

# **Human Rights & Equality Grant Scheme 2019**

**Guidance Manual for Grant Applications**

Irish Human Rights and Equality Commission  
16-22 Green St  
Dublin 7  
D07 CR20  
+353 (0) 1 8589601  
[grants@ihrec.ie](mailto:grants@ihrec.ie)  
[www.ihrec.ie](http://www.ihrec.ie)  
@\_IHREC

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# 1. The Irish Human Rights and Equality Commission

## 1.1 Purpose and Mandate

The Irish Human Rights & Equality Commission (the Commission) is an independent statutory body, established on 1 November 2014 under the Irish Human Rights and Commission (IHREC) Act 2014. The Commission is Ireland's National Human Rights Institution (NHRI) and National Equality Body (NEB).

Under the IHREC Act, the overall functions of the Commission are:

- a. To protect and promote human rights and equality;
- b. To encourage the development of a culture of respect for human rights, equality and intercultural understanding in the State;
- c. To promote understanding and awareness of the importance of human rights and equality in the State;
- d. To encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person, and;
- e. To work towards the elimination of human rights abuses, discrimination and prohibited conduct.

## 2. Human Rights and Equality Grants Scheme

### 2.1 Introduction and Overview

The Irish Human Rights and Equality Commission Act 2014 gives the Commission powers to provide grants to other bodies to carry out certain activities to promote human rights and equality.

The Irish Human Rights and Equality Commission has prioritised as a cross-cutting priority in its 2019-2021 Strategy Statement the advancement of the social and economic rights to housing, health and decent work. Recognising the inter-related nature of these rights, adopting and applying them plays a fundamental role in the creation of a more just, inclusive and sustainable society, and the Commission is committed to advancing socio-economic rights and social protection of all families and individuals.

The Commission has also committed to strengthen its relationship with civil society and foster an enabling environment for human rights development. It has prioritised increased awareness of human rights and understanding of the means to vindicate them by people facing the greatest barriers to justice.

In this context, the Human Rights and Equality Grants Scheme 2019/20 is supporting civil society organisations to promote and advance the economic and social rights to housing/accommodation, health and decent work.

### 2.2 Themes

The Grants scheme has three themes:

**Theme A:       Housing/accommodation**

**Theme B:       Health**

**Theme C:       Decent work<sup>1</sup>**

The total grant fund under the Human Rights & Equality Grant Scheme 2019/20 is **€350,000**.

Proposals will be accepted for:

- (a) general grants of up to €20,000 or**
- (b) small grants of up to €6,000**

A goal of the Commission in offering this grants scheme is to support capacity building among rights holder and community led groups. It would encourage such organisations to apply for support as is appropriate to their scale and function within the parameters of the scheme as set out here.

Under this Scheme, eligible organisations can submit a maximum of one application.

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<sup>1</sup> International Labour Organisation definition of Decent Work - 2019

“Involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.” <https://www.ilo.org/global/topics/decent-work/lang--en/index.htm>

## 2.3 Eligible Applicants

The Human Rights and Equality Grants Scheme is open to Irish-based civil society organisations. This includes community and voluntary organisations, non-governmental and not-for-profit organisations and groups representing geographic communities or communities of interest, and trade unions.

Applications from rights holder and community-led groups are encouraged.

Applications involving a collaborative partnership between two or more organisations are welcome. However, such applications must be made in the name of one lead civil society organisation acting as the applicant. The lead applicant will have full financial responsibility for the proposal and for meeting all of the terms and conditions of any grant awarded.

An applicant organisation must have an up-to-date tax clearance or charitable status or be a registered company. The Commission may require financial statements/audited accounts/or bank balance details from application organisations prior to awarding any grant under this Scheme.

## 2.4 Funding Themes Explained

The 2019/20 Human Rights and Equality Grants Scheme aims to support civil society organisations to promote and advance economic and social rights and equality. It has three thematic areas: housing/accommodation, health and decent work. For more information, see Annex A.

### Theme A: Housing/accommodation

The right to adequate housing comes from the right to an adequate standard of living under international human rights law.<sup>2</sup> The International Covenant on Economic, Social and Cultural Rights recognises “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”<sup>3</sup> It applies to everyone: individuals, as well as families, are entitled to adequate housing regardless of age, economic status, group, or other affiliation or status and should not be subject to any form of discrimination.<sup>4</sup>

While this right has limited enforceability under Irish law currently, people are protected against discrimination in relation to housing and accommodation under equality legislation.

