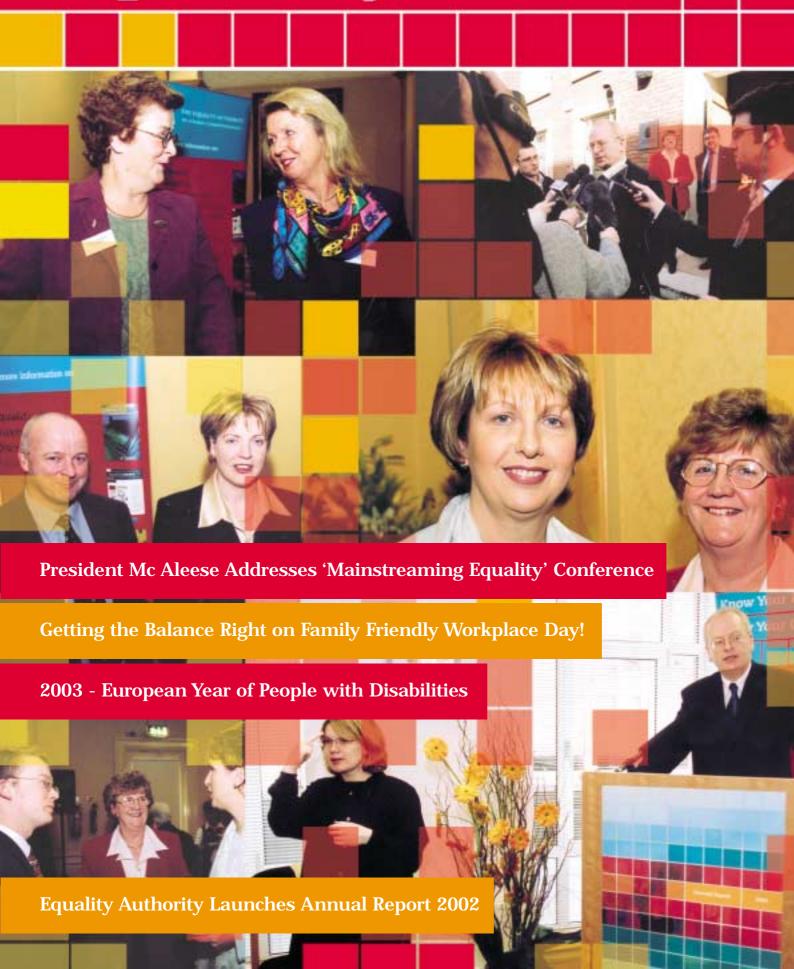


equalitynews



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THE EQUALITY AUTHORITY AN tÚDARÁS COMHIONANNAIS

Update...

By Niall Crowley

The first Board of the Equality Authority was appointed on the 8th March 1999. Four busy and exciting years have passed in the blink of an eye and their term of office comes to an end in March. The Board is made up of:



Kate Hayes, Chairperson
Leonard Hurley, Vice-Chairperson
Carol Fawsitt
Grainne Healy
Anne Clune
Cearbhall O'Meadhra
Thomas McCann
Marie Moynihan
Ultan Courtney
Paddy Keating
Joan Carmichael
Anne Arthur O'Brien.

The Board have generously given of their time and expertise in shaping and securing the progress achieved in this initial period of the life of the Equality Authority. It is important to record the gratitude of all the staff in the Equality Authority for the role they have played in building this new organisation.

The final weeks of the Board's term of office capture much of this vibrancy and commitment. We have launched our second strategic plan. We hosted major conferences on 'Mainstreaming Equality' (27th February) and 'Work Life Balance' (28th February). There was a joint Board meeting with the Equality Commission for Northern Ireland and we launched our 2002 Annual Report. All of this marks a dramatic end to a highly productive term of office.

The Strategic Plan 2003 to 2005 sets out the main themes around which we will organise our work and

The contributions to Equality News are welcome and appreciated. The opinions of contributors do not necessarily reflect the position of the Equality Authority. We welcome your feedback on any article in Equality News. Please send your comments, queries or quips to Patrick O'Leary. Contact details are on the back cover.

deploy our resources over the next three year period. Work has already begun to open up and develop these themes. The six themes are:

a. Building Equality in Service Provision that Impacts on the Quality of People's Lives.

This theme will have a particular focus on the provision of health and education and on quality customer service initiatives in the public sector. Initial work has begun with the Department of Education and Science in preparing a briefing leaflet on the implications of the Equal Status Act for practice within schools. A joint initiative focusing on equality policies, impact assessments and training is being explored with the Department of Health and Children. A pamphlet on equality and diversity training has been developed to support Quality Customer Service in the public sector.

b. Contributing to a More Accessible Workplace and Labour Market.

This theme reflects an important continuity with the last three years. Partnership with the social partners is contintuing with the Equal Opportunities Framework Committee. The programme of employment equality reviews and action plans will be implemented with five organisations already involved. Research work on labour market measures is continuing under the National Development Plan.

c. Developing Ground Specific Initiatives.

As part of the European Year of People with Disabilities work has begun to support the reasonable accommodation of people with disabilities in the provision of goods and services. The focus on the Anti-Racist Workplace will continue. Background work has begun with a view to establishing an advisory committee on the equality agenda for carers later this year.

d. Supporting the Development of Effective Equality Strategies at National and Local Level.

At national level the Equality Authority has made a detailed submission to support the transposition of EU Directives into our equality legislation. The Department of Justice, Equality & Law Reform is

currently working on the transposition of these Directives. At local level an audit of City/County Development Board Strategy Plans has been published. This highlights a wide range of important equality commitments and we look forward to supporting their implementation.

e. Addressing the Specific Situation and Experience of those within the Nine Grounds Faced with Additional Barriers of Poverty and Exclusion.

We participated at the recent NESF Social Inclusion forum and the paper presented is republished in this Equality News. We look forward to contributing to the work of the new Office of Social Inclusion in preparing the Irish National Action Plan on Social Inclusion.

f. Maintaining and Developing the Internal Structures and Systems of the Equality Authority.

This reflects continuing work to develop our own capacities to deliver on a broad ranging and exciting Strategic Plan.

A note of concern must be struck with the recent publication of the Report of the Commission on Liquor Licensing on Admission and Service in Licenced Premises. This contained a final chapter without recommendations that was highly critical of the ODEI – Equality Tribunal. The ODEI – Equality Tribunal have highlighted that they were given no opportunity to discuss or respond to this criticism prior to publication of the report. The Equality Authority is concerned at the statements made in relation to the ODEI given that they are not based on any form of substantial review.

Speculation has focused on the suggestion of the District Court as the venue where Equal Status cases involving licensed premises would be heard. An amount of disquiet has already been expressed in relation to this in terms of the accessibility and dedicated experience that is afforded by the Tribunal setup.

The Department of Justice, Equality & Law Reform have now requested submissions from the social partners on this chapter of the report. The Equality Authority is currently working on its submission.

The Equality Authority would like to advise all callers that they can contact our Public Information Centre directly at 01 4173333 or Lo Call number 1890 245545, for information on the Employment Equality Act, 1998 and the Equal Status Act, 2000. Information is also available on the Maternity Protection Act, 1994, the Adoptive Leave Act, 1995 and the Parental Leave Act, 1998. This information is also available at www.equality.ie. For business and other services, please call 01 4173336.



European Year of Disabled People – Rights and Participation

By Agnes Fletcher, Disability Rights Commission, UK

The Disability Rights Commission (DRC) has played a central role in the coordination of the European Year in the UK. It has worked alongside organisations of and for disabled people and the Department for Work and Pensions (DWP - which provides the UK Secretariat to the Year) to administer funds from the European Union and from the UK Government and to promote positive action to meet the aims of the Year.

The UK Government's Commitment to the Year

The UK Government launched the Year in the UK with an announcement about its planned Disability Bill. It pledged to publish a draft bill in 2003, which would include:

- broadening the definition of disability;
- introducing a positive duty on the public sector to promote equality of opportunity for disabled people;
- giving rights in transport to disabled people;
- outlawing unfair discrimination by bigger private clubs.

The Minister for Disabled People has written to all Government Departments to highlight the Year and to suggest that they may like to consider one activity or pledge to forward the aims of the Year. On 22 January the British Government announced that it would be introducing a new Disability Rights Bill to fulfil its manifesto commitment to complete the coverage of the existing Disability Discrimination Act.

Funding for Grassroots Activity

The European Union provided £500,000 to the UK to promote the objectives of the Year. The national coordinating committee, of which the DRC was an active member, decided to channel all the funds, plus £1.7 million from the Government towards 171

projects at local, regional and national level in the four counties of the UK. The projects aim to promote participation and empowerment of disabled people.

The committee set strict criteria for successful funding bids, which included the direct involvement of disabled people in the running of projects. Among the many successful bids were:

- a UK disabled people's parliament;
- a collaboration between the British Film
 Institute and experts in inclusive education and
 disability equality to produce a teaching guide to
 promote disability equality in schools;
- a roadshow run by the Disabled Parents Network;
- a project supporting the mainstreaming of disability equality in development work overseas; and
- many training and performance projects

There will be support in terms of project management and public relations for all of the projects, as well as objective monitoring and evaluation activities.

Get on Board

A European Campaign Bus is touring the countries of the European Union and will be in the UK between 2 June and 2 July this year. The 'Bus' will be an accessible lorry, opening out to form a large stage. The UK Forum on Disability are coordinating activities associated with the Bus. Organisations interested in arranging events involving the Bus can contact the Forum for a detailed itinerary.

Beyond the funded projects, many organisations are finalising their plans for ensuring the Year has real impact. For example, the European Disability Forum and the European Conference of Ministers of Transport are running an award scheme to recognise examples of good practice in improving accessibility to transport systems and the pedestrian environment. The Centre for Accessible Environments will be launching a new video that illustrates how an access audit is carried out and how increased accessibility can lead to increased business.

