value for money' basis but also according to need. |
| Special Education | Maximising Learning Opportunities for Children with Learning Difficulties/ Special Educational Needs | Policy on provision for the earliest possible identification and assessment of children's learning difficulties, and resourcing and legislating for those needs to be met as effectively as possible, within school and with outside support as necessary. |
| | Promotion of Inclusion of Children with Special Educational Needs in Mainstream Schools and Classes | Children with statements of special educational needs should be placed in mainstream schools wherever possible. Policy involves legislation, resourcing, monitoring of extent to which objective is being realised. |
| School Provision and Development | School Building Programme | To ensure that available capital resources are directed to highest priorities in terms of educational needs. |

| Functional Responsibilities | Policies | Aims/Scope |
|---|---|--|
| School Provision and Development (<i>continued</i>) | Recovery of Capital Grant from Schools | Statutory arrangements for recovery of capital grant from the proceeds of disposal of property in circumstances where schools have closed or are replaced. |
| School Policy and Planning | Pre-School Education Expansion Programme | The long-term policy objective is to provide one year of early education for all children in their immediate pre-school year, targeted in the initial stages on children from socially disadvantaged background and the eldest children in the cohort. |
| | Criteria for Establishment of New Integrated and Irish-Medium Schools | The Department of Education has a statutory duty to encourage and facilitate both integrated and Irish-medium education and to that end has established criteria to allow objective assessment of proposals for grant-aided status for new schools. |

Promotion of Equality of Opportunity - Outcome of Initial Screening of Policies

- Criteria:**
- Is there any evidence of higher or lower participation or uptake by different groups within any of the 9 categories in relation to the particular policy?
 - Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
 - Is there any potential to enhance equality of opportunity for any of the 9 categories through the policy in question?
 - Have consultations in the past with relevant representatives, organisations or individuals within groups indicated that particular policies create problems that are specific to them?

| Functional Responsibilities | Policies | | | |
|-----------------------------|----------|----|----|----|
| | a. | b. | c. | d. |
| School Finance | ✓ | ✓ | ✓ | ✓ |
| Open Enrolment | - | - | ✓ | ✓ |
| | - | - | ✓ | ✓ |
| | ✓ | ✓ | ✓ | ✓ |
| Transfer Procedure Policy | ✓ | ✓ | ✓ | ✓ |

Annex B

| Functional Responsibilities | Policies | a. | b. | c. | d. |
|------------------------------|--|----|----|----|----|
| Financial Support for Pupils | School Meals Provision | ✓ | ✓ | ✓ | ✓ |
| | Free School Meals | ✓ | ✓ | ✓ | - |
| | Home to School Transport | ✓ | ✓ | ✓ | ✓ |
| Teacher Education | Initial Teacher Training | ✓ | - | - | - |
| | Continuing Professional Development of Teachers | - | - | - | - |
| | Education Technology in Schools | - | - | - | - |
| Teachers' Superannuation | Differential Eligibility for Retirement from Teaching for Men and Women | ✓ | - | - | - |
| | Payment of Benefits to Surviving Family or other Nominated Beneficiaries | ✓ | - | ✓ | - |

| Functional Responsibilities | Policies | a. | b. | c. | d. |
|-----------------------------|---|----|----|----|----|
| Community Relations | Promotion of Good Community Relations among Young People | - | - | - | - |
| School Improvement | Raising Standards of Literacy/Numeracy through Literacy/Numeracy Strategy | - | - | ✓ | ✓ |
| | Support for Low and Underachieving Schools | - | - | ✓ | ✓ |
| | Dissemination of Good Practice | - | - | - | - |
| | Raising School Standards - Maximum Class Sizes at Key Stage 1 (30 pupils) | - | - | - | - |
| Pupil Support Unit | Promotion of Positive Pupil Behaviour | - | - | - | - |
| | Promotion of Inclusion for Pupil Groups in Danger of Educational Underachievement | ✓ | ✓ | ✓ | - |
| | Promotion of Child Protection Policies and Procedures in Schools | - | - | - | - |

