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THE EQUALITY AUTHORITY
AN tÚDARÁS COMHIONANNAIS



FOR DIVERSITY
AGAINST DISCRIMINATION

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This publication is supported under the European Union Programme for Employment and Social Solidarity – PROGRESS (2007–2013).

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The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

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- Providing analysis and policy advice on PROGRESS policy areas;
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- Relaying the views of the stakeholders and society at large.

For more information see:
<http://ec.europa.eu/social/main.jsp?langId=en&catId=327>

The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.



Section I: Introduction

Since 2000, there has been a legislative obligation on public sector organisations to ensure that their services do not discriminate against groups across nine equality grounds (gender, civil status, marital status, age, disability, sexual orientation, religion, race and membership of the Traveller community).

Over the past decade, civil and public service organisations have undertaken a series of actions to develop their capacity to meet their legislative obligations on equality. These include undertaking equality training, preparing guidelines on equality audits, equality impact assessments and equality screening and producing e-learning tools. Public sector organisations have organised awareness events on specific equality themes. Some have undertaken equality action plans. Certain public sector organisations in the health and education sectors have undertaken equal status reviews of their services. Others, particularly in the local authority and education sectors, have developed equal status policies.

However, many of the pro-equality initiatives were undertaken during the economic boom. The economic downturn has created a series of challenges for public sector organisations seeking to fulfil their legislative obligations and to implement good practice as regards equality in service provision.

Many public sector organisations now have to fulfil their responsibilities with fewer staff and fewer resources at a time of ever greater demand from service users for limited services. Organisational restructuring, staff changes and retirements have resulted in a loss of some of the equality expertise gained by key officials across a range of public sector organisations. At the same time, there is an increasing risk of discrimination cases since demand for public services now often outstrips available supply requiring public servants to

make difficult choices as to who will receive services and who will not.

In this context, there is a need to build a body of practice on implementing equality in service provision in the public sector at a time of reduced resources. There is also a need to disseminate information on the body of practice undertaken in recent years.

Rationale for Project

The Equality Authority sought funding from the European Commission's PROGRESS funding line for a project focused on expanding the body of practice on implementing equality in service provision in the public sector. The project had the following objectives:



- To demonstrate the continued relevance of equality in public services in a time of recession;
- To develop equality capacity within the public sector in a context of reduced resources;
- To focus on creating a pro-equality culture in public sector organisations where there is a continuing high risk of discrimination cases, particularly in relation to education and housing;
- To develop a model for implementing equality in service provision in the public sector.

Project Summary

The project has aimed to build a body of practice on implementing equality in service provision in three ways:

- by supporting the two pilot equality projects in public sector organisations;
- by organising a good practice workshop for public sector officials focused on exploring the lessons arising from these pilot projects and on applying equality tools;
- by preparing a web-based report for public sector officials outlining the lessons from the pilot projects and from the good practice workshop and identifying key issues for implementing equality in service provision.

Wicklow County Council: Pilot Project One

Wicklow County Council undertook an equality review of its housing allocations policy to ensure that its policy is promoting equality and is not discriminatory across the nine grounds of the equality legislation. Two sessions of targeted equality training were delivered to its housing staff. A report was prepared which identified challenges to effective embedding of equality considerations in housing allocation and the actions needed to address these issues. This report and the lessons from the

overall project were discussed at a workshop for local authorities organised by the Local Government Management Agency on 20 September 2011.

County Donegal VEC: Pilot Project Two

County Donegal Vocational Education Committee (VEC) developed an equal status policy and implementation plan for its education services. It also reviewed its current equality practice by means of an online survey completed by staff and service users.

Workshop on Implementing Equality in Service Delivery

The Equality Authority ran a workshop for public sector officials on *Implementing Equality in Service Delivery* on 25 October 2011.

The workshop featured inputs from:

- **Carol Baxter**, Equality Authority, on 'Key Tips for Embedding Equality in Public Sector Organisations';
- **Cróna Gallagher**, County Donegal VEC, on 'Developing an Equal Status Policy for Education Services';
- **Margaret Malone**, Wicklow County Council, on 'Embedding Equality in Housing Allocation'.

The Equality Authority organised parallel sessions facilitated by the equality experts who had worked on the projects with County Donegal VEC and Wicklow County Council:

- **Session A** provided training on developing an equal status policy for public services;
- **Session B** provided training on embedding equality considerations in service delivery.



Section II:

Equality & Public Services:

What is Already in Place

Irish Equality Legislation and Infrastructure

The Equal Status Acts 2000-2011 promote equality and prohibit discrimination (with some exemptions) in the provision of public services across nine equality grounds (gender, civil status, family status, age, sexual orientation, disability, religion, race and membership of the Traveller community). They require reasonable accommodation of people with disabilities where such accommodation does not amount to more than a nominal cost (which varies depending on the size of the organisation). There are exemptions to the legislation. Anything required by Statute or EU law is exempted. There are specific exemptions on the nationality ground in relation to the treatment by public authorities of certain foreign nationals.

An equality infrastructure is in place to support compliance with the equality legislation. Individuals who consider that they have experienced discrimination in services can take a case to the Equality Tribunal, a quasi-judicial institution established under the equality legislation.

The Equality Authority is the national statutory body with the mandate under the legislation to promote equality and combat discrimination in employment, goods and services. The Equality Authority can take strategic legal cases on behalf of individuals experiencing discrimination in services, including public services. It also provides information, training and support to public and private sector organisations to develop their equality competency.

The Department of Justice and Equality has responsibility for developing policy on equality, including in relation to service provision. The National Disability Authority provides advice and support for public sector organisations to comply with the disability legislation and with the National Disability Strategy.



Equality Initiatives on Service Provision in the Public Sector

Equality Proofing Working Group

An Equality Proofing Working Group, chaired by the Department of Justice and Equality, has worked on a number of initiatives over the past decade to promote and support equality proofing initiatives in the public service. These include:

- Undertaking exploratory work on integrated proofing and on disability proofing memoranda for government;
- Supporting equality proofing initiatives in Quality Customer Service, in the North Western Health Board, in City and County Development Boards and in FÁS;
- Exploring how equality can be included in the regulatory powers of designated public bodies;
- Supporting Government Departments on equality proofing.