The Equal Status Acts 2000-2015 (‘ESA’) prohibit discrimination, harassment, and sexual harassment in access to and use of goods and services, including housing and accommodation. The nine protected grounds under the ESA are gender, civil status, family status, sexual orientation, disability, age, race, religion and membership of the Traveller community. The ESA also protect people in receipt of rent supplement, housing assistance payments (HAP) or other social welfare payments against discrimination when they are accessing accommodation or related services and amenities.

The 2019/20 Grants scheme supports approaches that:

- Build people’s awareness and understanding of the right to housing/accommodation and how it relates to other rights;
- Assist people to vindicate their right to housing/accommodation;
- Facilitate dialogue on housing/accommodation from a human rights and equality perspective;

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<sup>2</sup> General comment No. 4 at paragraph 1, Committee on Economic social and Cultural Rights.

<sup>3</sup> <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

<sup>4</sup> General comment No. 4 at paragraph 6, Committee on Economic social and Cultural Rights.

- Support equal treatment in the provision of housing and accommodation on the grounds of gender, race, disability, civil status, family status, sexual orientation, religion, age and membership of the Traveller community or in receipt of housing assistance;
- Strengthen the capacity of civil society and community groups to engage with Government departments and public bodies to meet their obligations under the Public Sector Equality and Human Rights Duty<sup>5</sup> and to hold them to account more effectively;
- Provides a qualitative and/or quantitative evidence base to inform the development of rights based legislation, policy and practice.

## Theme B: Health

Every human being is entitled to the enjoyment of the highest attainable standard of physical and mental health under international human rights law.<sup>6</sup> The right to health embraces a wide range of socio-economic factors that promote conditions in which people can lead a healthy life, and extends to the underlying determinants of health, such as food and nutrition, housing, access to safe water and sanitation, safe and healthy working conditions, and a healthy environment.<sup>7</sup>

People are protected against discrimination in accessing and using health care services under equality legislation. The Equal Status Acts 2000-2015 ('ESA') prohibit discrimination, harassment, and sexual harassment in access to and use of goods and services. This includes healthcare services. The nine protected grounds under the ESA are gender, civil status, family status, sexual orientation, disability, age, race, religion and membership of the Traveller community.

The 2019/20 Grants scheme supports approaches that:

- Build people's awareness and understanding of their right to health and how it relates to other rights
- Assist people to vindicate their right to health;
- Facilitate dialogue on health from a human rights and equality perspective;
- Support equal treatment in relation to health services on the grounds of gender, race, disability, civil status, family status, sexual orientation, religion, age and membership of the Traveller community and housing assistance (HAP);
- Strengthen capacity of civil society and community groups to engage with Government departments and public bodies to meet their obligations under the Public Sector Equality and Human Rights Duty<sup>8</sup> and to hold them to account more effectively;
- Offer research and policy analysis on health from a human rights and equality perspective that provides an evidence base to inform the development of rights based legislation, policy and practice.

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<sup>5</sup> Section 42 of the Irish Human Rights and Equality Commission Act 2014 imposes a statutory obligation on public bodies in performing their functions to have regard to the need to: eliminate discrimination; promote equality of opportunity and treatment for staff and service users; and protect the human rights of, staff and services users. For more information see: <https://www.ihrec.ie/our-work/public-sector-duty/>

<sup>6</sup> This is provided for under the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR); as well as the European Social Charter (Revised) of the Council of Europe.

<sup>7</sup> Ibid.

<sup>8</sup> See above at 5.

## Theme C: Decent Work

Decent work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.<sup>9</sup>

A framework of Irish law, European Union law and international law governs the provision of employment in Ireland.<sup>10</sup>

People are protected against discrimination in relation to employment under equality legislation. The *Employment Equality Acts 1998-2015* ('EEA') prohibit discrimination, harassment and sexual harassment in employment, including vocational training and work experience under a contract of employment. The nine protected grounds under the EEA are gender, civil status, family status, sexual orientation, disability, age, race, religion, membership of the Traveller community.