DRC Activities

The DRC will be branding a number of initiatives this year under the European Year banner. We are also in close touch with DWP about a pledge or activity from the Prime Minister to promote the Year and its theme of rights and participation for disabled people.

The DRC is also funding a joint project with the Greater London Authority to create an exhibition on

the history of the disability movement and the themes of the Year. This is planned for the summer. Further details on DRC's initiatives on the European Year will be passed to commissioners as they come up.

Contacts

Official European Year of Disabled People website: http://www.eypd2003.org/eypd/index.jsp

The DRC's website: www.drc-gb.org

Information on UK activities: http://www.disability.gov.uk/euro/euro.html

UK Forum on Disability Tel: 0207 725 4242

European Year of People with Disabilities – Catalyst for Change

By Anne Marie Maher, Equality Authority

The European Year of People with Disabilities (EYPD) 2003 is an important opportunity not only to promote the positive contribution that people with disabilities can and do make to society. Above all though, it must be an opportunity to advance critical debates on disability issues, and bring effective change to the lives of people with disabilities. There needs to be a focus on institutional change, with service providers and employers across public and private sectors making a commitment to include equality for people with disabilities as an integral part of how they do business. It is in this context that the Equality Authority seeks to build on work already undertaken in promoting equality of opportunity for people with disabilities.

The Equality Authority's role in promoting equality of people with disabilities is quite specific in the rights enshrined within both the Employment Equality Act 1998 and the Equal Status Act 2000. The role of the Equality Authority is the promotion of equality of opportunity and the elimination of discrimination. The legislation prohibits discrimination on the disability ground and requires the reasonable accommodation of people with disabilities in availing of goods, services in accessing and integrating in employment. Positive action is also permitted to address and break down the barriers experienced by people with disabilities in accessing goods, services and employment. The Equality Authority has had a significant number of people with disabilities approaching it

highlighting incidences of discrimination and less favourable treatment in accessing services and in employment. 2002 caseload statistics show that 11% of Equal Status cases and 19% of Employment cases concerned issues arising under the disability ground.

The statistics do not adequately capture the reality of the experience for people subjected to discrimination and the impact it has on their personal lives. The barriers often faced by people with disabilities arise from poor communication skills and negative attitudes held by service providers and employers, physical obstacles and the way services are provided or how organisations do business.

The prevention of equality and removing obstacles can be achieved through supporting providers of goods and services and employers to make changes which effectively include people with disabilities in their business, staff, services etc and to convince them of the benefits of this.

Both Acts place obligations on providers of goods and services and on employers to reasonably accommodate the needs of people with disabilities. Service providers and employers are not obliged to provide special treatment or facilities where the cost involved is greater than a nominal cost. Nominal cost may not be the same for every employer or enterprise and the term may be interpreted according to the size and resources of the organisation.

The obligation to provide reasonable accommodation is an important duty established in our legislation. It places the needs of the person with a disability at the centre of any decisions made and has an important contribution to make in dismantling the barriers experienced by people with disabilities. The activities being undertaken as part of the EYPD 2003 by the Equality Authority seeks to focus the attention of service providers and employers on disability rights, to support providers of goods and services and employers to address the

> barriers faced by people with disabilities, and to put into practice policies to provide reasonable accommodation for people with disabilities in employment and service provision.

Disabilities is a valuable catalyst in placing disability equality rights on shift in the experience and situation of people with disabilities.

through influencing and assisting providers of goods and services This requires a multi-pronged and employers to make approach and this is where the changes which European Year of People with effectively include people with disabilities everyone's agenda. This is a year in their business, staff, services etc. when there must be a qualitative

Preventing

discrimination and

minimising obstacles can be achieved

> The aim of the activities being undertaken by the Equality Authority throughout 2003 and beyond is:

- To create and promote an understanding of reasonable accommodation;
- to raise awareness among service providers and employers of their statutory duty to provide reasonable accommodation, and;
- to develop supports and materials, in partnership with trade associations, employers, trade unions, disability organisations and providers of goods and services, to assist reasonable accommodation to address the requirements of people with disabilities as potential users of their services or employees.

Activities planned include:

- Promotion and dissemination of an information booklet on reasonable accommodation of people with disabilities in goods and service provision;
- Joint initiative between The Library Council and the Equality Authority to support reasonable accommodation for people with disabilities in the provision of library services;
- Joint initiatives with a range of trade associations to develop practical stimulus and support for their members to develop good practice providing services that reasonably accommodate people with disabilities;
- Joint initiative with public sector employers and trade unions focusing on reasonable accommodation in the recruitment, retention and progression of people with disabilities;
- A public education campaign to raise awareness of the requirement to reasonably accommodate people with disabilities and to inform people with disabilities of their rights under the legislation.

Researchife economical artists of people with disabilities by the provinces of pools and arrives

The recent publication by the Equality
Authority of an information booklet on Reasonable
Accommodation of People with Disabilities in the Provision of Goods and Services identifies an approach which both service providers and

employers can build on, to enhance their capacity to address the needs of people with disabilities.

The provision of reasonable accommodation for people with disabilities starts with the identification of their needs and exploring what measures can be taken to ensure that they can effectively access goods, services or employment opportunities.

The booklet highlights the critical areas to be examined in achieving inclusion of people with disabilities, such as:

- The **profile** of the organisation and how and what it communicates to people with disabilities;
- The policies and procedures of the organisation and how these assist compliance with the law, a proactive promotion of equality and the reasonable accommodation of people with disabilities;
- Professional development within the organisation to support an awareness and a competency in relation to disability issues;
- Service provision in terms of accessible premises, of adequate signage and of methodology for making goods and services or employment accessible.

The challenge in 2003 is to highlight to service providers and employers that creating an inclusive workplace or service by providing reasonable accommodation, in most cases will:

- Cost little in financial terms
- will bring greater diversity to the workplace
- · will make services accessible to a wider market
- will assist them in complying with equality legislation.

Equality Authority Recommends a Requirement on Employers and Service Providers to Prepare Equality Action Plans

By Patrick O'Leary, Equality Authority









Mary Mc Aleese, President of Ireland, addressed an international conference on 'Mainstreaming Equality – Models for a Statutory Duty' in the Burlington Hotel, on 27th February 2003. The conference was organised by the Equality Authority and there was a significant attendance from the public sector, business, trade unions and NGOs.

Mainstreaming equality is a new approach to the search for a more equal society. It is about placing equality at the heart of decision-making. It is about testing out decisions for their impact on those experiencing inequality and ensuring more planned and systematic approaches to equality objectives. The Equality Authority has strongly encouraged this approach and has recommended that it be given a legal basis in our equality legislation covering both the private and public sectors.

The Equality Authority has recommended a statutory duty on employers and service providers to prepare and implement equality action plans. These action plans should set out steps that the employers and service providers would take to comply with equality legislation, to make adjustments to take account of diversity, and to proactively pursue equality outcomes across our nine ground equality agenda. They should fit neatly with traditional business planning

processes and allow a planned and systematic approach by employers and services providers to equality objectives.

Mainstreaming equality in the public sector will ensure equality issues are considered as part of policy making and programme design. The Equality Authority has recommended a statutory duty on the public sector to mainstream equality in this way. This would involve public sector bodies in preparing equality action plans as well conducting assessments on policies for their impact on people experiencing inequality. This approach to policy making ensures policy and programmes are effective in meeting needs. It has a democratic dimension in giving an access to policy making for those experiencing inequality. It ensures quality in that real needs are addressed.

The focus on these statutory duties is timely given current work of transposing EU Equality Directives into the equality legislation. We also look to Northern Ireland where a statutory duty is imposed on designated public sector bodies to have due regard to the need to promote equality in carrying out their functions. This is particularly relevant given the commitment in the Belfast Multi-Party Agreement to an equivalence of rights North and South.

Statistics Reveal no Room for Complacency About Equality

By Patrick O'Leary, Equality Authority

Michael Mc Dowell, T.D., Minister for Justice, Equality and Law Reform, launched the 2002 Annual report of the Equality Authority on 6th March 2003.

In 2002 10,978 people made general queries for information about equality legislation and work leave entitlements. Nearly half of these related to parental leave, maternity leave and adoptive leave entitlements. This reflects an increase in the number of queries of 10% over last year. The Equality Authority dealt with 1,284 case files during 2002. This is a 19% increase from 2001 in people wishing to bring discrimination claims. Of these case files, 489 refer to the Employment Equality Act and 795 refer to the Equal Status Act. A number of important patterns can be identified from this casework.

1. Under the Employment Equality Act

- Gender discrimination remains the largest issue with 33% of the casework. Disturbingly high levels of workplace discrimination including dismissal have been experienced by pregnant women.
- The race ground grew significantly to 22% of casework. This growth reflected the discrimination experienced by migrant workers, ranging from dismissal to excessive working hours to unequal pay.
- Significant workplace discrimination experienced by people with disabilities (19% of case files) including a failure by employers to take steps or make adjustments to allow employees with disabilities to work to their full capability as well as discrimination at the point of interview.
- Case files were open on all the nine grounds covered by the Act.



Michael Mc Dowell, T.D., speaking at the launch of the Annual Report 2002.

2. Under the Equal Status Act.

- The growing emergence of complaints of discrimination in the provision of education with case files on the grounds of gender, disability, race, religion, family status, sexual orientation, age and membership of the Traveller community.
- An increase in the number of files relating to accommodation provision. These cover both access to private rented accommodation and access to public housing provision.
- Widespread discrimination against Travellers seeking to access services (54% of casework).
 This was particularly evident in relation to access to licensed premises - an area where case files now cover seven of the nine grounds.

Supportive working relationships with IBEC, Congress, SFA, the community and voluntary sectors, the Department of Justice, Equality and Law Reform, the Equality Commission for Northern Ireland and the Joint Equality and Human Rights Forum, (which bring together Equality and Human Rights bodies in Ireland,

Northern Ireland and Britain), have given the equality agenda a unique and challenging priority in Irish society.