Public Sector Equality Learning Network

The Equality Authority and FÁS, the national training agency, established a Public Sector Equality Learning Network (PSELN) as one of the actions of the European Year of Equal Opportunities for All 2007, funded by the EU's PROGRESS fund. The aim of the PSELN has been to develop an institutional capacity in public sector organisations to accommodate diversity, promote equality and eliminate discrimination.

A survey of PSELN members undertaken in 2007 found that the public sector organisations surveyed had a generally positive attitude toward equality but that there were difficulties and limitations in implementing equality in service delivery because of insufficient resources, lack of trained staff and uncertainty regarding obligations under the Equal Status Acts. Since then, PSELN members have consistently expressed a demand for targeted training to enable them to develop their understanding

of specific equality issues or of the needs of particular equality grounds and to support them to make the organisational changes needed to respond to those needs. PSELN members have also indicated their interest in being briefed on new equality tools and approaches on an ongoing basis.

In response, the PSELN has worked actively to support members to develop their institutional capacity. An equality screening tool has been developed to enable public sector organisations to screen policies for their equality relevance and to identify possible amendments to mitigate any negative impact in terms of equality.

The PSELN has developed an equality training module suitable for use in induction training in the public sector. It also operates a regular programme of events to develop the equality expertise of PSELN members on issues such as equality data collection, making reasonable accommodation for service users with disabilities, supporting LGBT staff networks, undertaking equality screening and equal status reviews and on making the business case for equality.

Equality Mainstreaming Unit

In 2007, the Equality Authority established an Equality Mainstreaming Unit (EMU) with part-funding from the European Social Fund. The overall objective of the Unit is to facilitate and support institutional change within providers of vocational education and training, and labour market programmes so that they have a capacity to combat discrimination, to promote equality and accommodate diversity. The EMU has worked intensively with VECs to develop their equality competency in terms of service provision. The EMU is currently supporting VECs to receive targeted equality training to enable them to integrate Traveller learners in mainstream provision.

The EMU runs an annual Equality Mainstreaming in Vocational Education and Training conference for further and vocational education practitioners. The conference tends to feature



national and international case studies of good practice and the latest equality tools. The latest conference, held on 25 October 2011 for instance, included an interactive training session on two new e-learning tools – (1) an e-learning tool on employment equality developed by the Irish University Association Equality Network and (2) an e-learning tool on disability equality developed by the National Disability Authority.

Equality Initiatives in the Further and Vocational Education Sector

The further and vocational education sector has been a pioneer in the area of equality in service provision. Organisations in this sector have undertaken equality training, developed targeted guidelines and have sought to ensure that their systems do not discriminate against groups across the nine equality grounds.

Examples of previous equality initiatives in this sector include:

- *Guidelines for Conducting Equality Impact Assessments on IVEA and VEC Plans, Policies and Programmes* developed by the Irish Vocational Education Association and the Equality Authority (2007). These guidelines were subsequently tested by County Donegal VEC on its adult education plan in 2008. [The following web page contains three links, one to a PDF version of the Guidelines, one to a RTF version of the Guidelines, and one to a PDF version of the template that forms part of the Guidelines: <http://www.equality.ie/index.asp?docID=699>]
- Kerry Education Service's Equal Status Review (2006).
- Equality mainstreaming projects by County Wicklow, County Waterford and County Dublin VECs (2009).
- A project by Louth VEC on the inclusion of Traveller learners in mainstream provision (2010).

What is unique to the further and adult education sector is the equality standard instituted by the Further Education and Training

Awards Council (FETAC), which is the statutory awarding body for further education and training in Ireland. FETAC has instituted equality requirements on providers of further and adult education seeking FETAC certification. The FETAC Quality Assurance in Further Education and Training Policy and Guidelines for Providers, V1.3 require that:

“Programmes of education and training and related services should be delivered in a manner that accommodates diversity, combats discrimination and promotes equality of opportunity. Delivery agencies should have an institutional capacity and commitment to combat discrimination, to accommodate and make adjustments for diversity. This capacity needs to be planned and systematic rather than ad hoc, informal or reactive.

A provider's Equality Policy should express its commitment to equality in employment and service provision...” (p. 24)

These requirements have been effective in effecting a change in organisational practice in the further and adult education sector. They have prompted further and adult education providers to engage consistently in developing their institutional capacity regarding equality in service provision

In response to the demand from further and adult education providers for support in meeting their FETAC requirements, the Further Education Support Service (FESS), which supports education providers funded by the Department of Education and Skills, developed an equality resource for education providers in 2010. The Equality Action Planning Framework outlines a model for undertaking equality action planning in further and adult education. It contains a template for equality action planning, an equality review tool and elements for an equal status policy [available as a PDF document at http://www.fess.ie/images/stories/Equality/Equality_Action_Planning__WEB.pdf].

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Equality Initiatives by Local Authorities

In the period since the enactment of the Employment Equality Act 1998, local authorities have developed the institutional capacity to promote equality in employment. Many local authorities have equality officers, often located in the human resource function of their organisations, who have the role of ensuring that local authority employees do not experience discrimination in employment. Local authorities also have access officers responsible for ensuring that services are accessible to people with disabilities.

Equal Status Policy and Guidelines

In general, local authorities have less well-developed structures for addressing equality issues for service users. In response, the Local Government Management Services Board (now the Local Government Management Agency), the umbrella organisation for local authorities in Ireland, has worked with the Equality Authority to develop the institutional capacity of local authorities regarding equality in service provision.

In 2008-9, the Local Government Management Services Board (LGMSB) established an Equal Status Working Group of representatives of local authorities, the LGMSB and the Equality Authority to develop equal status policy guidelines and an equal status policy template for local authorities (see **Model A, Section III**). The Equal Status Working Group was chaired by Michael Malone, County Manager, Kildare County Council. The guidelines showed how local authorities could accommodate diversity, make reasonable accommodation for people with disabilities and generally manage their relationship with the general public in a pro-equality way [available as a PDF document at <http://www.lgmsb.ie/Upload/documents/LGMSB%20Equal%20Status%20Policy%20Guidelines%20Template%202008.pdf>].