| Functional Responsibilities | Policies | | | |
|---|-----------------|-----------|-----------|-----------|
| | a. | b. | c. | d. |
| Curriculum and Assessment | - | - | ✓ | ✓ |
| | - | - | - | - |
| | - | - | - | - |
| | - | - | - | - |
| Qualifications/Business - Education Links | - | - | - | - |
| | - | - | - | - |
| | - | - | - | - |
| | - | - | - | - |

| Functional Responsibilities | Policies | | | |
|------------------------------------|-----------------|-----------|-----------|-----------|
| | a. | b. | c. | d. |
| Youth Services | - | ✓ | ✓ | ✓ |
| | ✓ | ✓ | ✓ | - |
| Special Education | ✓ | ✓ | ✓ | ✓ |
| School Provision and Development | ✓ | ✓ | ✓ | ✓ |
| | - | - | - | - |
| | - | - | - | - |

| Functional Responsibilities | Policies | a. | b. | c. | d. |
|-----------------------------|--|----|----|----|----|
| School Policy and Planning | <p>Pre-School Expansion - provide one year of education for all children in their immediate pre-school year where their parents wish this</p> <p>Criteria for Establishment of New Integrated and Irish-Medium Schools</p> | - | - | - | - |

Policies which will be Subject to Equality Impact Assessment

Relevant Section 75 Categories

| Policies | Religion | Political Opinion | Gender (Sex) | Race | Disability | Age | Marital Status | Dependants | Sexual Orientation |
|---|----------|-------------------|--------------|------|------------|-----|----------------|------------|--------------------|
| Arrangements for School Funding (LMS) | ✓ | - | - | ✓ | ✓ | ✓ | - | - | - |
| Open Enrolment:- Post-Primary School; Primary School; and Pre-School Education | ✓ | - | ✓ | ✓ | ✓ | - | - | - | - |
| Selective Structure of Post-Primary Education: Transfer Procedure Tests | ✓ | - | ✓ | ✓ | ✓ | - | - | - | - |
| School Meals Provision | ✓ | - | - | - | - | ✓ | - | - | - |
| Free School Meals | ✓ | - | - | ✓ | - | - | - | - | - |
| Home to School Transport | - | - | - | - | - | ✓ | - | - | - |

Annex C

| Policies | Religion | Political Opinion | Gender (Sex) | Race | Disability | Age | Marital Status | Dependants | Sexual Orientation |
|--|-----------------|--------------------------|---------------------|-------------|-------------------|------------|-----------------------|-------------------|---------------------------|
| Initial Teacher Education | - | - | ✓ | ✓ | - | - | - | - | - |
| Differential Eligibility for Retirement from Teaching for Men and Women | - | - | ✓ | - | - | ✓ | - | - | - |
| Payment of Benefits to Surviving Family or Other Nominated Beneficiaries | - | - | ✓ | - | - | - | ✓ | ✓ | ✓ |
| Raising Standards of Literacy/Numeracy through Literacy/ Numeracy Strategy | - | - | ✓ | ✓ | - | ✓ | - | - | - |
| Support for Low and Underachieving Schools | - | - | ✓ | - | - | ✓ | - | - | - |

| Policies | Religion | Political Opinion | Gender (Sex) | Race | Disability | Age | Marital Status | Dependants | Sexual Orientation |
|--|-----------------|--------------------------|---------------------|-------------|-------------------|------------|-----------------------|-------------------|---------------------------|
| Promotion of Inclusion for Pupil Groups in Danger of Educational Underachievement | ✓ | - | ✓ | ✓ | - | - | - | ✓ | - |
| Maintenance of Statutory Northern Ireland Curriculum | ✓ | - | ✓ | ✓ | ✓ | - | - | - | - |
| Promotion of Personal and Social Development of Young People through Leisure Activities | ✓ | - | ✓ | ✓ | ✓ | - | - | - | - |
| Funding of Youth Service Capital Projects According to Need | ✓ | ✓ | ✓ | ✓ | ✓ | - | - | - | - |
| Maximising Learning Opportunities for Children with Learning Difficulties/ Special Educational Needs | - | - | ✓ | - | ✓ | - | - | - | - |