The past year also saw considerable work by the Equality Authority to develop effective strategies to promote equality. Significant achievements include:-

- The publication of two reports entitled 'Implementing Equality for Older People' and 'Implementing Equality for Lesbians, Gays and Bisexuals' The social partners working in the NESF have progressed the implementation of the recommendations in these reports.
- Work-life balance initiatives, the Anti-Racist
 Workplace Week, and the development of
 guidelines on Employment Equality Policies and
 Equality training have all supported more
 planned and systematic approach to equality in
 the workplace.
- The development of practical supports to encourage public sector service providers to make adjustments and take steps to facilitate outcomes for all across the nine ground equality agenda.

This was a year of significant achievement for the Equality Authority. New levels of demand on information and legal services were met. Significant areas of discrimination in the workplace and in service provision were identified and highlighted. New approach to equality in the workplace and public sector services were devised and implemented. New strategies for equality were established for older people and gays, lesbians and bisexuals. This is the foundation it can now build on over the next three years.



A particular feature of the past year saw the Equality Authority opening up the full range of its powers. This included:-

- The publication of the first Code of Practice under the Employment Equality Act. This addressed Sexual Harassment and Harassment in the workplace.
- Developing an overview of the Equality legislation to support the transposition of the EU Equality Directives with a wide range of proposals for change made to the Minister for Justice Equality and Law Reform.
- Initiating five employment equality reviews on a voluntary basis with companies in the public and private sectors.

Study on Integrating Gender Mainstreaming into Employment Policies

By Sandra Kavanagh, Equality Authority

This study was conducted by OPTEM at the request of the European Commission's Directorate General for Employment and Social Affairs. It covers Public-Authority Officials Responsible for Employment Policies and Social Partners in the 15 member states of the European Union.

Introduction

This innovative study focuses on incorporating gender mainstreaming into employment policies and practices within the 15 Member States of the European Union.

The overall aim of the study was twofold:

- a broad evaluation of employment policies and how equal opportunities for women and men are incorporated into these policies;
- while exploring the perspectives which officials responsible for the formulation and implementation of such policies bring to these issues. Central to this question was the approach of these officials to gender mainstreaming.

Interview process

Over 327 people were interviewed in the member states, which covered 245 public organisations with responsibility for employment policy and equal opportunities between women and men in employment policy. Seventy five of the interviews were conducted with social partnership organisations. The report targeted organisations involved in formulating and implementing policies at national level, government agencies. Interviews were conducted with both employers' and employees' organisations.

The concept of Gender Mainstreaming

Although the concept of gender mainstreaming was wholly understood by those with responsibility for equal opportunities and by those who have responsibility for the formulation of employment policies, problems were encountered among those officials who fail to distinguish the concept from the more general issue of equality at work and who confuse the concept with positive discrimination.

The report looked at several European countries and their level of understanding of the concept of mainstreaming. Sweden was held to be a forerunner in the concept of gender mainstreaming as it did not wait for Community action to implement gender mainstreaming or to have a more proactive approach. Denmark and the Netherlands were held to have a less clear understanding of the concept.

It was seen as not distinguishable from the more general issues of gender equality. Other countries were cited as having a clear understanding including Belgium, France, Germany, Greece, Ireland, Portugal and Luxembourg.

However the overall impression conveyed by the study was that the whole concept of mainstreaming is understood most directly by the officials with responsibility for public employment policies and equal opportunities, while it remains quite vague elsewhere and its understanding varies considerably.

One of the significant barriers to widespread understanding of the concept is what the report

refers to as the unintelligibility of the term, and the difficulty in translating it. It was felt that there needs to be a stronger emphasis on explaining what gender mainstreaming is. The translation process only partly covers the concept and it is inclined to be lost in translation.

Attitudes to the approaches to gender mainstreaming

The report found that when understood, gender mainstreaming is highly regarded. Some of the main positive elements of mainstreaming were reported as being the way that mainstreaming tackles the causes of the problems, not just their effects. Gender mainstreaming encourages examination of the numerous causes of problems and the ways they interact. It is also an awareness-raising tool, given the issue of collective indifference. Most importantly it provides momentum to the deliberations of policy-makers on equal opportunities at work.

One of the main risks cited by the report as being inherent in mainstreaming, is the risk of watering down the practical problems of inequality in the treatment of women in employment. This was mentioned by trade unions in certain countries and by female officials in particular. All reservations were expressed by employers' organisations as to the increase in charges and costs to their firms. Although some organisations expressed concerns in this area, others view the advancement of women at work more positively in line with the increasing needs for a skilled labour force.

Tools for gender mainstreaming

The report interviewed officials on their views on four types of tools for mainstreaming.

The collection of data

One of the tools which interviewees agreed were useful was the setting up of a statistical base with

data broken down by sex. This was deemed useful by many of the interviewees in that it provided the first essential stage for determining what should be given priority and to create awareness of inequalities that the public at large would tend to deny or minimise. Most interviewees pointed to real progress in this area in recent years.

Interdepartmental cooperation and decision mechanisms between government departments

This cooperation was recognised as being imperative to the across-the-board approach of gender mainstreaming. However on the question as to whether such mechanisms have been set in place, opinions vary. The report highlighted the importance of the authority and weight afforded to such mechanisms, and this can vary substantially from country to country, and within the same country and from one Government body to another.

Training and awareness-building for decisionmakers on gender sensitive questions

Most of those interviewed saw training as an essential prerequisite in changing attitudes and in raising collective awareness. It was noted that even among those who are aware of the issues, it was felt there was a need for explanations on, and clarification of the concept of gender mainstreaming. Shortcomings in the development of training methods were highlighted.

Evaluation methodologies and procedures

All interviewees accepted that evaluation is needed, however some felt they had a limited view of evaluation procedures, considering that setting in place statistical tools, which should provide information on progress is sufficient in itself.

Most interviewees acknowledged that no assessments are available because actions taken

under the heading of gender mainstreaming are in the early stages. Attitudes that limit the putting in place of such tools, were cited as worrying by the reports authors. Putting in place human and budgetary resources is also viewed as important and as an area of differing outcomes between Member States and organisations.

Perception of aims and progress of gender mainstreaming

Significantly, the report noted that in most member states it is generally agreed that gender mainstreaming is not an aim in itself, but a means, an approach or a strategy which serves the goal of equality between women and men. In a few of the Member States, equality between the sexes at work is a Government aim. However, it appears as less of a priority or part of an overall aim of reducing inequalities in general and addressing problems relating to various disadvantaged groups in others.

Gender mainstreaming is seen as serving economic objectives, meeting the growing need for skilled labour in certain sectors, optimising the use of skills and human resources. According to the interviewees, this is linked to the importance attached to gender mainstreaming in a country's employment policies, which in turn is linked to the importance attached to matters concerned with equality at work for women and men in general.

All of the interviewees from the Member States have expressed the view that obstacles remain, although the significance of these obstacles varies.

Opinions on Community action on gender mainstreaming

There was general agreement among officials directly responsible for equal opportunities that

Community action has not only laid down the ground rules, but has legitimised the subject. Community action is credited with providing a level of sustainability and continuity which is not necessarily provided by national policies.

The report identified the usefulness of Community action in relation to changing attitudes among decision-makers. This was found to be indispensable and widely recognised in helping to develop concepts, approaches and tools which have to be devised in the light of social, political and economic circumstances which are perceived as very different from one Member State to another.

Many interviewees deemed it beneficial to foster real exchanges by having technical workshops which focus on practical experiences where they could meet with their counterparts from other Member States. The issue of exerting pressure on Member States by the issuing of Community recommendations is accepted and recognised as very useful and necessary by a large proportion of those interviewed.

The findings of this report are important for several reasons. Firstly it serves as an input to the evaluation of the European Employment Strategy. It is also important in that it provides momentum to the deliberations on equal opportunities at work and highlights the positive measures taking place throughout Europe as well as recognising that there is considerable work still to be done in the area of gender mainstreaming. This report provides an important focal point for future cooperation.

Equality Commission For Northern Ireland

By Evelyn Collins, Chief Executive, ECNI

DRAFT 2003-2006 CORPORATE PLAN

The Commission has just completed consultation on its Draft Corporate Plan for the three years commencing 1 April 2003. It is sometimes hard to believe that we are now over three years old, but it is true! We have had a busy and productive initial three years, meeting the challenges which we faced as a new organisation – bringing together the preexisting equality bodies and taking on major new areas of responsibilities in respect of the statutory duties on equality and good relations, and disability discrimination legislation.

Through the next period, we want to build on the achievements of the Commission in it's first three years of existence to further accelerate progress towards the equal and inclusive society we set out to work towards when we were set up in 1999. We decided then on four strategic priorities — mainstreaming equality of opportunity and promoting inclusion; working to eliminate discrimination and promoting equality of opportunity; building partnerships for change and developing organisational effectiveness.

We have made real progress against each of these priorities and these achievements, together with the lessons learned and the legislative, political and economic context in which we are operating, have been taken into account in shaping our draft strategy for the next three years.

We are committed to consolidating our work in the next period to ensure that we deliver the benefits of working on a multi-dimensional equality agenda in an integrated way. We also anticipate taking on new responsibilities for enforcing anti-



discrimination legislation and promoting equality of opportunity in respect of sexual orientation and age. In addition, we are hopeful that Government plans currently underway to bring forward single equality legislation will become a reality and this will shape the work we do.

The draft Mission we have consulted on is "Combating discrimination and promoting equality of opportunity through advice, promotion and enforcement."