Dara has the Craic

In 2005, Cavan and Kildare County Councils worked on a joint project with the Equality Authority to identify and practise ways of making sure that people with disabilities get access to local authority services. The project undertaken by Cavan County Council was entitled Creating Reasonable Accommodation in Cavan (CRAIC) while Kildare County Council's project was entitled Delivering Access Rights for All (DARA). Cavan County Council focused on improving the accessibility of signage as well as of its library service, its website and its motor taxation office. Kildare County Council focused on improving the accessibility of playgrounds, of its website, road design and of any communications with members of the public.

The DARA / CRAIC model (see **Model B, Section III**) was found to be very effective at fostering organisational commitment, innovation and project implementation [available for download from <http://www.equality.ie/index.asp?locID=109&docID=680>].

Investing in Equality: Improving Services

In 2009, the Equality Authority supported Cavan and Kildare County Councils to undertake projects to enhance service delivery to Black and minority ethnic (including Traveller) people (see **Model C, Section III**). The project included events to celebrate cultural diversity, initiatives to gather baseline data as well as information sessions on local authority services. These included a targeted information event to make Black and minority ethnic people aware of their rights in relation to housing [available as an interactive PDF at the following link, http://www.cavancoco.ie/cavanweb/publish/domain/cavancoco/Default.aspx?StructureID_str=360].



Equality Initiatives on Public Service Provision: Some Implementation Lessons

A number of equality initiatives focused on service provision in the public sector have highlighted lessons for effective implementation of equality.

Equality Proofing Initiatives – Implementation Lessons

- The equality proofing project on the Quality Customer Service Initiative confirmed that the inclusion of an equality dimension in a process of change management was itself a useful form of equality proofing.
- However, the project also confirmed that equality proofing a change management process required practical supports and encouragement.
- The equal status review of the North Western Health Board in 2003-4 confirmed that equality proofing could constitute a means of developing equality competency within organisations.
- However, the North Western Health Board's equal status review also confirmed that an equality proofing methodology needed to be easy to implement and yet sufficiently challenging to support necessary organisational change for greater equality.
- The ambitious project undertaken by FÁS from 2002 onwards to develop equality proofing as an integral component of an organisation's practices and activities confirmed the need for clear and specific equality objectives to be established and integrated into all functions of an organisation to act as a foundation for equality proofing.
- The project to embed a focus on equality in the strategic planning of City and County Development Boards

confirmed the importance of data on groups experiencing inequality so that decisions could be better informed and progress indicators established and monitored.

Equality Studies Unit – Measure Studies

The Equality Authority operated an Equality Studies Unit funded by the European Social Fund under the National Development Plan 2000-2006. The ESU supported a rolling programme of studies specifically examining how individual education and training measures funded under Employment and Human Resources Development Operational Programme (EHRDOP) were performing on the requirement to embed a wider equality principle in the planning, design and delivery of their measures.

The measure studies tended to find that the equality outcomes were strongest in education and training initiatives when organisations:

- Had a formal commitment to equality;
- Were prepared to collect disaggregated equality data on the level and nature of participation by the groups covered by the wider equality principle (older people, people with disabilities, members of the Traveller community and minority ethnic people, including refugees) as well as on outcomes for these groups;
- Had active linkages with organisations representing the equality grounds;
- Had staff who demonstrated positive attitudes to accommodating diversity among their course participants;
- Had personnel who were willing to change their pedagogical approach to accommodate diversity;
- Were prepared to engage in equality-related work such as equality proofing.



Section III: Embedding Equality in Local Authorities: *Some Examples of Implementation Models*

MODEL A: Local Authority Equal Status Policy Guidelines and Template:
Implementation Model Proposed for Local Authorities

MODEL B: DARA/CRAIC Model

MODEL C: Investing in Equality / Improving Services: Factors for Success



MODEL A: Local Authority Equal Status Policy Guidelines and Template: *Implementation Model Proposed for Local Authorities*

The Local Authority Equal Status Policy Guidelines and Template recommend that the following implementation model be used when implementing equal status policies in local authorities.

- ❑ Senior management should facilitate the implementation of the policy.



- ❑ Line managers should ensure that services promote equality and are not discriminatory.



- ❑ Staff should cooperate with the development and implementation of the policy. This requirement should be included in contracts of employment for all staff and in staff handbooks.



- ❑ A nominated officer should have responsibility for promoting the effective implementation of the policy. The nominated officer should have responsibility to:

- + Ensure that customers with disabilities have their needs assessed and are reasonably accommodated;
- + Ensure that the needs of customers from across all nine grounds are assessed and are reasonably accommodated;
- + Manage and implement a complaints procedure in relation to allegations of discrimination or allegations of failure to make reasonable accommodation of issues raised in relation to the implementation of this policy;
- + Attend equality action team meetings.

- ❑ An Equality Committee / Equality Action Team should support the implementation of the equal status policy. Its terms of reference should task it to:

- + Sustain a focus on the equal status policy in all sections and at all levels of the local authority;
- + Stimulate and support the implementation of commitments in the equal status policy;
- + Support the development and implementation of the Equal Status Action Plan (which outlines the actions needed to implement the policy);
- + Regularly review the equal status policy;
- + Report to senior management on progress made in implementing the equal status policy and the Equal Status Action Plan.



- ❑ Members of the Equality Committee / Equality Action Team should be drawn, if possible, from various departments and grades and should, where possible, include members from groups identified within the nine equality grounds.

MODEL B: DARA / CRAIC Model

Step One

An initial meeting between the Equality Authority and each County Manager.



Step Two

A briefing session about the programme with the Senior Management Team (County Manager, Director of Services and Head of Finance) of each local authority.



Step Three

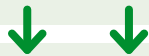
An initial participative training day designed and facilitated by the Equality Authority for the entire management team and other key decision-makers of each local authority which:

- challenged traditional thinking and kick started the programme;
- identified introductory short-term demonstration projects in each Directorate to be tried out over the following three months;
- established an 'animation group' to drive the programme throughout the local authority.