The Grants scheme supports approaches that:

- Build people's awareness and understanding of their right to decent work and how it relates to other rights;
- Assist people to vindicate their right to decent work;
- Facilitate dialogue on decent work from a human rights and equality perspective;
- Support equal treatment in relation to employment on the grounds of gender, race, disability, civil status, family status, sexual orientation, religion, age and membership of the Traveller community and being in receipt of housing assistance;
- Strengthen capacity of civil society and community groups to engage with Government departments and public bodies to meet their obligations under the Public Sector Equality and Human Rights Duty<sup>11</sup> and to hold them to account more effectively;
- Offer research and policy analysis on housing from a human rights and equality perspective that provides an evidence base to inform the development of rights based legislation, policy and practice.

## 2.6 Activities Supported by the Grant Scheme

The Grants Scheme will support a broad range of initiatives, including for example:

### Undertake research, legal or policy analysis

- Quantitative, qualitative or participatory research;
- Data gathering and analysis on health, housing or decent work from a human rights and equality perspective;
- Analysing and documenting models of good practice to promote and advance the rights to health, housing or decent work.

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<sup>9</sup> International Labour Organisation definition of Decent Work – 2019 <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>

<sup>10</sup> For example, see the Employment (Miscellaneous Provisions) Act 2018; the Workplace Relations Act 2015; Organisation of Working Time Act 1997; the Charter of Fundamental Rights of the European Union; the European Working Time Directive (2003/88/EC); and the European Social Charter (Revised).

<sup>11</sup> See above at 5.

### **Raise awareness and share learning**

- developing, publishing and disseminating materials;
- organising conferences, seminars and round-tables;
- generating creative and/or participatory spaces for awareness raising, learning and dialogue;
- developing of digital tools, and campaigns on the right to health, housing and/or decent work.

### **Provide training and education to build capacity of rights holders**

- Carrying out participatory education and training activities;
- Producing education and training resources in paper, digital or other formats.

## 3. Applying for a Grant

### 3.1 Introduction and Overview

Grant applications must be submitted on the application form provided.

Under this scheme, eligible organisations can submit a **maximum of one application**.

Applications can be submitted:

- **By email to [grants@ihrec.ie](mailto:grants@ihrec.ie)**  
(please use the subject line 'Human Rights & Equality Grant Scheme 2019')
- **By post to 'Human Rights and Equality Grant Scheme 2019'**  
Irish Human Rights and Equality Commission,  
16-22 Green Street,  
Dublin 7, D07 CR20.

**The closing date for receipt of applications is Monday 15 April 2019 at 5.00pm.**

Applications, whether submitted by email or post, must be received by the closing time and date indicated above.

Applications after this time and date will not be considered. For postal applications, a postage stamp with the closing date is not sufficient.

### 3.2 Application Form

The application form is comprised of six parts: It is important that applicant organisations complete the application form taking into account the overall aim, funding themes and approaches supported by the grants scheme, so that applications meet the requirements of the grant and can be assessed adequately by the assessment panel.

#### **Part A: Organisational Details**

This part asks for basic information about the applicant organisation, the lead person for this grant application and – where applicable - any partner organisation/group of organisations.

#### **Part B: Funding Themes**

This part asks applicants to indicate which funding theme the proposed activity falls under.

#### **Part C: Project Proposal**

This part asks applicants for details of the project for which applicants are seeking funding. This covers the aims and objectives of the project, the key actions or activities involved, and the intended outcomes/results.

The information provided in this part is particularly relevant to the 'Quality of Proposal' section of the Marking Scheme. Therefore, it is important that applicants ensure that they provide clear and sufficient detail to allow the assessment panel to adequately consider and score the proposal.

## **Part D: Organisational and Implementation Capacity**

This part asks for information on the work of the applicant organisation (and partner organisations where applicable), its capacity to implement the project that is being proposed, and on how the project will be delivered and by whom.

The information provided in this part is particularly relevant to the 'Organisational and Implementation Capacity' section of the Marking Scheme. Therefore, it is important that applicants ensure that they provide clear and sufficient detail to allow the assessment panel to adequately consider and score the proposal.