We indicate in the consultative draft that we intend to achieve this Mission over the period 2003 to 2006 by focusing our energies and resources on:

- campaigning for increased legislative protection against discrimination and for positive action to address inequalities;
- leading the debate on an inclusive equality agenda for Northern Ireland;
- influencing and monitoring the effectiveness of mainstreaming equality throughout public policy and service delivery;
- challenging unlawful discrimination by focusing our resources strategically where they will have greatest benefit;

"We have made real progress against each of these priorities and these achievements, together with the lessons learned and the legislative, political and economic context in which we are operating, have been taken into account in shaping our draft strategy for the next three years."

- running an efficient and effective organisation;
- providing high quality advice and information to all our stakeholders;
- raising awareness of the benefits of equality of opportunity;
- encouraging greater use of affirmative and positive action;
- promoting the good relations duties of the Northern Ireland Act (s75) and the Race Relations Order, and
- raising awareness of the extent of inequality and its impact on economic, social and political life.

In developing our second Corporate Plan, we have adopted an approach now used by a number of organisations in both the private and public sectors. The 'Balanced Scorecard' approach translates our strategic goals into objectives and targets using a balanced set of perspectives. It seeks to achieve a balance between these perspectives, which we have identified as the drivers of our future performance. These perspectives are stakeholders and customers; finance and resources; control costs; processes and learning and growth.

The objectives we consulted on are as follows:

Stakeholders and customers

- To provide and promote a range of high quality, targeted and accessible services and to increase awareness of equality issues;
- To mainstream equality effectively in public policy and service provision;
- To influence change in equality legislation.

Finance and resources

 To make effective, efficient and strategic use of our resources.

Control costs

To secure funding to maintain and develop our services.

Processes

 To utilise powers effectively to tackle discrimination and promote equality through advice, research, promotion and enforcement.

Learning and growth

- To have staff numbers and skill levels required to deliver our services;
- To be recognised as an excellent service provider.

We have set out in our Consultative Draft Corporate Plan how we propose to measure our success in meeting these objectives against each of these corporate objectives. We have also taken the opportunity to set out in the Plan our strategic action areas for the three year period, so our customers and stakeholders are able to see clearly the proposed direction of the Commission over the next three years.

The consultation process included public meetings in Belfast, Newry, Enniskillen, Coleraine and Derry as well as a number of sectoral meetings. We also received a good number of written responses. We will be considering all contributions and issues raised with us as we seek to finalise the draft in the light of the views expressed and through agreement with our sponsor Department, the Office of the First Minister and Deputy First Minister.

The excitement and enthusiasm we had in 1999 in building the new Commission with responsibilities for a wide range of equality areas remains and we look forward to the next three years to consolidate the work we have begun. We also look forward to continuing cooperation with our colleagues in the Equality Authority on issues of mutual interest.



Developing an Equal Status Policy for Wicklow Local Authority

by Carole Sullivan, Equality Authority

An Equal Status Policy

The Equal Status Act 2000 moves the concept of the prohibition against discrimination beyond the workplace and into the public arena where people buy goods, use services, obtain accommodation and participate in educational establishments. This legislation extends to Departments and public bodies, including Local Authorities.

The Equal Status Act 2000 prohibits discrimination on nine grounds. These are:

- Gender
- Marital Status
- Family Status
- Sexual Orientation
- Religious Belief
- Age
- Disability
- Race
- Membership of the Traveller community

Many organisations have workplace equality policies in place that provide a statement of commitment to equal opportunities for staff. However, very few if any have extended this commitment to cover their customers. An Equal Status Policy focuses on an organisation's service delivery function. An Equal Status Policy provides a clear statement of an organisation's commitment to equality and to accommodating diversity in service delivery. It also helps to ensure compliance with the Equal Status Act 2000.

Wicklow Local Authority

The Equality Authority, in partnership with the Directors of Community and Enterprise and PLANET, prepared an equality proofing template

for the City/County Development Boards. The purpose of the template was to provide City/County



Development Boards with a practical tool to support them to equality proof their strategy plans. As a result of equality proofing carried out by Wicklow County Development Board, their ten year strategic plan 'Outlook' requires that:

"All County Development Board partners develop an Equality Implementation Scheme for their respective organisations within six months of the County Development Board strategy commencement....." p. 56, Outlook, Wicklow County Development Board Strategy Plan 2002.

An Equality Implementation Scheme could contain actions such as further evolving the concept of equality proofing, carrying out impact assessments, data collection, training and the development of equality policies. Following discussion at County Development Board level, Wicklow County Council was nominated as the most appropriate body to begin action in this area in the hope that whatever action was piloted could be replicated in other CDB agencies. It was agreed to pilot the development of an Equal Status Policy.

The Equality Authority and the Office of Community & Enterprise, Wicklow County Council, volunteered to support the development of the policy within Wicklow County Council. As a result of the above, the Housing and Corporate Estate Section within Wicklow County Council was identified as the most appropriate section to develop the policy. The Housing and Corporate Estate Section have direct contact with the public on a day-to-day basis and therefore have a particular need for such a policy. It was also felt that developing an equal status policy for this section might lead the way for the rest of the County Council.

How to develop the policy?

The next step was to decide on how to develop an effective Equal Status Policy. Given there is no existing good practice in this area, it was felt that a consultative process with equality interests, staff and senior management would be the best way forward. The actual process of developing the Equal Status Policy is crucial to the future success of the policy document itself. Often equality policies exist in organisations but are not always utilized. It was agreed that if the Housing and Corporate Estate Section developed an Equal Status Policy, that staff participation in its development would help ensure its effective implementation.

As a first step the Equality Authority met with some staff of the Housing and Corporate Estate Section with a view to agreeing a plan of action and timescale for developing the Equal Status Policy. The plan of action consists of a full day equality/diversity awareness training for all staff in the Division.

In addition, prior to drafting the policy, a consultation with equality interests is planned. A steering committee will develop a draft for agreement by the full section.

When will the policy be completed?

It is hoped that the policy will be completed by April 2003. The process of developing the policy will be documented with a view to publishing it as an example of good practice. It is planned to circulate this to all City/County Development Boards in the hope that other partners involved in the City/County Development Board process might also develop equal status policies. We look forward to working with Wicklow Local Authority over the next few months in supporting them to develop their Equal Status Policy.

The Equality Authority has recently conducted a mapping exercise of all City/County Development Strategy Plans.

The report details the equality commitments contained in the strategy plans and is available from Ann Butler, phone: (01) 417 3360 or email abutler@equality.ie

Advancing Equality and Diversity in the North Western Health Board (NWHB)

By Pat Harvey, CEO, NWHB

Addressing issues of equality and diversity has always been an integral part in the delivery of health and social services in the North West region. However, in recent years, the NWHB has recognised the need to proactively address issues of equality and diversity in order to continue to provide the highest quality of care to clients and so as to retain its competitive edge as a choice employer in the region.

The North West region has dramatically changed in recent years from being a seemingly homogenous community to a dynamic heterogeneous community which includes a mix of ethnicities, religions, family structures, languages, abilities, ages, political beliefs and sexual identities. In addition recent labour shortages have necessitated the NWHB to actively recruit health professionals from outside the Republic of Ireland so that the workforce of the NWHB reflects the heterogeneity of the wider community.

This rapid transition from a monocultural society to a multicultural and overtly diverse society has meant that the demands of service users and employees have become correspondingly diverse. Furthermore there are now greater demands from individuals and groups for the accommodation of diversity in the provision of services and in employment. This transition cannot happen in a vacuum and requires a considered and strategic response in order to ensure that the needs of all groups can be accommodated in an appropriate and sensitive manner.

The NWHB has recognised that this transition requires specialist attention and has undertaken a range of employment and service based initiatives in an effort to ensure that issues of equality and diversity are robustly addressed by the Board. Key equality developments have and are taking place in areas of Disability, Traveller health, support services

for Asylum Seekers and Refugees, Services for Older People, Child and Family Services, Women's and Men's health in order to ensure greater equity and access to health and social services. Developments in



the following areas have ensured that those experiencing inequality are actively involved in developing and reshaping services in accordance with their needs:

- Targeted services for Travellers, People with Disabilities, Older People, vulnerable children and families, Women's and Men's health;
- Development of person-centred care plans for service users;
- Consultative structures such as the Traveller Health Unit, Regional Planning Committee on Violence against Women, Regional Coordinating Committee on Physical and Sensory Disability;
- Establishment of a range of consumer panels;
- Development of inter-agency networks and partnerships with advocacy groups and community and voluntary groups.

The NWHB employs an Equality Officer and regularly convenes an Equality Advisory Committee to oversee the management of equality and diversity in the NWHB. The Board has been proactively developing its policies, procedures and practices regarding Anti-Racism, Disability, Gender Equality and Ageism. It is actively engaged in a range of positive action programmes which includes:

- Advancing work-life balance in the workplace through a transnational EU funded programme called "Tipping the Balance";
- Exploring employment based measures for



Travellers and people with disabilities through targeted services such as the North West Supported Employment Programme;

- Supporting the development of internal advocacy groups such as the NWHB Women's Network;
- Developing advocacy support for Older People,
 Travellers and People with a Disability through consultative forums and locally based networks;
- Developing a comprehensive Diversity
 Management Training programme for staff in 2003;
- Plans are also in place to undertake research into service needs of the Lesbian/Gay/Bisexual population group and into the nutrition needs of Asylum Seekers and Refugees in the North West.

Staff from the NWHB and Our Lady's Hospital Manorhamilton celebrate Anti-Racism Day 2002.

Conclusion:

The Board recognises that there is much work to be done in order to create equality of access, participation and outcome for a range of groups in the region and is continuously seeking ways to advance and promote equality and diversity in its work practices and in the delivery of its services. It also recognises that racism, sexism, homophobia, ageism and sectarianism exist in wider society and it is thus presented with a challenge to actively create an environment whereby such behaviour is considered intolerable, unacceptable and indefensible. It is seeking to achieve this through the development of best practice in all areas and by building internal and external alliances to support equality and diversity at all levels throughout the organisation. In doing so it believes that this will help send out strong signals to staff and clients that it values difference and does not tolerate discriminatory practices and that, in essence, the NWHB is genuinely "Passionate about People".