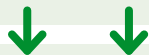
Step Four

Intensive contact between the animation group and the Equality Authority to support implementation of the project in both local authorities.



Step Five

Meetings half-way through and towards the end of the programme involving the County Manager, the animation group (of both local authorities) and the Equality Authority to review progress and make adjustments.



Step Six

A second participative day at the end of the programme to gather the learning gained.



MODEL C: Investing in Equality / Improving Services: Factors for Success

Those involved in the project came together to review the project. The factors that they identified as contributing to the success of the project were:

Support from the leadership and senior management

- ❑ The commitment of the leadership and senior management has to be made explicit. While the activities to promote equality do not always require additional resources, they may require organisational commitment and an openness to explore new ways of working to meet new challenges.



Partnership working

- ❑ Partnership working benefits everyone. It may involve cross-departmental partnership, partnership with external agencies or partnership with the beneficiaries of services. Some council departments already have strong connections with the target groups. Other departments can utilise those connections to develop their service provision.



Information about the community

- ❑ There is a need to have information about service users and potential service users. There are many external organisations and agencies that have strong links with the target communities. A constant information exchange with those agencies is essential. It may be that the problems of a few may be replicated by many and it is important to identify unmet needs in order that resources can be targeted effectively.

Communication with the community

- ❑ In order to communicate effectively with the target audience, it is important to use a variety of different media. Some communication can be done informally as well as formally.



Positive action initiatives

- ❑ Positive action to improve service delivery to Black and minority ethnic communities has to be seen in the context of the council's commitment to improve services for everyone. This contributes to mainstreaming the equality agenda which requires that the diversity of the community and their needs is recognised.



Training for staff

- ❑ Ongoing equality training is an essential part of the process of improved service delivery.



Equality Project Team

- ❑ An equality project team to steer the project provides an opportunity to share experiences and to learn from each other. It also provides a supportive peer group for those involved. The project team can play a role in ongoing development and provide a framework for reviewing progress.



Section IV: Implementation

Lessons from Wicklow County Council's Equality and Housing Allocation Project

Introduction

The Local Government Management Agency developed a project whereby a local authority would explore its practices in relation to equality and housing. Wicklow County Council volunteered to undertake an equality review of its decision-making processes in housing allocations with a view to identifying:

- the factors that influence decision-making;
- the pressures on decision-making; and
- the challenges to, or possibilities for, embedding equality into this area.

Summary of Project Activity

The project involved the following actions:

- Twelve semi-structured one-to-one interviews, undertaken by an equality expert, with employees of Wicklow County Council's Housing Department as well as with the Equality Authority's Legal Section;
- The design and delivery of two separate sessions on equality sensitivity training to employees of Wicklow County Council's Housing Department;

- A workshop for local authority officials on embedding equality considerations in housing allocation organized by the Local Government Management Agency on 20 September 2011;
- A report of findings of the project identifying the actions needed to enable equality considerations to be taken into account more effectively in housing allocation decisions.



Project Findings

The project identified a series of issues with a potential impact on the capacity of a local authority to embed equality considerations into housing allocation policy.

Absence of Equality in National Policy

The key issue that the project found was that local authorities are bound by national policies on housing which do not themselves have an equality dimension. The legislation governing the statutory Housing Needs Assessment, which aims to identify all persons in need of local authority housing, stipulates the categories of person to be included on housing lists. These do not encompass all of the equality grounds. Similarly, the housing criteria specified under the current national 'Social Housing Assessment Regulations 2011', do not include a specific equality criterion. Consequently, the absence of an explicit focus on equality in the national criteria governing housing allocation limits the extent to which individual local authorities can take equality into account in their housing allocation decisions.

Similarly, national policy regarding housing supply limits the potential of local authorities to embed equality considerations in their allocations policy. The Rental Allowance Scheme (RAS) whereby landlords offer accommodation to the local authorities for use as social housing constitutes an ever greater proportion of housing supply. However, the type of accommodation supplied depends on the decision of the landlord rather than on the diversity of housing need. The accommodation supplied is not always accessible, for instance, so applicants with disabilities may not be able to access it.

The project identified the need to equality proof housing supply so that the accommodation available to the local authority matches more precisely the needs of applicants, thus enabling the local authority to operate an allocations system that takes account of

the particular needs of specific equality groups such as people with disabilities, single people, lone parents and older people.

Assessment of Equality Outcomes

The project found that staff of Wicklow County Council's Housing Department had a very clear understanding of the meaning of equality. They expressed the desire to ensure that no groups should be treated unfairly. Their view was that the housing allocations decision system was fair and that the outcomes were fair. However, they acknowledged that the local authority did not have a systematic means of assessing equality outcomes. They also highlighted the need for transparency, by which they meant clear information explaining the allocations system, processes and outcomes, as a means of building belief in the fairness of the system. Interviewees indicated that the increased demand for housing at a time of limited supply made it more difficult to achieve equality objectives in housing allocation decisions.

Equality Data

While the interviewees felt that they had a sense of the diversity of housing need in Wicklow and that the local authority was meeting that need in a non-discriminatory way, they did not have data to review outcomes across the nine equality grounds. Wicklow County Council was engaged in administering a housing need assessment for new applicants but this did not involve gathering information on diversity.

Information Gathering

Allocation decisions are based on a set of criteria, set nationally and locally, that necessitate gathering an extensive range of personal information, related to current accommodation, family status, income, employment status, personal characteristics such as age, gender, race, disability, membership of the Traveller community, residency status, geographic attachment and public order offences. As a consequence, Wicklow County Council

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holds data across many of the equality grounds. However, it does not extrapolate from that data to establish trends across the equality grounds.

The project found that the local authority did not have a practice of consulting equality groups with assessing and planning housing need and policy.

Equality Training

The provision of equality training for housing staff was identified as a key component of the project. Interviewees were particularly keen to learn more about equality, to find out about equality practices in other jurisdictions and to be given the opportunity to consider how they could integrate equality into their work. Interviewees had a good knowledge of the nine equality grounds and of employment-related equality obligations. However, they had less knowledge of the obligations placed on public sector organisations in terms of equality in service provision and of best practice in terms of positive action, data collection and the creation of an equality-focused complaints system.