## **Part E: Project Budget and Costings**

This part asks for information on the funding being applied for, the total amount sought and a breakdown of the project costs. All costs should be quoted in Euro and should include VAT.

The information provided in this part is particularly relevant to the 'Costs' section of the Marking Scheme. Therefore it is important that applicants ensure that they provide clear and sufficient detail to allow the assessment panel to adequately consider and score the proposal.

Applicants are asked to breakdown their costs across a number of headings. Please note that not all of these headings will apply in each case. These headings are:

- **Contracted Services**

This may include, for example, fees for contractors engaged to undertake research (including peer researchers) or to provide human rights and equality expertise, training, facilitation, project coordination, project administration.

- **Event Costs**

This may include, for example, venue hire, meeting rooms, refreshments.

- **Travel and Subsistence**

This may include, for example, speakers travel and subsistence or reasonable support for participants to engage in a project or attend an event, if it is deemed necessary.

- **Promotion Costs**

This may include, for example, event/project publicity and advertising, printing and design, ICT costs towards online supports and social media.

- **Purchase of Materials**

This may include, for example, training materials, photocopying or stationery.

- **Other Costs**

Other costs arising should be clearly specified.

- **Administration**

A flat fee of 5% is allowable for Irish based civil society organisations (including community and voluntary organisations, non-governmental organisations, non-profit organisations, groups representing geographic communities and communities of interest, and trade unions).

**The following activities and costs are ineligible and will not be considered for funding:**

- Organisation core costs, including salaries of existing staff and overheads;
- Costs not related to the project outlined in the application;
- Retrospective costs – activity that has already been undertaken prior to the date of application approval;
- Funding of post-graduate theses;
- The purchase of IT or other office equipment or general office supplies;
- Fundraising activities;
- Elements already funded from other sources;
- Projects or activities that give rise to commercial activity or profits.

**Part F: Mandatory Declarations**

In this part, applicants are required to confirm their understanding and acceptance of the Freedom of Information provisions that will apply in respect of applications under this Grant Scheme.

Applicants are also required to confirm that they understand and accept a Disclaimer to the effect that the Irish Human Rights and Equality Commission shall not be liable to the applicant or to any other part in respect of any loss, damage or costs arising directly or indirectly from: (a) the application or the subject matter of the application; (b) the rejection for any reason of the application.

## 4. Assessment and Awards

### 4.1 Evaluation of Applications

All applications will be screened to check eligibility. In order to be eligible applications must:

- Be submitted on time;
- Be completed in full;
- Be submitted by an eligible applicant.

All eligible applications received will be assessed by a panel convened for that purpose. The assessment panel for the 'Human Rights & Equality Grant Scheme 2019' will comprise of relevant staff of the Commission and independent external expertise.

### 4.2 Assessment Criteria and Marking

Eligible applications will be assessed according to the following criteria and marking scheme:

- Quality and relevance of the proposal to promoting and advancing work on housing, health and/or decent work from a human rights and equality perspective (50 marks);
- Organisational and Implementation Capacity (30 marks);
- Costs (20 marks).

Further details of this marking scheme are set out in Annex C below.

### 4.3. Notice of Outcome

All applicants, successful and unsuccessful, will be informed by letter or email of the outcome of the assessment process.

### 4.4 Conditions of Offer

Successful applicants will be required to enter into a Grant Agreement, which will include but is not limited to:

- Confirmation of receipt of a valid and in date tax clearance certificate;
- Start date and completion date for the project;
- A statement of activities and actions to be delivered;
- Funding amount and funding draw down arrangements;
- Project review, reporting and financial requirements;
- Vouched expenditure requirements, including invoices and proof of payment;
- Specific requirements of applicants in relation to publicity, use of logos etc.
- A signed declaration to confirm that the organisation is not receiving funding from other public funds for this project.
- Activities funded under the grant scheme must be completed within twelve months of signing a grant agreement.

The signed Grant Agreement and all relevant documentation **must be returned no later than three weeks** after receipt of the agreement from the Commission.

## 4.5 Payment of Grant

Arrangements for drawdown of grants is on the basis of vouched expenditure, this means the Grant Recipient must state formally that all expenditure is receipted and accounted for. Full financial requirements will be specified in the Grant Agreement. Funding will be paid in a minimum of two instalments. Final payments in each case will only be made upon completion of the project, and receipt of the Project and Financial Reports where all costs being claimed are vouched for.