Government's 3% employment target for people with disabilities – new research on the Civil Service By John O'Connell, Department of Finance

At the request of the Department of Finance, Goodbody Economic Consultants have recently completed a study of the "Employment and Career Progression of People with a Disability in the Irish Civil Service". This article summarises this important research into a policy which has a major impact on employment opportunities for people with a disability – the Government's 3% target. The research team was led by Candy Murphy from Goodbody Economic Consultants; Eileen Drew, Peter C. Humphreys, Sue Leigh-Doyle, Joanna O'Riordan and Sandra Redmond were the other researchers.

In 1977 the Government established a 3% target for the employment in the public service of people with a disability. Under the policy, Departments must work to ensure that at least 3% of posts are allocated to people with disabilities. The target applies to all types of employment including the Civil Service, Local Authorities, Health Boards and Semi-State Bodies. The Civil Service Equality Unit in the Department of Finance is responsible for the policy as it applies to Government Departments. The Equality Unit carries out an annual survey of Departments to monitor the target.

The target has been quite successful following a slow start.

In the late 1980s, a period of declining Civil Service employment, the actual number of people with a disability in the Civil Service fell from 500 to 400. The percentage was low at about 1.5%, and remained roughly unchanged because of the reduction in total staff numbers. From 1990 onwards, however, there was a significant increase in Civil Service employment opportunities and the target began to work more effectively. The 3% figure was achieved in 1993, 1994 and 1995. In 1995, there were 830 people with a disability working in the Civil Service. In the late 1990s, total Civil Service numbers continued to increase, but the number of people with a disability has fallen somewhat. From the annual survey, 750 people working in the Civil Service are recorded as having a disability, giving a percentage of about 2.8%.

The Civil Service Equality Unit in the Department of Finance was concerned at the recent slight reduction in numbers. Under the Civil Service industrial relations system, a special sub-Committee has been established with management and union representatives to deal with issues affecting staff with disabilities. At the Committee, both the Department and the staff unions were concerned that the reducing numbers might become accepted as a fact of life which, in time, could be hard to change.

The Programme for Prosperity and Fairness committed the Department to reviewing the operation of the 3% target in the Civil Service and both management and the staff union

representatives agreed that the opportunity should be taken to examine the policy in detail. It was agreed that all the important issues should be covered, so, to get as broad a view as possible, it was decided to gather information about how people with disabilities were recruited and how their careers progressed within the Civil Service. The Department of Finance decided to bring in independent consultants. Following a tendering

procedure, the contract was awarded to
Goodbody Economic Consultants and a
team of researchers led by Candy Murphy
who worked with other experts from the
Institute of Public Administration and
Trinity College, Dublin.



The research team worked in a number of different ways to analyse the position. It was not just a statistical exercise as they wanted to get information directly about people's attitudes and experiences. A survey of 30 Personnel Officers was carried out and backed up with a series of indepth interviews. Staff were surveyed on a random basis in five selected Departments to record their views. There was also a voluntary survey of people with a disability and a focus group session. Statistics were important though if the exercise

was to be accurate. The team carried out a "cohort analysis" comparing the career history of civil servants who joined through a confined competition for people with a disability with that of other staff who joined at the same time and at the same grades.

The results are very interesting:

- the survey, which relied on civil servants to self-declare a disability, shows that 7% of Civil Service staff have a disability compared with the 2.8% reported in the annual survey; the higher figure is in line with similar studies which have been carried out abroad:
- the most common disabilities are physical [32%] and sensory [22%]; one-third acquired their disability since joining the Civil Service;
- people with disabilities are to be Executive Officer level; found at all levels of Government Departments, though there are proportionately more people straightforway with a disability at the lower grades; to improve on the company of the company o
- civil servants with a disability tend to be slightly older than average and there are more males than females with a disability working in Departments;
- a very positive attitude exists throughout the Civil Service both at management and among staff towards the employment of people with a disability;
- on joining the Service people with a disability tend to have slightly lower educational qualifications than other people, but are more likely to work to improve their qualifications;

- for instance, 33% of civil servants with a disability are studying for a third-level qualification compared to 18% of civil servants without a disability;
- the career progression of people with disabilities is not as good as that of people who do not have a disability: the analysis showed that noone who joined the Service at Clerical Officer

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level through a competition confined to people with a disability has progressed beyond Executive Officer level;

 people with a disability have relatively less job mobility and consider that their sick leave record is a difficulty when they are applying for promotion.

The report has provided a lot of very useful information about the position of people with a disability in the Civil Service. In the light of the information collected, the

report makes many recommendations for

straightforward practical steps which can be taken to improve career prospects for people with a disability working in Government Departments. The Civil Service Equality Unit in the Department of Finance and the staff unions are now holding a series of meetings to consider the proposals in detail. The aim is to develop new, practical proposals which will ensure that the Government's policy works for the benefit of people with disability throughout their careers in the Civil Service. It is not just people with a disability who will gain. As an employer, the Government will gain from encouraging all its staff to make a full contribution to the work of Departments.

MAMA Celebrates Culture

By Chinedu Onyejelem

Almost 3 years ago Abel Ugba and Chinedu Onyejelem established Metro Eireann – Ireland's first and only multicultural newspaper. Since then hard work has kept the paper afloat through difficult times, the quality of output in no way reflects a shoestring budget. With the regular contributions of many fantastic writers including Roddy Doyle, Fintan O'Toole and Ronit Lentin, Metro Eireann has grown from strength to strength.

Apart from publishing a unique newspaper, Metro Eireann is also highly involved in a range of other diversity initiatives. The core of these is Metro Eireann Media and Multicultural Awards – MAMA. Entries are currently being invited from the public for this year's award.

Established last year MAMA celebrates outstanding contributions of people – Irish and non-Irish nationals – towards promoting and creating crosscultural understanding and co-operation in Ireland, North and South.

The successful first MAMA was held in the City Hall on the 1st of May 2001. The second ceremony promises to be better. In the struggle to build a multicultural Ireland, the MAMA awards are important. MAMA aims to support those who are championing the building of a multicultural Ireland. They need encouragement! It is our hope that you would help us to spread the news of the return of MAMA.

The panel judging the entries includes:

- Mrs Joan Harbison, Chief Commissioner, Equality Commission, Northern Ireland
- Fintan O'Toole, Metro Eireann and Irish Times columnist

- Meg Offiah, originally from Nigeria, a teacher at St. John of God Secondary School, Artane, Dublin
- Nadette Foley, Coordinator of the Jesuit Refugee Integration Project
- Pat Normanly, the Equality Officer of Dublin Bus
- Israeli born Ronit Lentin, a lecturer at Department of Sociology, Trinity College, Dublin
- Siraj Zaidi, originally from India and independent radio and television producer
- Gerard Stembridge, Writer/Director
- Niall Crowley, Equality Authority
- Novelist Roddy Doyle, Patron of MAMA.

This year we hope that MAMA will be another remarkable celebration with the mix of colours and cultures, dance, drama, foods and much more.

We are inviting entries for the 2003 MAMA, which will be presented in three categories: multicultural awards, individual and group and media awards.

The Individual Multicultural Awards triumphs the achievements of Irish and non-Irish nationals in Ireland in promoting and celebrating cultural diversity. Entries – can be by self-nomination; members of the public/organisations/companies can also make nominations. They can also be nominated by Metro Eireann. Entrants can be from Ireland, North and South. Three awards will be made in this category.

Added to that is Group Multicultural Awards which celebrates outstanding contributions of organisations and businesses – other than media organisations – in works that promote cross-cultural understanding and co-operation. Members of the public and organisations/companies can also make nominations.

Works can include community-based initiatives, entrepreneurial activity, actions in the provision of goods and services such as health or education, activities in theatre, literature or sport etc.

Entrants from the North and South of Ireland are invited to submit details of programmes and projects that they administered between January 2002 and December 2002. Three awards will be made in this category.

The Media Multicultural Awards invite Irish and non-Irish journalists, print and broadcast media organisations from the North and South of Ireland to submit published and transmitted programmes and articles which encourage cross-cultural understanding and cooperation (published or transmitted between January 2002 and December 2002). Members of the public/organisations/companies or Metro Eireann can also make nominations.

The category covers the following areas:

- 1. National print
- 2. Regional print
- 3. Television
- 4. National radio
- 5. Regional/local/community radio
- 6. Photography
- 7. New Media
- 8. Video/Film
- 9. Student Media

There will be two overall winners – one under multicultural awards and one under media awards. A special judges award will also be made to a person, who in the opinion of the judges has made an overarching contribution to making our society truly intercultural. Judges also have the right to recategorise the entries.



Pictured at the Press Launch of MAMA 2003 are Abel Ugba and Andy O'Callaghan.

Among the winners of MAMA last year were:

- The Irish Times (Education and Living Supplement);
- Frank Buckley of Sports Against Racism;
- Bisi Adigun;
- Chris Flood, former T.D.;
- the Louisburgh Community Project and Belfast based Children's Law Centre.

Metro Eireann is also looking for sponsors for the awards.

Entries will be closed on **15th April**, **2003**. For further information about the entries or sponsorship please contact **Chinedu Onyejelem @ 01/8690670/0868523397**.

Email: awards@metroeireann.com

You can also download information from our web site: www.metroeireann.com



Mainstreaming Equality Issues In The Development and Implementation Of The National Anti-Poverty Strategy

By Niall Crowley CEO, Equality Authority

This article was first presented to the NESF Social Inclusion Forum.

Foundations

The goals of eliminating poverty and of realising equality are linked. There are differences and even tensions between these two goals. However neither goal can be achieved without the other also being achieved. Discrimination is a causal factor of poverty. Poverty contributes significantly to the experience of inequality. This linkage poses a clear challenge for a national antipoverty strategy.