Equality Impact Assessment of the Scheme of Letting Priorities

Wicklow County Council operates a housing list system of letting priorities in which length of time on the housing list is the criterion for which an applicant gains most points. The project found that it was not possible to assess objectively whether or not the criteria used for the housing list were non-discriminatory as information was not gathered systematically across the nine grounds and outcomes were not assessed across the nine grounds.

The project identified the need for an equality impact assessment of the scheme of letting priorities. It also identified the need for the local authority to assess and report on equality outcomes.

What is needed to embed equality: What staff said

Consultation with staff was a critical component of this project. Staff interviews identified the need for local authorities to set equality objectives, develop and implement equal status policies, gather equality data, support better conflict management, provide equality training and equality proof housing supply and the scheme of letting priorities.

In addition to these interviews, twelve staff attended two equality sensitivity training sessions and recommended positive actions that would ensure the promotion of equality in housing, including:

- Reviewing allocations under the letting schemes to ascertain outcomes across equality grounds to include a review of length of time on housing lists, and referrals;
- Production of plain English information materials to explain the allocations system, supplemented by other communication methods, meetings, training for applicants etc;
- Liaison with the Health Services Executive, locally and nationally, to discuss the operation of the Disability Grants scheme to review the decision making processes for the scheme;
- Review of the local authority's procurement policy to ensure that equality and accessibility criteria are included in the policy and that these criteria are included in all contracts related to the Rental Allowance Scheme (RAS) and other letting schemes;
- Review of housing stock to assess the condition of housing available for tenants across the equality grounds.



A Framework for Integrating Equality into Housing Allocations

The following framework was developed, in light of the project's findings, as a mechanism for ensuring that equality considerations are embedded in housing allocations policy:

I. Gathering information across the nine equality grounds and consulting equality groups;



II. Setting equality objectives for the housing policy;



III. Supporting implementation of an equality impact assessment of letting priorities;



IV. Putting in place equal status policies;



V. Providing equality training for housing staff;



VI. Monitoring and reviewing progress;



VII. Reporting on equality outcomes.

Conclusion

Wicklow County Council's Housing Department is seeking to implement its housing allocations system in a fair manner at a time of escalating demand for its services. Its staff have some awareness of equality and wish to treat service users fairly and in a non-discriminatory manner. However, the absence of an equality dimension in the national policy on allocations and housing supply limits the capacity of the local authority to embed equality considerations in the decision-making process for housing allocation. Similarly, while the local authority is doing valuable work which may have positive implications in terms of equality, there is a need for a systematic approach to make the equality dimension clearer. This would require more systematic data collection and an assessment of equality outcomes across the nine grounds.

The project helped to develop staff awareness and competency in terms of equality in service provision. The project has provided material on equality that can inform the local authority when it develops its new Housing Allocations Scheme to be implemented by the end of 2012.



Section V: Implementation

Lessons from County Donegal VEC's Equal Status Policy Project

Introduction

County Donegal VEC manages 15 post-primary schools and colleges (4,500 students); a large adult education service which provides services to approximately 12,000 adults each year (including 6 centres for early school leavers) and an outdoor education service. County Donegal VEC's Strategy Development Team which manages the organisation has recently established an Equality Action Group and the initial task of this group is to develop equality policies (Equal Status Policy, Workplace Equality Policy) for the organisation.

Summary of Project Activities

The project set out to assist County Donegal VEC with the following outcomes:

- Development of an Equal Status Policy for the whole organisation;
- Preparation of an Implementation Plan to identify practical ways in which access, participation and outcomes can be improved for individuals and groups from across the nine grounds through embedding the policy in County Donegal VEC's services;

- Production of a project report on the lessons learned from developing an equal status policy and ways in which equality tools can be applied. This report is being specifically targeted at public sector officials.



Process Adopted

- The Strategy Development Team, supported by equality experts, held a project meeting to identify expectations, to develop its knowledge of equal status issues and to decide on appropriate levels of responsibility for equal status policy development and implementation;
- The equality experts reviewed relevant County Donegal VEC policies;
- An online survey was prepared and circulated to staff across all levels of the organisation;
- An online survey was prepared and circulated to customers and organisations representing the equality grounds;
- The survey's findings were shared with members of the Strategy Development Team as an input into the development and implementation of the equal status policy;
- Development of the equal status policy and implementation plan.

Project Findings

Members of the Strategy Development Team felt that the survey process was helpful in informing them on the issues that were important in relation to an equal status policy. Consulting with the Team at survey design phase was key to developing awareness of competence in equality. The equality issues highlighted in the survey document created a better understanding of the equality issues that should be addressed in developing the equal status policy and in implementing it. This inclusive process fostered ownership of the policy development by the Team and ensured that the Team was provided with the opportunity to grow in confidence in relation to the equality agenda for County Donegal VEC. The process has helped to develop a team of competent and motivated senior managers who are willing to lead equality issues for the organisation.

Additionally the fact that a member of the senior management team holds a responsibility for the equality agenda ensures that equality issues are discussed at a leadership level in the organisation.

Positive Issues for Implementation

The project committed the organisation to making a clear statement and vision on equality and on equal status provision of service. The project found that survey results are helpful in identifying the perceptions of service users and service providers in relation to equal status provision and for informing appropriate actions. As the experiences of service users were positive, the management of County Donegal VEC was reassured that its work to date was contributing to the promotion of equality in service provision and that there was an appreciation of the work being done by County Donegal VEC. The survey also highlighted areas of higher risk and these will inform how equality actions are prioritised when the equality status policy is being implemented.

Implementation Challenges

Current resources and budgetary constraints require a focus on what is reasonable and practical for County Donegal VEC to achieve. Covering the nine equality grounds takes more resources than single issue initiatives and this may stretch already tight resources. The survey indicated that staff views on service provision were more negative than those articulated by service users. The organisation's size and the autonomy enjoyed by its 15 schools has the potential to present a barrier to the development of a consistent approach to equal status provision.