## 4.6 Monitoring and Interim Reporting

Grant recipients are required to submit a short bi-monthly financial and performance report, setting out any expenditure, accompanied by vouched receipts and any progress made in the implementation of the project. These reports should be accompanied by a letter of assurance signed at management level in the organisation.

## 4.7 Final Project and Financial Report

The Final Project Report will set out a brief description of the project, and will include the following:

- A summary of actions and activities undertaken;
- Project results, achievements or outcomes;
- An assessment of how the project objectives have been met.

The Final Financial report will set out the total expenditure for the project and be accompanied by any outstanding vouched receipts and paid invoices.

The Commission also request a copy of any published material from the project.

## 4.8 Review by the Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission reserves the right to conduct a review of the impact of its grants programme. Successful applicants will be asked to confirm that they will cooperate with such a review should it be undertaken.

## 5. IHREC Grant Application Support

Should you have any questions or queries about any aspect of the Grants Scheme, please contact the Grants Team who will be very happy to help you at [grants@ihrec.ie](mailto:grants@ihrec.ie) with the subject line 'Human Rights & Equality Grant Scheme 2019'.

You can also write in to: Human Rights & Equality Grant Scheme 2019, Irish Human Rights and Equality Commission, 16-22 Green Street, Dublin 7, D07 CR20.

**Please note that once a grant application has been submitted, the Commission will not enter into individual or written correspondence and will not be in a position to review any eligibility issues with applicants.**

# Annex A: What are Social and Economic Rights to housing, health and decent work

The Irish Human Rights and Equality Commission has prioritised the social and economic rights to health, housing and decent work in its 2019-2021 Strategy Statement. The Commission has also committed itself to strengthen its relationship with civil society and foster an enabling environment for human rights development. It has prioritised increased awareness of human rights and understanding of the means to vindicate them by people facing the greatest barriers to justice.

In this context, the Human Rights and Equality Grants Scheme 2019 is a mechanism to support civil society to promote and advance economic and social rights and equality in relation to housing, health and decent work.

## Where are human rights, including the social and economic rights to housing, health and decent work, found?

Human rights are usually set out in law. They are found in international (mainly United Nations), regional (European Union or Council of Europe) law and treaties, or at national level, in the case of Ireland, in the Constitution and national law.<sup>12</sup>

At the international level, Ireland has ratified a number of international human rights treaties or conventions, including the international covenant on economic, social and cultural rights (ICESCR), which sets out the rights to housing, health and decent work. While ICESCR has not been incorporated into Irish law, which means it is not legally enforceable before the Irish Courts, Ireland is obliged through its laws and policies to ensure that the rights set out in ICESCR are respected, protected and fulfilled in the State.

This means that Ireland must take a proactive role to realise these rights, involving commitments of financial and material resources. Since these resources might not necessarily be directly available, the implementation of economic, social and cultural rights can be undertaken progressively over time.<sup>13</sup>

Other international treaties protect the rights of specific groups, such as women<sup>14</sup>, children<sup>15</sup>, people with disabilities<sup>16</sup>, and people from ethnic and religious minorities and migrant backgrounds<sup>17</sup>. These treaties also recognise social, economic and cultural rights including housing, health and work, and give particular guidance to States including Ireland on how they can be safeguarded and vindicated for these groups.

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<sup>12</sup> *Human Rights Explained* IHREC 2015

[https://www.ihrec.ie/app/uploads/download/pdf/ihrec\\_human\\_rights\\_explained.pdf](https://www.ihrec.ie/app/uploads/download/pdf/ihrec_human_rights_explained.pdf)

<sup>13</sup> <https://www.ohchr.org/Documents/Publications/FactSheet33en.pdf>

<sup>14</sup> UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

<sup>15</sup> UN Convention on the Rights of the Child (UNCRC)

<sup>16</sup> UN Convention on the Rights of Persons with Disabilities (UNCRPD)

<sup>17</sup> International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

Discrimination and inequality can also be a barrier to the realisation of human rights, such as the right to housing, health or decent work. In Ireland, the principle national laws prohibiting discrimination in relation to the access of services, or in relation to employment, are the Equal Status Acts 2000-2015 and the Employment Equality Acts 1998-2015. A summary of what is covered by these Acts is included in Annex B.