Measures

An anti-poverty strategy needs to identify and target groups who experience discrimination and inequality, where membership of the target group is effectively a poverty risk factor.

An anti-poverty strategy needs to have a capacity to accommodate diversity in any of its target groups and lesbia if it is to be effective and relevant to all who experience poverty.

Accommodating diversity means ensuring that the anti-poverty measures take account of the particular experience, situation and identity of those within the target group who experience both poverty and inequality. Long term unemployment, for example, is identified as a poverty risk factor. Measures targeting the long-term unemployed need to take account of the diversity in this group which includes people with disabilities, Travellers,

women, older and young people, people with various caring responsibilities, gay and lesbian people and Black and minority ethnic people. As such an effective anti-poverty strategy needs to target and to mainstream those experiencing inequality and poverty.

There are solid foundations for such an approach both within the EU objectives for the Fight Against Poverty and Social Exclusion and in the Irish Government's National Anti-Poverty Strategy.

Measures targeting the long-term unemployed need to take account of the diversity in this group which includes people with disabilities, Travellers, women, older and young people, people with various caring responsibilities, gay and lesbian people and Black and minority ethnic people.

The revision of the European Union objectives have emphasised the need to "take the role of gender fully into account" in the preparation of national action plans and the need to highlight the risk of poverty faced by some as the result of immigration. This is a welcome development of the equality dimension to the EU social inclusion process. This is a dimension already present in the specific objective of "helping the most vulnerable" which makes specific mention of immigrants and people with disabilities. The EU guidance suggests this focus

on the most vulnerable be threaded through the objectives of "preventing the risks of exclusion" and "facilitating participation in employment and access by all to resources, rights, goods and services". This suggests a targeting and a mainstreaming of those experiencing both poverty and inequality.

The Irish National Anti-Poverty Strategy already identifies and targets a wide range of groups experiencing poverty and inequality. The listing of vulnerable groups targeted included young people, women, older people, Travellers, people with disabilities and migrants and ethnic minorities. Carers and lone parents are also a focus. The gay and lesbian community is an obvious omission. There is little emphasis on mainstreaming those experiencing both poverty and inequality within other measures. However, the Strategy does contain reference to "driving forward in a comprehensive way the range of proofing mechanisms" which should include equality proofing. This should create the necessary combination of mainstreaming and targeting those experiencing both inequality and poverty.

Focus

The Employment Equality Act with its prohibition of discrimination in the workplace and the Equal Status Act with its prohibition on discrimination in the provision of goods and services relate very directly to the core objectives of the EU social inclusion process – "facilitating participation in employment and access by all to resources, rights, goods and services." This legislation is unique in the EU in covering nine distinct grounds – gender, marital status, family status, age, race, religion, disability, sexual orientation and membership of the Traveller community. This legislation should provide a basis for the focus on equality within anti-poverty strategies.

It is necessary to focus on the combined experience of poverty and inequality by women, carers, lone parents, older people, young people, people with disabilities, gay and lesbian people, and Black and minority ethnic people including Travellers and in developing the equality dimension to the Anti-Poverty Strategy. This, with the inclusion of gay and lesbian people, reflect a targeting that already has solid foundations in the National Anti-Poverty Strategy.

It is necessary to identify who we focus on and it is also necessary to explore what we focus on. Building an equality dimension into an anti-poverty strategy also has implications for the objectives of that strategy. The current national anti-poverty strategy limits itself to economic or redistributive objectives – in terms of income, employment, education, health and accommodation.

The effective integration of an equality dimension requires an expansion of these objectives, if the combination of poverty and inequality is to be addressed. Economic objectives need to be linked to objectives in:

- the political arena, so that those experiencing poverty and inequality are resourced to organise, to develop collective agendas and to participate in decision making;
- the cultural arena so that diversity is recognised, is accorded value and is taken account of in institutional practices and policies;
- the affective arena so that the negative experiences of hostility and abuse of those experiencing inequality are replaced by relationships of trust, respect and solidarity.

This has further implications for the overarching objectives of the National Anti-Poverty Strategy. The key objectives could usefully include a specific equality focus with an additional objective to: "Take account of and address the situation experience and identity of those experiencing a combination of inequality and poverty".

Challenges

Four particular challenges stand out in seeking to mainstream equality within the National Anti-Poverty Strategy. These are:

- fragmentation of the policy approaches to poverty and inequality;
- the implementation of equality strategies where these have been developed;
- the development of poverty and equality proofing and
- building an effective infrastructure to underpin a focus on the inequality/poverty interface.

In terms of fragmentation there are very different policy approaches to the issues of poverty and inequality and a necessary coherence remains to be built. Equality legislation in place has no specific focus on poverty. Poverty proofing has been developed while equality proofing remains at a 'learning phase' and the focus on 'inequalities likely to lead to poverty' in the poverty proofing guidelines remains aspirational. A National Anti-Poverty Strategy is in place and has begun to target inequalities but has still to develop a mainstreaming approach to equality.

There is movement towards greater coherence between poverty and equality strategies as the relevant organisations in the areas of equality and poverty develop cooperation.

The present process could usefully further develop this coherence by

- Including the ground of socioeconomic status in equality legislation;
- Ensuring the participation of equality bodies, equality
 interests and equality expertise
 in the institutional
 arrangements now being
 developed around the social inclusion process;
- Putting in place an integrated approach to equality and poverty proofing that incorporates current approaches to poverty proofing, gender mainstreaming and equality proofing;
- Further develop the objectives and strategies within the National Anti-Poverty Strategy to mainstream a focus on those experiencing inequality and poverty.

Significant work has been done in developing, negotiating and reporting on strategies to address the situation and experience of those experiencing inequality. These include the:

- Report of the Task Force on the Travelling community.
- Report of the Commission on the Status of People with Disabilities.
- Equality Authority Report on Implementing Equality for Older People.
- Equality Authority Report on Implementing Equality for Gays, Lesbians and Bisexuals.

Work is currently progressing in preparing a National Action Plan Against Racism and a National Plan for Women. The Equality Authority

has also committed to preparing a report on implementing equality for carers.

There is a challenge to build on this work in the forthcoming action plan on poverty and social exclusion. Specific commitments need to be included that advance the implementation of recommendations in existing reports. A commitment is required to publish and implement ambitious plans for women and against racism and to implement the promised report on carers.

Measures targeting the long-term unemployed need to take account of the diversity in this group which includes people with disabilities, Travellers, women, older and young people, people with various caring responsibilities, gay and lesbian people and Black and minority ethnic people.

Poverty proofing needs significant development over the next period. The NESC have provided a useful analysis of what is required. The NESC placed a very high priority on poverty proofing given the cross-cutting nature of the anti-poverty strategy across so many policy areas. The NESC states that "if these objectives are to be realised poverty impact assessment is essential". It is also relevant to note that the NESC stated that there is considerable evidence of linkages between the inequality grounds and poverty.

A new anti-poverty strategy should include:

- The investment of human and financial resources in poverty proofing processes;
- Developing the institutional and practical supports for those involved in poverty proofing;
- Putting into effect the focus on inequalities likely to lead to poverty within poverty proofing and developing the strategy to integrate poverty and equality proofing;
- Ensuring an imperative and a capacity at national, regional and local levels to implement poverty and equality proofing;
- Putting in place a statutory duty on the public sector to promote equality and to combat poverty which would underpin poverty and equality proofing.

Gender mainstreaming will be required in the preparation of a new anti-poverty action plan. The effective implementation of this approach will require early planning and resources. A gender mainstreaming initiative could usefully be expanded to a wider equality proofing of the plan itself, given our multi-ground approach to equality in the Irish context.

The final challenge I would highlight relates to the infrastructure required for evidence-based decision making in relation to poverty and inequality. The NESC highlighted significant data deficits and an inadequacy of indicators to measure progress.

There is a need to:

- Implement an effective equality data strategy so that poverty targets can be set and monitored in relation to those experiencing poverty and inequality;
- Develop anti-poverty indicators to incorporate an equality dimension so that progress in mainstream measures is analysed and measured from a diversity and equality perspective;
- Build and disseminate a knowledge base on the interface between poverty and inequality and on the specific experience of poverty by those experiencing inequality.

Service delivery

The National Anti-Poverty Strategy and today's forum on social inclusion places particular stress on public sector service delivery. This is important given the centrality of this provision to the quality of life of those experiencing poverty and inequality and to any goals of redistribution, both of which are key to anti-poverty and equality strategies. This emphasis on public sector service delivery will need to focus on equality and diversity.

Progress on such a focus has been made under the Quality Customer Service dimension to the Strategic Management Initiative. An equality/diversity principle has been established to underpin quality customer service. This has found useful expression in Government Department Customer Service Action Plans. A support pack has been developed for this principle which emphasises strategies for accessibility and the accommodation of diversity.

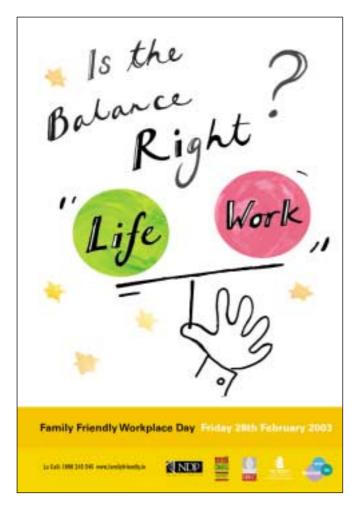
An equality infrastructure needs to be established within all public sector service providers which would shape and drive forward this focus on equality and diversity. It would include public sector service providers committing to putting in place:

- An equal status policy that sets out commitments in relation to ensuring a focus on equality in service provision;
- Equality and diversity training to build an awareness of equality issues and a competency to implement effective equality strategies;
- An equal status review to assess customer service and outcomes from service provision from an equality perspective and to inform and shape an equal status action plan;
- An identified responsibility to drive forward and implement this equality dimension to service provision.