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Best responses to implementation

- Senior management commitment is vital. Get senior managers to act as role models promoting equal status issues;
- Prioritize the issues that need to be addressed;
- Identify clear measures as these will get managed;
- Break issues into steps for action;
- Develop a clear implementation plan with clear accountability and ownership of action points – embed this accountability in the performance management process;
- Develop a consistent rather than ad hoc approach to equality. The VEC needs to move away from responding to specific needs as they arise;
- Put equality training on the agenda. An equality training pack is needed to increase general awareness;
- Equality awareness needs to be identified as a required leadership competency;
- Highlight the risk that exists if no action is taken;
- Use the Equality Authority tools that are available;
- Use e-learning options as these are a great way to increase awareness and learning;
- There is a need to get over the fear of getting things wrong.

Conclusions

A participative process is beneficial in the development of an equal status policy. Gathering information on the experiences of service users and service providers is helpful in grounding the issues and in bringing to life the equality agenda in a practical way. The approach used in this project created an understanding and awareness of the importance of developing an equal status policy. The participation of senior management in the process appears to facilitate the mainstreaming of equality issues within the organisation and to develop the competency of senior management to lead the agenda once the equal status policy is developed.



Section VI: Implementation

Lessons from the Workshop on *Implementing Equality in Service Delivery*, 25 October 2011

The speakers at the workshop on *Implementing Equality in Service Delivery* highlighted the following problems in implementing equality in service delivery:

- Public sector organisations did not see themselves as being discriminatory;
- Staff shortages meant that personnel were reluctant to take on new tasks;
- Policy development was often perceived as dull;
- Organisations might fear that focusing on equality would raise difficult issues.

However, speakers also indicated that the recession gave rise to opportunities to promote equality:

- The current climate of limited resources meant that there was an increasing demand for services. Officers needed to be sure that decision-making processes were fair.
- Disadvantaged groups might have to struggle more for services in a context of scarce resources so staff needed to do more to ensure services did not discriminate against such groups.
- Public services, such as housing, had a direct impact on people's lives. It was important that decisions which led to such an impact should be fair and non-discriminatory.



Session A: Developing an Equal Status Policy for Public Sector Services: Workshop Discussions

The participants in session A made the following points regarding the process of implementing equality in service provision in the public sector:

Implementation Challenges

- There is a continuing need for equality training of public sector officials BUT it is difficult to get management support to release staff for equality training.
- Staff shortages and the moratorium on recruitment mean that staff are under increasing work pressure. Areas such as equality get pushed aside. Even if interested in equality, staff do not have time.
- It can be difficult to engage personnel in the process of developing an equal status policy. Often the policy is drafted by a small group of people and does not get wider organisational buy-in.
- While it is recommended that service users are included in the process for developing an equal status policy, this can pose challenges for the organisation as service users may say things that the organisation does not want to hear.
- Getting staff and service users to complete an online survey takes a lot of legwork for the staff managing the equality project.
- Public servants are less experienced on equality in service delivery and are reluctant to take on new projects as they see them as extra work.
- Not all senior / line managers are interested in equality and can be resistant to taking action on equality.

Good Practice / Possibilities

- Buy in is necessary at senior level. The equality project needs to be on the CEO's agenda as his / her support will get the broader organisation on board. BUT it is important that the equality team uses the CEO's time wisely.
- It is useful to have a requirement that senior managers have to report on progress on equality, for instance, in the annual report.
- Get your organisation to participate in equality-related awards processes such as the O2 Ability Awards. The process of preparing for the awards will increase the organisation's equality capacity. It is useful also for senior managers to see the organisation getting validated externally for its work on equality.
- If the organisation is reluctant to take action on equality, the risk of failing to take action should be highlighted in the risk management process. It is useful to highlight risks to the organisation's reputation. Anything that threatens the organisation's reputation gets addressed.
- It is important to have champions / drivers of equality in key areas. It is useful to get equality on the agenda of networks of senior managers in the public sector. Do not underestimate the power of peer pressure. Get someone that they respect to convince them of the value of an equality project.
- Develop an equality action plan and get it endorsed by the network of senior managers.
- When drafting an equal status policy, there is a need to engage those who will be affected by the policy, i.e. staff and service users. An online survey is a good way of getting organisational buy-in. Set up a steering group that is representative of all of the staff of the organisation.



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Good Practice / Possibilities continued...

- When doing an equality audit, the organisation should run focus groups and gather information on people's real experiences. The focus groups should be fun. People will engage more if they do not feel threatened. Communicate what is happening in the consultation process. Do not hide anything.
- Make personnel aware that the equal status policy is on its way. Build up a sense of anticipation so that they are aware of it once it is launched.
- Where organisations have equality policies, it is useful for the equality officers to get them refreshed regularly and to consult staff about updating them, asking them what they want to see in the new policy. This helps to secure staff engagement.
- There is a need to include equality in induction training to challenge prejudices early. Make briefings on equality personal to the staff involved so that they see why it matters. Put equality in service delivery as a value in the staff handbook.
- It is important to measure what the organisation does on equality.
- E-learning tools can be a useful approach as they bring learning directly to staff. There could be a requirement in individual performance management plans to complete an e-learning module. A follow-up workshop could be organised and staff would come to it with a basic awareness of equality.
- Set up a system where an email comes up on a person's computer every six months reminding them of their responsibilities in terms of equality. Use the intranet to share information on equality. Equality can be included in the e-mail template used by all staff.

Session B: Embedding Equality Considerations in Service Delivery: Workshop Discussions

Participants in session B made the following points regarding the process of implementing equality in service provision in the public sector:

Challenges

- The nature of statistics on discrimination can be difficult to interpret, for example, the CSO reports are based on individuals' self-perception of whether they have experienced discrimination and the validity of that perception is not assessed in the CSO's research.
- There is a dearth of data on discrimination, equality and inequality, and on many groups across the nine grounds, and less data is available in Ireland on these issues, particularly in the health sector, than in many comparable countries.
- This shortage of data makes it difficult to enable policy makers and programme planners to make decisions on policies and the use of scarce resources in the most effective way.
- A key challenge is dealing with equality in service delivery without adding to existing workloads.
- There are differing understandings of equality and issues that need to be addressed. An official can prepare a document on an equality issue, but when s/he seeks to secure organisational "buy-in", the analysis will face scrutiny and different views on equality issues.
- It is difficult to take initiatives on the ground. These need to be driven by senior management.
- A major barrier to achieving equality is the absence of discussion of the reality of inequality.