| Policies | Religion | Political Opinion | Gender (Sex) | Race | Disability | Age | Marital Status | Dependants | Sexual Orientation |
|---|-----------------|--------------------------|---------------------|-------------|-------------------|------------|-----------------------|-------------------|---------------------------|
| Promotion of Inclusion of Children with Special Educational Needs in Mainstream Schools and Classes | - | - | ✓ | - | ✓ | - | - | - | - |
| School Building Programme - to ensure that available capital resources are directed to highest priorities in terms of educational needs | ✓ | - | ✓ | - | - | - | - | - | - |

Policies which may Contribute to Promotion of Good Relations

- Criteria:**
- a. Does the policy have the effect of promoting good relations between such persons; or
 - b. is there any opportunity to promote good relations by altering policy or working with others in Government or the community at large?

| Functional Responsibilities | Policies | a. | b. |
|-----------------------------|---|----|----|
| Teacher Education | Continue Professional Development of Teachers | ✓ | - |
| | Education Technology in Schools | ✓ | ✓ |
| Community Relations | Promotion of Good Community Relations among Young People | ✓ | ✓ |
| Curriculum and Assessment | Maintenance of Statutory Northern Ireland Curriculum | ✓ | - |
| Youth Services | Promotion of Personal and Social Development of Young People through Leisure Activities | ✓ | - |

Annex E

**Main Groups Relevant to the Section 75
Categories for Northern Ireland Purposes**

| Category | Main Groups |
|---------------------------|---|
| Religious belief | Protestants; Catholics; people of non-Christian faiths; people of no religious belief. |
| Political opinion | Unionists generally; Nationalists generally; members/supporters of any political party. |
| Racial group | White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people of mixed ethnic group. |
| 'Men and women generally' | Men (including boys); women (including girls); trans-gendered people. |
| Marital status | Married people; unmarried people; divorced or separated people; widowed people. |
| Age | For most purposes, the main categories are: children under 18; people aged between 18 and 65; and people over 65. However, the definition of age groups will need to be sensitive to the policy under |

| Category | Main Groups |
|-----------------------------|--|
| | <p>consideration. For example, for some employment policies; children under 16 could be distinguished from people of working age.</p> |
| 'Persons with a disability' | <p>Persons with a physical, sensory or learning disability as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995.</p> |
| 'Persons with dependants' | <p>Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person.</p> |
| Sexual orientation | <p>Heterosexuals; bi-sexuals; gays; lesbians.</p> |

Consultation List in Relation to Section 75 Duties

Northern Ireland Assembly Education Committee
Belfast Education and Library Board
Southern Education and Library Board
South-Eastern Education and Library Board
Western Education and Library Board
North-Eastern Education and Library Board
Council for Catholic Maintained Schools
Staff Commission for Education and Library Boards
Northern Ireland Council for Integrated Education
Northern Ireland Council for the Curriculum, Examinations and
Assessment
Youth Council for Northern Ireland
Governing Bodies Association
Association of University Teachers (Belfast)
Northern Ireland Teacher's Council
Catholic Heads' Association
Irish National Teachers' Organisation
National Association of Teachers in Further and Higher Education
National Association of Head Teachers (NI)
National Association of Schoolmasters and Union of Women Teachers
Professional Association of Teachers
Secondary Heads' Association
Ulster Teachers' Union
Association of Head Teachers in Secondary Schools
Association of Teachers and Lecturers

Association of Principals of Colleges (NI)
Schools (approx 1400)
Stranmillis University College
St Mary's University College
University of Ulster
Queen's University of Belfast
Equality Commission for Northern Ireland
Community Relations Council
Human Rights Commission
NI Assembly Members
NI MPs
NI Political Parties
Archbishop of Armagh
Archbishop of Armagh (Church of Ireland)
The Presbyterian Church in Ireland
The Methodist Church
Transferors Representatives Council
Departmental Solicitors Office
Northern Ireland Audit Office
Northern Ireland Office
Office of the First Minister and Deputy First Minister
Department of Enterprise, Trade and Investment
Department for Regional Development
Department of Culture, Arts and Leisure
Department of Social Development
Department of the Environment
Department of Finance and Personnel
Department of Higher and Further Education, Training and
Employment