Is the Balance Right?

By Patrick O'Leary, Equality Authority

Friday 28th February 2003 marked the third annual Family Friendly Workplace Day.



This year we encouraged organisations to build on their achievements of the past two years and so mark the day by:

- Launching a new family friendly/work life balance arrangement for employees on the day;
- Providing information on existing policies in workplaces - possibly by using information stands, leaflets, articles in newsletters, intranet, email, presentations or staff circulars;

- Surveying staff members
 - to explore possible barriers to their utilisation of family friendly/work life balance arrangements.
 - to explore their needs in this area.
- Organising a staff and family or friends social event on Friday 28th February or Saturday 1st March which included children, parents, partners and friends of employees in the invitation list.

The Equality Authority on behalf of the Family Friendly Framework Committee hosted, a conference entitled 'The Way Forward' which focused on both the needs of employers and employees, and included thematic workshops. The speakers at the Conference were Mary Coughlan, T.D., Minister for Social & Family Affairs, Eileen Drew, TCD, Jackie Harrison, IBEC, Joan Carmichael, Congress, Niall Crowley, the Equality Authority. Kathryn Holmquist of the Irish Times presented a paper on the 'Workplace of the Future'.

More information on work-life balance initiatives is available @ www.familyfriendly.ie.



Equality Authority Implements Equality Studies UnitBy Lawrence Bond, Head of Research, Equality Authority

The Equality Authority is implementing an Equality Studies Unit (ESU), which is a technical assistance initiative of the Employment and Human Resources Development Operational Programme (EHRDOP) of the National Development Plan 2000-2006 (NDP). The ESU focus is on labour market inequalities and the implications for labour market policy, in respect of older workers, people with disabilities, minority ethnic groups in particular refugees, and Travellers. Specifically, the Equality Authority is to:

- identify existing data deficits and advise on how they might be addressed so that access to and participation in the labour market can be tracked and analysed;
- improve understanding of the specific labour market needs of groups exposed to social exclusion and discrimination and promoting a capacity to accommodate these differing needs;
- research the labour market experience of these groups and draw on the findings to improve access and participation;
- enhance the monitoring of outcomes for these groups through inputs to the responsible committees and other fora.

The ESU Management Committee is chaired by the Equality Authority and includes representatives of relevant Government Departments and agencies, the Social Partners and equality interests, and the Equality Commission for Northern Ireland.

Work to Date

Following an initial call for tenders in 2001, eight studies were commissioned towards the end of that year, and were largely completed during 2002. This initial phase of the workload concentrated on two

priority objectives. The first priority was to examine the labour market situation of each of the four target groups and the implications arising for the design and delivery of measures under the EHRDOP.



This was mainly addressed through four studies, which look at each of the groups in turn. These studies consider the labour market aspirations and experience of members of the group from their perspective. They also examine the barriers to accessing labour market programmes from the perspective of members of the group and from the perspective of programme providers.

As one would expect, the individual studies highlight a range of issues that are specific to each group. In addition a number of common themes are identified. One common theme is the balance between targeted or group specific measures and access to mainstream supports. Well-targeted measures can play a role in overcoming specific barriers but crucially they must underpin – rather than act as a substitute for – access to the full range of mainstream measures. Progression pathways that bring people from targeted to mainstream measures are an obvious concern here but the issue of mainstreaming equality is much broader than this.

This issue of mainstreaming equality is reflected in the second common theme, the need to explicitly address the challenge of diversity in all aspects of planning and delivery of mainstream labour market measure. This theme was identified in each of the four 'group' studies. What this might mean in practice in terms of outreach, staff training, course content, was also explored in a fifth project which reviewed three EHRDOP measures from an equality perspective.

Another common theme is the importance of effective monitoring of equal opportunities within education and training provision. This links directly to the second major priority in the work of the ESU to date – the development of relevant data and monitoring in respect of the four priority groups. The remaining three of the first eight studies address different aspects of this issue.

The major work to date here is a report on equality monitoring in the OP prepared for the ESU by Fitzpatrick Associates. This reviews the situation with regard to the availability of programme data in all measures under the OP. The overall objective of this report is to identify data deficits and the changes needed to address these: "so that participation in measures under the **Employment and Human Resource Development** Operational Programme (EHRDOP) can be tracked and analysed with reference to four grounds". It identifies gaps in the availability of data and proposes ways to develop the capacity of data collection systems to capture the situation for the four groups and to develop indicators to track their progress.

In tandem with the development of programme data and monitoring, the availability of broader labour market data in respect of the priority groups must also be considered and a further study reviews available labour market data sources, identifies data deficiencies and makes recommendations on the future collection of labour market data on the four

grounds. These two studies are complemented by a literature review of labour market equality indicators in selected countries.

Priorities in 2003

The ESU will pursue three priorities in 2003. The first priority is ongoing, building directly on the work done to date. Ongoing efforts to improving information and monitoring on the four grounds within the Operational Programme, as well as wider contextual data. This will include the preparation of guidelines for implementing bodies in relation to collection of data on membership of the four grounds, and provision of specific technical assistance to individual implementing agencies regarding monitoring issues as appropriate.

A second priority will be the promotion and support of the development of equality practice within the measures of the EHRDOP. This will include a programme of reviews of equality practice in specific measures, dissemination of research findings and development of practical resource materials for providers and others.

Thirdly, we will commission further research relevant to the objectives of the ESU as appropriate. Here, two recently commissioned studies will analyse the labour market participation of older people and of people with disabilities respectively based on in depth statistical analysis of existing nationally representative data sets. These are due to be completed by the middle of the year.

Recent publications

Building an Intercultural Society

'Building an Intercultural Society' is a paper prepared by the Equality Authority as part of our contribution to the preparation of a



National Action Plan to combat racism. It is a position that shapes and guides our own contribution to equality across ethnic difference. The preparation of a National Plan should establish a new and stronger consensus behind this equality so that urgent change can be achieved.

'Building an Intercultural Society' examines the challenges facing Irish society to combat racism and to secure an inclusion across a broad cultural diversity in our population. It establishes an agenda for change that will contribute to greater equality in economic, political, affective and cultural terms. This is an agenda that is about securing access for all to:

- the resources in our society
- decision making at all levels
- relationships of caring, respect and solidarity
- a status where adversity of culture and identity is affirmed and accommodated.

These are issues to be addressed in seeking a society that is anti-racist and intercultural.

Copies available at the Public Information Centre Lo-Call 1890 245545 or @ info@equality.ie.

Strategic Plan 2003-2005

The Equality Authority's Strategic Plan 2003-2005 was launched on 27 January 2003. It charts new directions for the equality agenda for the next three years. The Plan is the product of a substantial period of consultation with our stakeholders including calling for and receiving submissions, regional consultations and building on the unique experiences gained from our own interaction with 1,284 casework files and over 10,000 new enquiries from the public each year.

Copies of the Strategic Plan are available @ Lo-Call 1890 245545 or @ info@equality.ie.

Guide to Equality and the Policies, Institutions and Programmes of the European Union



This publication is a valuable account on approaches to equality at the level of the

European Union. It will assist our understanding of equality and highlights the centrality of the equality agenda to the future of Europe.

The publication allows a stocktaking of current EU initiatives on equality. It sets out policies and legislation that contribute to equality, institutions and organisations that drive forward the equality agenda, and programmes that provide funding to promote equality. It highlights significant achievements at European Union level.

Case Reports

By Patrick O'Leary



Pregnancy-related discrii

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Dramatic Labour Court Awards in Pregnancy Dismissal Cases

The Equality Authority wishes to highlight a dramatic but quiet revolution that is happening in the recommendations that are being issued by the Labour Court in the area of pregnancy discrimination. Women who have been dismissed because of pregnancy and bring claims to the Labour Court under the Employment Equality Act 1998 are receiving an equivalent of a years salary. It appears that the Labour Court is sending out a strong unequivocal message that discrimination against pregnant workers will not be tolerated and employers who discriminate will have to pay substantial financial compensation.

While there has been protection against gender discrimination in the workplace since 1977, the recent high level awards by the Labour Court provide meaningful remedies for women and should serve as a real deterrent to employers from this type of discrimination.

Café Vienna -V- A Worker

A pregnant employee was dismissed when the company treated her as having abandoned her employment by being absent from work due to pregnancy related illness. Awarding her 12,000 euro the Labour Court stated "a prudent employer acting reasonably would at least have sought to ascertain the true position before treating the complainant's employment as having come to an end".

Blooms Hotel -V- Sabrina McNern

An award of 15,000 euro was granted to Ms. McNern who was informed that her employment was terminated by reason of redundancy. This as transpired was not the case since shortly afterwards, the employer recruited extra staff. "It is reasonable to infer from this that even if a redundancy situation existed in the accounts office, the respondent had decided to terminate the complainant's employment rather than offer her re-deployment elsewhere in the hotel".

Pregnancy-related discrimination cases doubles in last 12 months

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to highlight what it termed, the creminate a dramatic four quart revolution.

Women who have been the Equality Authority shoursed because of pragmancy. The number of and bring clause to the Labour discrimination mass just Court under the Employment, 10 in 2001 to 30 in figures to the Espainty Act 1958 are purelying an end of last November. equivalent of a year's talary in

The Labour Court is sending ents a strong smequivocal number pregnant worken will not be tolerated and complayers who

will have to pay substantial firmenal compensa-tion," soid Niall Converg, CEO of

The minder of premouve discrimination their jumped from

Women are doned couplesbecame of their pregnancy, suffer barasment and victimismon from collesgues, the authority says.