## What do the international standards on housing, health and work say?

### Housing /Accommodation

Article 11 of the ICESCR recognises “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”

The human right to adequate housing is derived from the right to an adequate standard of living in international human rights law.<sup>18</sup> It applies to everyone: Individuals, as well as families, are entitled to adequate housing regardless of age, economic status, group or other affiliation or status and should not be subject to any form of discrimination.<sup>19</sup>

The right to housing should not be interpreted in a narrow sense, which equates it with, for example, having a roof over one’s head or housing as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity.<sup>20</sup> This right must be read as referring not just to housing but to adequate housing and accommodation. This should be understood to require “adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities - all at a reasonable cost”.<sup>21</sup>

Certain aspects of the right that must be taken into account.<sup>22</sup> These are:

- *Legal security of tenure*
- *Availability of services, materials, facilities and infrastructure*
- *Affordability*
- *Habitability*
- *Accessibility*
- *Location*
- *Cultural Adequacy*

### Health

Every human being is entitled to the enjoyment of the highest attainable standard of health in international human rights law.<sup>23</sup> The ICESCR provides the most comprehensive article on the right to health in international human rights law defining it as “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”.<sup>24</sup> The right to health embraces a wide range of

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<sup>18</sup> General comment No. 4 at paragraph 1, Committee on Economic social and Cultural Rights.

<sup>19</sup> General comment No. 4 at paragraph 6, Committee on Economic social and Cultural Rights.

<sup>20</sup> General comment No. 4 at paragraph 7, Committee on Economic social and Cultural Rights.

<sup>21</sup> General comment No. 4 at paragraph 7, Committee on Economic social and Cultural Rights.

<sup>22</sup> General comment No. 4 at paragraph 8, Committee on Economic social and Cultural Rights.

<sup>23</sup> General Comment No. 14 at paragraph 1, Committee on Economic social and Cultural Rights.

<sup>24</sup> <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

socio-economic factors that promote conditions in which people can lead a healthy life, and extends to the underlying determinants of health, such as food and nutrition, housing, access to safe water and sanitation, safe and healthy working conditions, and a healthy environment.

The right to health contains the following interrelated, essential elements<sup>25</sup>:

- a) *Availability*. Functioning public health and health-care facilities, goods and services, as well as programmes, have to be available in sufficient quantity within the State party.
- b) *Accessibility*. This has four overlapping dimensions:
  - Non-discrimination: health facilities, goods and services must be accessible to all, especially the most vulnerable or marginalized sections of the population.
  - Physical accessibility
  - Economic accessibility and affordability
  - Information accessibility: accessibility includes the right to seek, receive and impart information and ideas concerning health issues.
- c) *Acceptability*. All health facilities, goods and services must be respectful of medical ethics and culturally appropriate
- d) *Quality*. As well as being culturally acceptable, health facilities, goods and services must also be scientifically and medically appropriate and of good quality.

### Decent work

Article 6 of the ICESCR provides that states must recognise the “the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts” and calls for states to take “appropriate steps to safeguard this right.”<sup>26</sup> These steps may include “technical and vocational guidance and training programmes, policies and techniques... under conditions safeguarding fundamental political and economic freedoms to the individual.”

Article 7 goes on to recognise the “the right of everyone to the enjoyment of just and favourable conditions of work” which include: “Fair wages and equal remuneration for work of equal value” with a particular focus on women; “Equal opportunities for promotion”; “Rest, leisure and reasonable limitations of working hours”.<sup>27</sup>

The Irish Human Rights and Equality Commission has adopted the definition of decent work set out by the International Labour Organisation<sup>28</sup>: It “Involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.”

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<sup>25</sup> General Comment No. 14 at paragraph 12, Committee on Economic social and Cultural Rights.

<sup>26</sup> <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

<sup>27</sup> Ibid.