Department of Health, Social Services and Public Safety

Department of Agriculture and Rural Development

Armagh City and District Council

Ballymoney Borough Council

Ards Borough Council

Ballymena Borough Council

Banbridge Borough Council

Belfast City Council

Castlereagh Borough Council

Cookstown District Council

Down District Council

Fermanagh District Council

Limavady Borough Council

Carrickfergus Borough Council

Coleraine Borough Council

Craigavon Borough Council

Dungannon District Council

Larne Borough Council

Lisburn Borough Council

Derry City Council

Moyle District Council

Newtownabbey Borough Council

Omagh District Council

Magherafelt District Council

Newry and Mourne District Council

North Down Borough Council

Strabane District Council

Antrim Borough Council

Northern Ireland Public Service Alliance (NIPSA)

UNISON Northern Ireland

Women's Forum NI

Northern Ireland Association of Citizens Advice Bureaux

Northern Ireland Association for Special Education

All Children Together

Integrated Education Fund

Northern Ireland Youth Forum

Youthnet

Youth Action NI

Youth Exchange Centre

Youth Link NI

Belfast Islamic Centre

Indian Community Centre

Windsor Women's Centre

NI African Cultural Centre

NI Filipino Association

Oi Kwan Chinese Women's Group

Belfast Hebrew Congregation

PHAB NI

Counteract

Parent's Advice Centre

Relate

Family Planning Association NI

NI Family Mediation Service

Coalition of Sexual Orientation (CoSO)

Lesbian Line (Belfast)

Women's Support Network

Women's Resource and Development Agency

NI Women's Aid Federation

NI Women's European Platform
Putting Children First
Knock Contact Centre
Belfast Men's Project
Cara Friend
NI Gay Rights Association
Women into Politics
Northern Ireland Growth Challenge
Institute of Directors
Northern Ireland Business Education Partnership
Confederation of British Industry
Committee on the Administration of Justice (CAJ)
Northern Ireland Council for Ethnic Minorities (NICEM)
Northern Ireland Council for Voluntary Action
Northern Ireland Voluntary Trust (NIVT)
Eastern Health and Social Services Board
Northern Health and Social Services Board
Southern Health and Social Services Board
Western Health and Social Services Board
Children's Law Centre
Save the Children
NSPCC
Barnardos
Good Shepherd Centre
Gingerbread
Traveller Movement NI
Southern Travellers Early Years Partnership (STEP)
Belfast Traveller Education Project
Multi-Cultural Resource Centre

Chinese Welfare Association Ltd

Rainbow Project NI

Voice of Young People in Care

First Key NI

EXTERN

NI Childline

Disability Action

RUC Community Affairs Branch

NIO Juvenile Justice Branch

NIO Whitefield House

Probation Board for NI (PBNI)

NI Association for the Care and Resettlement of Offenders (NIACRO)

Forum on Community Understanding and Schools

Regional Training Unit

AFAISC

Association for Spina Bifida and Hydrocephalus

British Epilepsy Association

Cystic Fibrosis Trust

Down's Syndrome Association

Dyspraxia Foundation

Families-in-Contact

Independent Panel for Special Education Advice (IPSEA)

ME Association

MENCAP

Muscular Dystrophy (NI) Group

National Autistic Society

Northern Ireland Council on Disability

NI Dyslexia Association

PAPA

The Blind Centre

Royal National Institute for the Blind (RNIB)

Royal National Institute for the Deaf (RNID)