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- A significant challenge is the technical nature of much public service delivery. In the health sector, key decisions can rest with clinicians and their professional expertise, while in housing the work of local authorities is set by complex housing law and departmental instructions. To achieve an equality dimension, we need champions within these arenas.
- A further problem is that some public sector bodies' experience of equality relates only to legal cases.
- There is a need for national policy on housing to be equality proofed, for example, recent changes on the "Stamp 4" eligibility for immigrants were taken without assessing the adverse impact that these would have. There is a lack of an equality dimension to housing planning in Ireland. Guidelines have been suggested for the provision of publicly funded social housing, but they could leave equality matters discretionary.

Possibilities

- In the health sector, the focus on ensuring equality in the delivery of services is contributing to better engagement on equality issues.
- There is a need for a national code of practice on equality in housing provision which would provide the national framework necessary to enable local authorities to embed equality in housing allocation more effectively.
- Effective data collection is key to supporting the process of embedding equality in service delivery. Data collection can help to ensure better use of resources at a time when staff and financial resources are stretched.
- Section 28 of the Disability Act has placed an obligation on public bodies to ensure that procurement takes disability into account, and this applies to acquiring housing stock and purchasing services in the form of rented accommodation.



Section VII: Lessons for Effective Implementation of Equality in Public Services

The projects undertaken by Wicklow County Council and County Donegal VEC and the discussions at the workshop on 25 October, together with the lessons available from previous projects on equality and public services highlight the following lessons for effective implementation of equality in public service provision.

- Public sector organisations need to be convinced that focusing on equality will help them to do their work more effectively even in a time of recession. Focusing on equality will help them to understand their service users better, thus enabling them to target services and resources more precisely.
 - Organisations focus more on equality if it is a criterion in the standards / regulations governing their sector or if national policy requires it.
 - Effective implementation requires the support of senior management and organisational buy-in. Effective implementation requires a systematic, organisation-wide approach rather than an ad hoc response. It is impossible for equality officers to drive forward equality projects against organisational resistance or indifference.
 - Equality approaches and equality tools need to be relevant and easy to use at a time of staff shortages and increased work pressure. E-learning, email, social networking can offer new ways of training staff, reaching service users and creating a pro-equality organisational culture.
- Staff need to have equality expertise to be able to embed equality in service provision. An organisational training strategy needs to be developed to encompass equality awareness training for all staff and specialised training for those responsible for equality projects.
 - The organisation needs to make its staff aware of the negative impact that discrimination and prejudice can have on service users and of the positive role that staff can play in promoting equality. A positive approach to equality among staff members will yield better equality outcomes for service users.
 - Equality needs to be included in the performance metrics for staff and managers since staff shortages may make staff reluctant to take on what they perceive to be additional work at a time of increased workloads.

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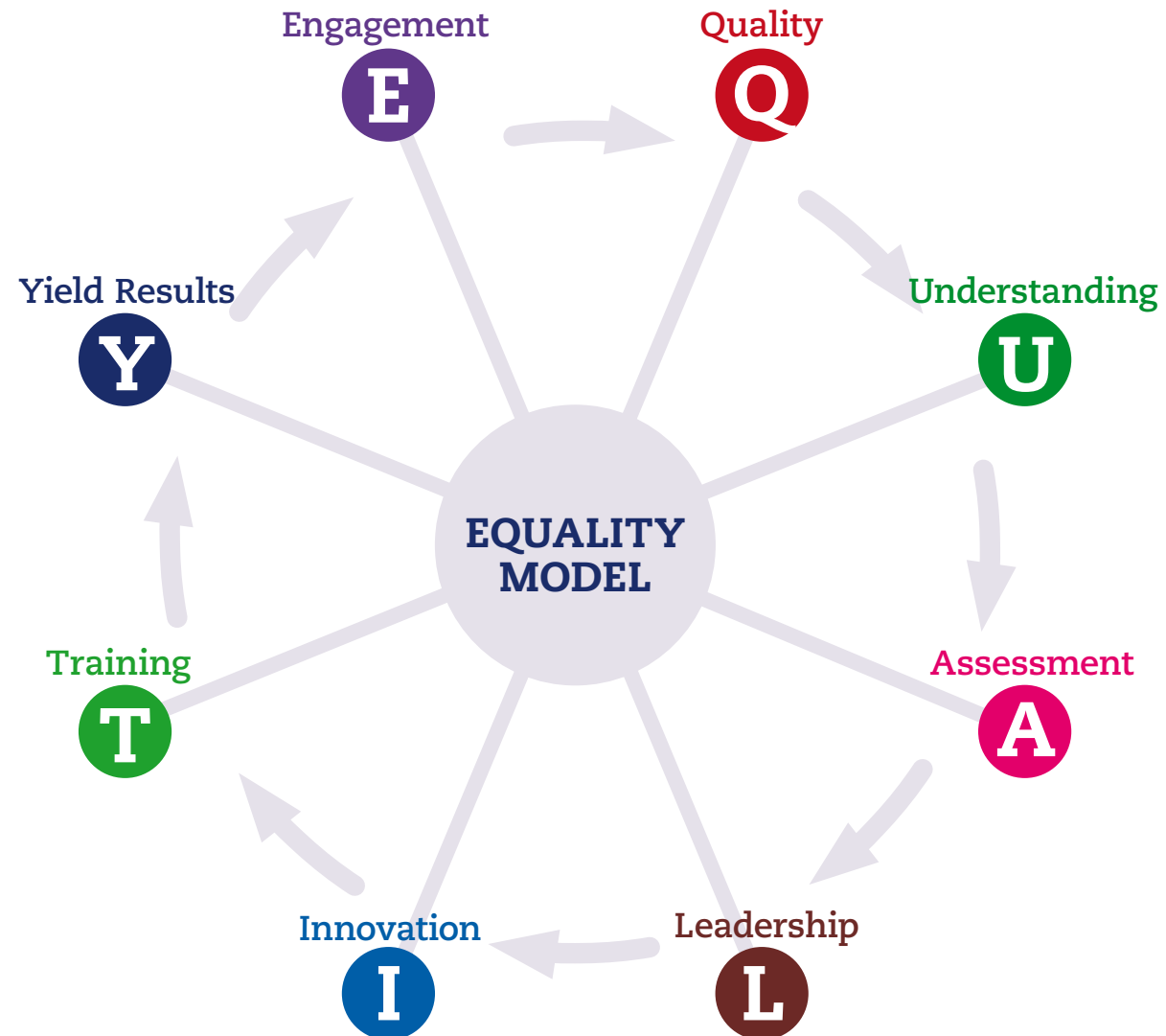
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- The lack of disaggregated data remains a problem, making it difficult to track barriers in access to and experience of services. Organisations need to be encouraged to collect relevant data or to see if existing data can be anonymised and used to identify patterns of participation across the nine equality grounds.
- The organisation's equality actions need to be measurable and to have concrete targets if worthwhile progress is to be achieved. Requirements to report on equality projects, such as in the annual report, can help to promote progress.