<sup>28</sup> *Decent Work* (webpage) International Labour Organisation <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>

## Annex B: Equality legislation as it relates to Economic and Social Rights

Irish and European Union law prohibits discrimination in employment and in access to and use of goods and services including housing and health services. The protected grounds under the Employment Equality Acts 1998-2015 and the Equal Status Acts 2000-2015 are as follows:

### Employment Equality Acts 1998-2015

The Employment Equality Acts 1998-2015 ('EEA') prohibit discrimination, harassment and sexual harassment in employment, including vocational training and work experience.

The nine protected grounds under the EEA are gender, civil status, family status, sexual orientation, disability, age, race, religion and membership of the Traveller community.

For example, under the EEA an employer is obliged to take appropriate measures to enable a person who has a disability: to have access to employment; to participate or advance in employment; or to undertake training unless the measures would impose a disproportionate burden on the employer. Appropriate measures are effective and practical measures to adapt the employer's place of business including: the adaptation of premises and equipment; patterns of working time; distribution of tasks; or the provision of training or integration resources.

Under the EEA employers can take positive action with a view to ensuring full equality in practice between employees on all of the nine protected grounds.

The EEA provide for equal pay for like work in respect of all of the grounds. Like work is defined as work that is the same, similar or work of equal value.

The EEA prohibit any form of advertising, which indicates an intention to discriminate or might be reasonably understood to indicate such an intention.

### Equal Status Acts 2000-2015

The Equal Status Acts 2000-2015 ('ESA') prohibit discrimination, harassment, and sexual harassment in access to and use of goods and services, accommodation and education.

The nine protected grounds under the ESA are gender, civil status, family status, sexual orientation, disability, age, race, religion and membership of the Traveller community.

The ESA also protect people in receipt of rent supplement, housing assistance payments or other social welfare payments against discrimination when they are accessing accommodation or related services and amenities.

People cannot discriminate when they are providing goods and services to the public (or a section of the public) whether these are free or where the goods and services are sold, hired or rented or exchanged.

The ESA require reasonable accommodation of people with disabilities. 'Reasonable accommodation' means providing special treatment or facilities to make sure that people with a

disability can avail of goods and services , so long as these do not have more than a nominal cost. What amounts to nominal cost will depend on the circumstances such as the size and resources of the body involved.

The ESA allow preferential treatment or the taking of positive measures which are bona fide intended to: promote equality of opportunity for disadvantaged persons under the grounds; cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services or assistance.

It is illegal under the ESA to publish or display an advertisement that indicates that certain people or groups would be treated less favourably.

**For further information on the Equality Acts please visit our website: <https://www.ihrec.ie/guides-and-tools/>**

## Annex C: Marking Scheme

Criteria	Description	Max mark available
Quality and Relevance of the Proposal	<ul style="list-style-type: none"> <li>Quality and relevance of the proposal to promoting and advancing work on housing, health and/or decent work from a human rights and equality perspective.</li> <li>Is there a clear rationale about why the specific issues and/or target group(s) outlined in the proposal were selected?</li> <li>Is the proposal informed by a methodology or relevant sources such as data, research and official documents?</li> </ul> <p>Clear approach, clear actions or activities, and potential outcomes anticipated as a result of the proposed project.</p> <ul style="list-style-type: none"> <li>Are actions or activities realistic?</li> <li>Is there clarity in terms of what the proposal hopes to achieve (outcomes) in relation to advancing social and economic rights to health, housing and/or decent work?</li> <li>Does the proposal aim to identify or address gaps in the realisation of the right to housing, health and/or decent work?</li> </ul>	50
Organisational and implementation capacity	<p>The feasibility and credibility of the proposal plan:</p> <p>Are the actions or activities realistic and achievable in terms of realising expected outcomes and in terms of implementation within the timeframe?</p> <p>Capacity to complete the project to a high standard within the timescale</p> <ul style="list-style-type: none"> <li>Is there evidence of a good track record and tangible results from previous projects, including lessons learned? Experience of managing projects.</li> <li>Does the application make clear the organisation's capacity to implement the proposal?</li> </ul>	30

**Costs**

Costings and value for money.

**20**

- Does the proposal clearly set out how the budget will be allocated?
- Are the costings realistic?
- Does the budget consider value for money? i.e.

- Clarify rationale for specific areas of budget allocation as appropriate and explain how this budget allocation is expected to contribute to realising outcomes;

- Identify any areas where value for money informed the approach to implementation of the proposal.

**Total marks available**

**100**