National Deaf Children's Society

British Deaf Association

SENSE Family Centre

NIPPA

Children's Day Care Centre

Playboard

Child Care NI

NICMA

Volunteer Development Agency

Community Service Volunteers

Down and Connor Commission on Social Affairs

The Ulster Peoples College

Ulster Scots Heritage Council

Ulster Scots Language Society

Gaeloiliuint

Altram

Ultach Trust

POBAL

TACA

West Belfast Economic Forum

Falls Community Council

Simon Community NI

Council for the Homeless

Training for Women Network Ltd

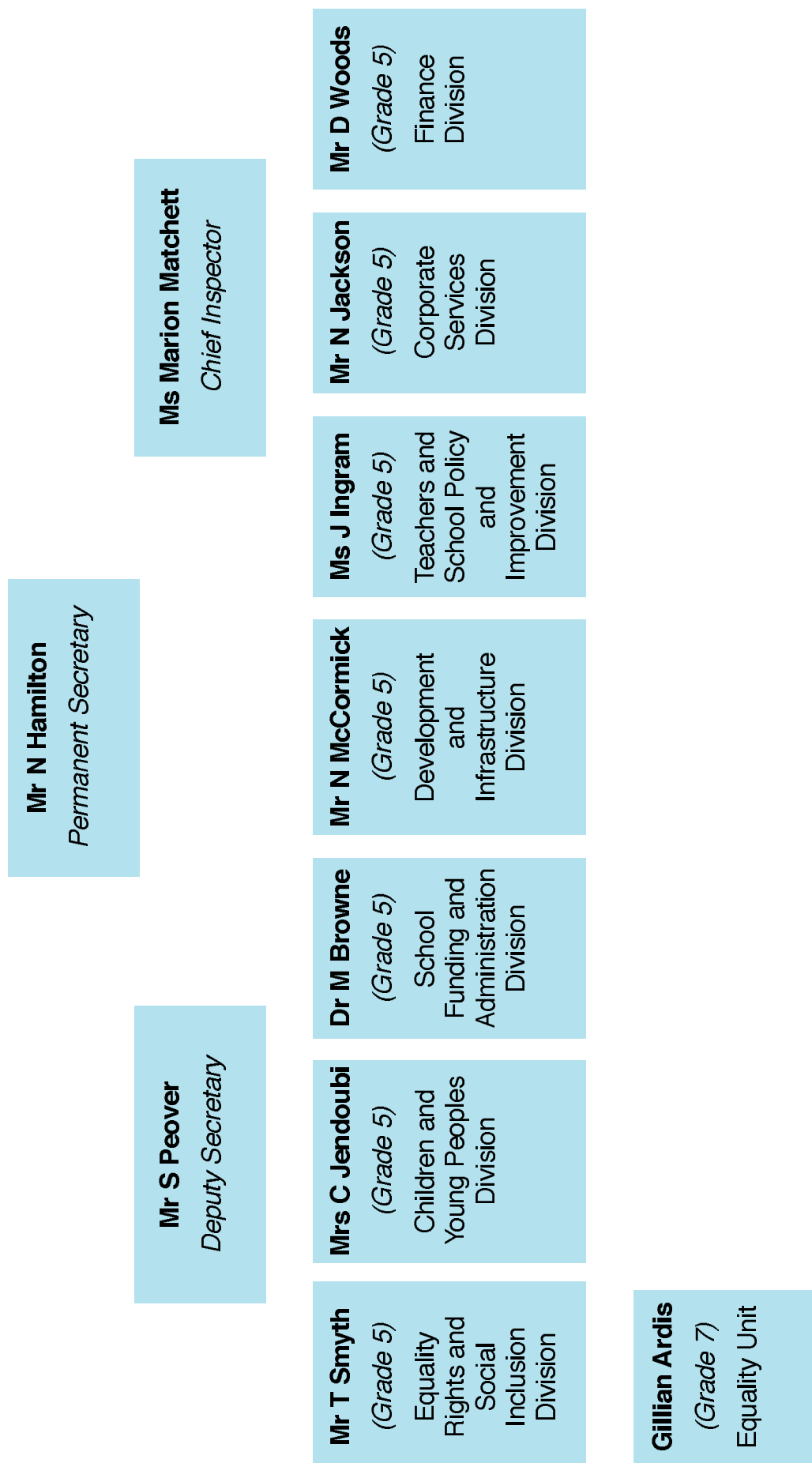
The list is not exhaustive and may be amended or augmented in light of experience.