Section VIII: Implementing Equality in Public Services: the EQUALITY model





The EQUALITY Model: *a Recipe for Effective Implementation of Equality in Public Services*

The implementation lessons that arise from the projects undertaken by Wicklow County Council and by County Donegal VEC as well as the points raised by public sector officials at the workshop on 25 October build on the implementation lessons arising from previous equality initiatives. They point to the need for a series of elements to be in place if equality is to be implemented effectively in service provision in the public sector.

Building on these implementation lessons, the EQUALITY model outlines a set of 8 ingredients that are necessary to ensure that equality is effectively implemented in public services. The 8 ingredients are **Engagement, Quality, Understanding, Assessment, Innovation, Training** and **Yield Results**. Using the 8 ingredients of the EQUALITY model will enable a public sector organisation to implement equality well even at a time of scarce resources and increased pressure.

ENGAGEMENT

- An equality project needs to secure the engagement of senior management. The support of senior managers is vital in convincing line managers and staff to take action, particularly when increased work pressure makes staff reluctant to take on extra projects.
- A formal organisational commitment to the project will help to drive it forward, even at a time of competing priorities, and to overcome the inevitable hurdles that will occur.
- The message should be that focusing on equality will help the organisation to deliver its services more effectively and to meet its legal obligations, including at a time of constrained resources.
- Senior managers are more likely to be convinced of the need to take action if they are made aware of the risks involved in not taking action. They need to know that discrimination cases can damage an organisation's credibility.
- Staff engagement is important. Staff need to see the negative impact of discrimination on service users and to be encouraged to support action on equality. Staff resistance can scupper or dilute implementation.



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QUALITY

- The project has to be of good quality to justify the investment of time and expertise necessary to make it worthwhile.
- As a minimum, it must reach the standard set by the equality legislation.
- A good project needs to be systematic rather than ad-hoc in nature. An ad hoc project is never sustainable in the long run. A systematic project is the only means of achieving the cultural change within the organisation that is necessary to create a pro-equality culture.
- Having equality as a criterion in the regulatory requirements governing an organisation is an effective way of ensuring that the organisation will develop high-quality equality projects.



UNDERSTANDING

- The project must develop the organisation's understanding of equality, of the needs of its service users under the nine equality grounds and of effective ways of meeting those needs within the organisation's resources.
- It must develop the staff's understanding of equality and of the needs of service users across the nine equality grounds. Staff with a positive approach towards equality are much more likely to deliver positive results in equality projects.
- The project must develop the organisation's understanding as to the relevance of equality considerations to many services which might not seem, at first glance, to have equality relevance.
- Collecting and analysing disaggregated equality data is an essential means of developing organisational understanding of the needs of service users / potential service users and of the experiences of services users when accessing services.



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ASSESSMENT

- The project should build in assessment mechanisms to enable progress to be monitored.
- Progress should be assessed by an equality team drawn from all parts of the organisation.
- Assessment mechanisms help an organisation to modify a project if it is not working or to tailor it more precisely to the needs of service users and of the organisation.
- Assessment helps to build credibility with service users by showing that the organisation is taking the project seriously.
- Assessment provides a means of validating the efforts of the staff and equality team working on the project. Affirmation is vital as implementation of an equality project can often be difficult.



LEADERSHIP

- Leadership is vital for driving an equality project forward.
- A senior manager should have responsibility for driving the project forward.
- An equality team should determine ways of implementing the project effectively. This team should also monitor implementation to ensure that it is done on time and within budget.
- Designated staff members should have responsibility for implementing specific aspects of the project and should be required to report to the senior manager and to the equality team about implementation.





INNOVATION

- Innovation is crucial in enabling the project to be implemented in a resource effective way while meeting its objectives.
- The project should strive to use innovative learning / delivery methods such as online learning modules. At a time when managers are reluctant to release staff for formal training programmes, e-learning can be a useful way of ensuring that staff receive equality training.
- The project should seek innovative ideas from staff across the organisation. This will build the pool of good ideas. It should also build staff morale as staff often welcome the opportunity to suggest their ideas on improving how the organisation does its business.
- The project should seek out the latest developments on data collection / consultation methods as new approaches are constantly being developed which are better targeted and less time-consuming.
- The project should consult service users to get their ideas on innovative ways of embedding equality in services.
- The project should strive to identify suitable existing data held externally or in-house that can be used to establish equality trends. Suitable data is often available and not properly exploited.



TRAINING

- A training strategy needs to be devised and regularly updated aimed at:
 - + Providing training for management and staff on the equality legislation, on the needs of service users across the nine equality grounds and on approaches / tools that the organisation can use to implement equality.
 - + The requirement to undergo equality training should be included in individual performance metrics for staff and line managers.





YIELD RESULTS

The project must yield results if organisational commitment is to be sustained and if the equality project is to be credible with service users.

- The project must have concrete targets capable of being measured so that progress can be monitored.
- It must have outcomes so that service users can see the impact of the project.
- It must yield benefits for the organisation so that those working on the equality project can justify to senior management the rationale for continuing to work on equality.