"Over the past month from an-

Inequality

. The Labour Court is forcing. employers to pay as much as one year's pay in pregnan-In the pest year alone, the

number of pregnancy discrimination cases before the Equality Authority jumped from 16 to

· Ten percent of all Equality Authority discrimination cases relate to pregnancy.

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High awards for employer bias over pregnancy

A Company -V- A Worker

By Surpha Crawley

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Following the notification of the pregnancy to her employer, the claimant, who was employed as an office assistant, alleged that there was a change of attitude on the part of her employer. She felt that criticism of her work only arose since she declared her pregnancy. Her subsequent dismissal amounted to gender discrimination according to the decision of the Labour Court and awarded her 5,000 euro. The Labour Court stated "a worker cannot be discriminated against or be dismissed while pregnant except in exceptional grounds unconnected with her pregnancy. In addition, such grounds must be clearly stated in writing".

KCR House -V- Celine McKay

When Ms. McKay sought to return after her maternity leave, she was told that her job was gone. The Labour Court found that the offer of alternative employment as a cleaner with another company of the employer with different duties was of such a fundamentally different nature (even if it was genuine) that the claimant was entitled to consider herself constructively dismissed. The Labour Court determined that her dismissal from her employment arose due to her pregnancy and awarded her 10,000 euro.

Treat women equally

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Complaints of pregnancy related discrimination are accounting for 10% of all Equality Authority casework files under the Employment Equality Act. Pregnancy discrimination takes many forms, some blatant, some covert, some detrimental to the health of the mother. Women are denied employment, training, promotional opportunities and face dismissal because of their pregnancy. Also, pregnant women suffer harassment and victimisation from colleagues.

second class status of women in Irish society for many years.

Genuine equal status for women in Ireland will only be achieved when the last bastions of male privilege — of which our older Dublin golf clubs are some of the worst examples — become genuinely inclusive.

A newspaper with the status of the *Irish Independent* should ensure that its correspondent in this area has a genuine appreciation of the issues involved. *Kevin Cronin*,

Pregnant workers' rights highlighted

Clodagh Sheehy

DISCRIMINATING against a woman because she is pregnant has become a costly business, with compensation payouts averag-

to "pay substantial financial compensation". He cites one case where a pregnant employee was dismlased when she got sick with a pregnancy-related illness, and the court awarded her

deployment in the hotel.

An effice assistant who complained her employer began to criticise her work once she became pregnant was awarded \$5,000.

The woman was dis-

tive employment as a cleaner with another company of the employer with different duties was of such a different nature that the claimant could consider herself constructively dis-

VIEWPOINT:

All this "Equality stuff"

by Michael Waugh

"You know, we never had all these problems until we started having all this equality stuff".

If I had a euro for every time I heard that phrase, I could afford to add 50 meters of spire to the Dublin Spire. Better yet, I was told by a participant toward the end of a diversity seminar "Ya know, with all this new touchy feely, icky diversity stuff, it's getting to the point where ya have to stop and THINK before ya say anything". Hmm, what a concept! In my experience doing equality training for the last 10 years all over the United States and Ireland I have found that organisations who have ignored or neglected their responsibilities in regards to equality legislation, often find themselves experiencing backlash, especially from senior management. Very often after delivering equality training, people become aware of their rights, and how to assert these rights. They realise "Hey, I don't have to put up with this", (discrimination, harassment etc.). Therefore, after years of avoidance, supervisors are suddenly having to figure out how to resolve discrimination complaints. Line managers in organisations are usually the first individuals responsible for resolving discrimination complaints informally. But time and time again, when I do an equality seminar one of the participants will look around at a few empty seats in the room and say "Where are the bosses, hey, they need this more than anyone".

Well, they are all too busy. Next thing you know, employees are much more aware of their rights and responsibilities than the "bosses" and you can believe this gives some of them the jitters. The truth is every line manager, supervisor, board member, CEO, is an equality officer, whether they realise this or not. Under

new equality legislation employers can put forward a defence that they have taken all practicable steps to ensure harassment free environment. Many times,



I have been called in to work with groups who I was told were "dysfunctional" and in great need of diversity training. Time after time, it was not so much the group, but the apathy and insensitivity of management that was the root cause of the friction. Let us not let employees off the hook who sometimes exploit equality process to their own advantage. Managers who are trained and prepared can effectively deal with this problem when it arises. So how does an organisation create and maintain a positive discrimination free work environment? Here are a few tried and tested ideas:

- Select and train an equality facilitator/counsellor who can assist management in preventing discrimination, organise training sessions, and bring together a diverse group of people to act as the "eyes and ears" of the organisation in providing a positive environment. Let's call the group the Human Relations Council.
- Select a Human Relations Council who can meet perhaps monthly to discuss ways to prevent harassment, sex harassment, and discrimination. This group can also organise cultural events and observances, which highlight the contributions made by groups in the workplace and indeed, in Ireland.

Cultural observances are very useful to educate people and raise awareness about people around us that we are unfamiliar with.

- Equality Review (Cultural Audit). This should be one of the first steps in developing a first class equality programme. The Human Relations Council and the equality officer do an informal review, but this should be done by an outside agency if possible. Questionnaires, focus groups, interviews, assessing data and equality training and practices would be looked at closely. It must be stressed that this review is to help improve the environment, not to scapegoat anyone. In fact, it is important that both strengths and weaknesses be part of the review. Depending on the findings, among the remedies available, if required, would be diversity and equality training.
- Training for the organisation is extremely important whether there has been a review or not. It is important to first "sell" the benefits of equality training to senior management and work with them to make them feel comfortable and confident when it comes to them dealing with equality issues. Often I have found that when senior management is unaware of their responsibilities on equality legislation, and a complaint comes knocking on their door, either they bury it, and do nothing in the hope it will go away, or they over-react and end up complicating the issue. Once management is well versed, then the rest of the organisation should receive the same training. By the way, it is not just enough to have the training. The training must be done well, or you can end up taking two steps back. Eventually, it is beneficial to have both management and employees attending the same sessions and set up "town hall" meetings.
- These town hall meetings bring the organisation together with the CEO present to discuss issues in the workplace. These "rap sessions" can be very useful but must be well facilitated.

- Developing equality statements, policies and complaint procedures is crucial. For one thing, any equality investigator is going to make a beeline for these procedures in the event of a complaint. To avoid egg on the face and to help provide a positive discrimination free workplace, these policies and procedures must not only be developed, but all employees must be trained. It is also suggested that a diagram with a simple explanation of complaint procedures be visible in various places in the workplace, with perhaps the photograph and contact number of the designated equality officer, and/or Human Relations Council.
- Every organisation's policy must ensure that everyone can meet with the equality officer and supervisor, if the person feels, they may have been discriminated against, harassed or sexually harassed. I have found the organisations that have an "open door" policy in this regard, are always the most successful in resolving conflicts and complaints.

People working together to enhance the human relations in an organisation are the key, but everything must start at "the top". The equality programme and training is only as good as the commitment demonstrated by senior management. In my career as a Civil Rights Counsellor, Equality co-ordinator, Investigator and Facilitator, whether I've been in North Carolina or South Sligo, people crave for more knowledge on diversity, and equality. The most successful organisations I have worked with place equality training at the top of their priorities.

Michael Waugh has recently brought together a diverse group of men and women to start an equality training business. Contact 071 477 19.

Events/Diary

University College Dublin Equality studies

Applications are invited for the:

Masters & Higher Diploma in Equality Studies

The only programme of its kind in Ireland, Equality Studies provides students with a unique and challenging opportunity to examine a wide range of equality, human rights and social justice issues. Courses are taught by staff from the disciplines of sociology, economics, law, education, politics, social policy, development and women's studies. The courses may be taken on a 1 year full-time or 2 year part-time (evening) basis.

The four major themes are:

- Social Class Structures and Equality
- Gender Inequalities
- Global North/South Inequalities and Development
- Minorities and Discrimination (including racism, ageism, disability, language and sexualities)

Masters by Research and PhD in Equality Studies

A small number of places are available for 2003/4 on the PhD/Research programme. The Equality Studies Centre welcomes applications from suitably qualified candidates. It offers excellent supervisory support and research training on site. The Centre is affiliated to the Research Institute for the Study of Social Change.

Details from: The Administrator, Equality Studies Centre, Library Building, University College Dublin, Belfield, Dublin 4.

Tel: 353 1 716 7104 Fax: 353 1 716 1107. Email: equality@ucd.ie. www: http://www.ucd.ie/~esc

Application deadline: Monday 31st March (non-EU applicants) Friday 2nd May 2003 (EU applicants). Late applications may be considered, subject to the availability of places.

MPhil in Ethnic and Racial Studies, Department of Sociology, Trinity College Dublin

Applications are invited for a 12-month postgraduate degree in Ethnic and Racial Studies. The programme, the only one of its kind in Ireland, consists of two core courses and seven one-term courses plus a dissertation which is submitted in September. It attracts a diverse body of international, Irish and EU students.

Applicants should hold a good first degree in the social sciences or have a social science component in their first degree. In exceptional cases, applicants without a first degree may be accepted if they can demonstrate that they possess the equivalent of a good first degree. The programme is ideally suited to public and voluntary sector workers seeking theoretical and practical training in ethnic and racial issues. Our graduates are well placed in key social policy and research agencies in Ireland and abroad.

For information please consult our website www.tcd.ie/Sociology/mphil/mphil.htm
Or contact the course coordinator, Dr Ronit Lentin,
Department of Sociology, Trinity College, Dublin 2.
Tel 353 1 6082766, email rlentin@tcd.ie.

Application forms are available online from http://www.tcd.ie/Graduate_Studies/g-admisn.htm

Completed applications for admission to the above programmes are welcomed as soon as possible and should reach the Dean of Graduate Studies by **May 31, 2003.**

Equality News will publish information about events or diary notices which we think may be of interest to our readers. Please send details to Patrick O'Leary at the Equality Authority, at 417 3386 or via email to poleary@equality.ie

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