Responses to Consultation Document

1. Northern Ireland Assembly Education Committee
2. Departmental Solicitor's Office
3. Community Relations Council
4. Council for Catholic Maintained Schools
5. Northern Ireland Council for the Curriculum, Examinations and Assessment
6. Southern Education and Library Board
7. Youth Council for Northern Ireland
8. Stranmillis University College
9. Banbridge District Council
10. Antrim Borough Council
11. Craigavon Borough Council
12. Carrickfergus Borough Council
13. Northern Health and Social Services Board
14. First Key NI
15. Disability Action
16. Multi-Cultural Resource Centre
17. Volunteer Development Agency
18. POBAL
19. West Belfast Economic Forum
20. Traveller Movement (NI)
21. National Association of Schoolmasters and Union of Women Teachers
22. Ulster Teachers' Union
23. Northern Ireland Public Service Alliance (NIPSA)
24. NI Association for the Care and Resettlement of Offenders (NIACRO)
25. Falls Community Council
26. Down's Syndrome Association

27. Committee on the Administration of Justice (CAJ)
28. Southern Travellers Early Years Partnership
29. Gaeloiliuint
30. Family Planning Association (Northern Ireland)
31. Voice of Young People in Care Ltd (VOYPIC)
32. St Louise's Comprehensive College
33. South-Eastern Education and Library Board
34. Save the Children
35. Down and Connor Commission on Social Affairs
36. North-Eastern Education and Library Board
37. Simon Community Northern Ireland
38. Derry City Council
39. NI Council for Ethnic Minorities (NICEM)
40. Lisburn Borough Council
41. Northern Ireland Voluntary Trust (NIVT)
42. Independent Panel for Special Education Advice (IPSEA)
43. Sinn Fein
44. UNISON Northern Ireland
45. The Ulster Peoples College
46. Department of Agriculture and Rural Development
47. NIPPA
48. Eastern Health and Social Services Board
49. Down District Council
50. MENCAP
51. Royal National Institute for the Blind (RNIB)
52. Training for Women Network Ltd (TWN)
53. Coalition on Sexual Orientation (CoSO)
54. Mr K Maginnis MP
55. Probation Board for NI (PBNI)
56. Irish National Teachers' Organisation
57. Newry and Mourne District Council
58. Lesbian Line (Belfast)

Organisational Chart - Department of Education



Equality Commission - Guiding Principles on Consultation

- B** Consultation with groups and individuals should begin as early as possible.

- B** Consideration must be given to which method of consultation is most appropriate in the circumstances. Consideration should be given as to whether face-to-face meetings, small-group meetings, focus groups, discussion papers with the opportunity to comment in writing, questionnaires, or Internet discussions are best.

- B** The accessibility of the language and the format of information must be considered to ensure that there are no barriers to the consultation process. Information should be available on request in accessible formats such as Braille, disc and audio-cassette and in minority languages to meet the needs of those who are not fluent in English. Public authorities must ensure that systems are in place to ensure that information is available in such accessible formats in a timely fashion. In addition, specific consideration should be given to how to best communicate information to young people and those with learning disabilities.

- B** Specific training for those engaged in consultation exercises should be considered to ensure those facilitating consultations have the necessary skills to communicate effectively with those being consulted.

- B** Adequate time should be allowed for groups to consult amongst themselves as part of the process of forming a view. The Commission recommends a period of at least 2 months for consultation exercises.

- B** Appropriate measure should be taken to ensure full participation in any meetings which are held. Different groups have different needs and may have different customs. Public authorities will need to consider the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be run, the use of appropriate language, whether a signer is necessary and the provision of childcare.

- B** Information should be made available to ensure meaningful consultation. This should include relevant quantitative and qualitative data and other documentation including any specifically commissioned consultants' reports.

