

EQUALITY COMMISSION FOR NORTHERN IRELAND

TWO HUNDRED AND THIRTEENTH COMMISSION MEETING

HELD ON WEDNESDAY 26 JUNE 2024 AT 1.30 PM

Geraldine McGahey	Chief Commissioner
Neil Anderson	Deputy Chief Commissioner
Maureen Brunt	(R)
Lisa Caldwell	
Siobhan Cullen	
Duane Farrell	
Ellen Finlay	
Monica Fitzpatrick	(R)
Colin Kennedy	
Stephen Mathews	(R)
Jim McCooe	
Sheena McKinney	
John McCallister	
Preeti Yellamaty	

APOLOGIES

IN ATTENDANCE

Keith Brown	Interim Chief Executive
Louise Conlon	Director, Communications
Glenda Doherty	Senior Policy and Research Officer, DMU
Lisa King	Director, Research and Investigations
Roisin Mallon	Director, Dedicated Mechanism Unit
Jacqui McKee	Director, Advice and Compliance
Darren McKinstry	Director, Policy and Strategic Engagement

The Chief Commissioner opened the meeting by paying tribute to Commissioner, Carmel McKinney who sadly passed away on 10 June, following a short illness. Carmel's knowledge, experience, commitment and openness will be greatly missed by Commissioners. Carmel was also an esteemed member of the Commission's Audit and Risk Assurance Committee.

The Chief Commissioner and Commissioners extended sympathy to Commissioner, Sheena McKinney, sister to Carmel and noted that their thoughts and prayers are with her and the family circle at this difficult time.

**1. Minutes of the two hundred and twelfth meeting held on Wednesday
22 May 2024** EC/24/06/01

The Minutes of the two hundred and twelfth meeting held on Wednesday 22 May 2024 were **signed** as a true and accurate record.

2. Matters Arising

There were no matters arising.

3. Conflict of Interests

Commissioner, Jim McCooe sought guidance in relation to a potential conflict of interest at paper 6 on the agenda.

Following consideration, the Chief Commissioner did not believe there was a conflict on this occasion and therefore, it would not be necessary for the Commissioner to withdraw from the discussion. The Chief Commissioner would review the position if required.

The declaration was noted.

4. Policy Issues

- Measuring Equality in NI: Communities EC/24/06/02

Lisa King, Director, Research and Investigation outlined the context and areas for discussion in Communities are welcoming and inclusive.

Commissioners discussed the paper, noting the specific points and findings from the outcome areas outlined at Appendix 2.

Discussion took place regarding the cross-cutting nature of inequality rights across these areas of life. The issue of access to transport and the importance of community transport was evident from this data. It will be important to make connections between this data and the work of the Commission.

Commissioners **noted** the report and Appendices.

- Autism Guidance: Supporting Autistic People in Employment

EC/24/06/03

Jacqui McKee, Director, Advice and Compliance presented the draft employer guidance 'Supporting Autistic People in Employment – How to be an Inclusive Employer'. This was developed in partnership with the Department of Health and is part of the rollout of the Autism Strategy 2023-2028. This updates the Commission's previous guidance, 'Employing people with autism: a brief guide for employers'. She outlined the proposed next steps following finalisation of the guidance.

Commissioners welcomed the guidance noting that it was interesting and accessible. They noted the importance of input being sought from the autism forum. This co design element with people with lived experience was important. The meeting noted recent public commentary on the intersectionality of autism and particular equality grounds. The Chief Commissioner recounted during a recent engagement there was some very good examples of work being done by private companies who are working to employ and retain more people with autism.

Commissioners **approved** the draft guidance and proposed next steps.

- DMU Research report Awareness Survey: Article 2

EC/24/06/04

Glenda Doherty, Senior Policy and Research Officer, DMU outlined the key findings from the recent public awareness survey on Article 2 of the Windsor Framework and the results of a short survey undertaken in April 2024 evaluating the levels of public understanding and awareness of the importance of Article 2.

Commissioners noted that the results show a further increase in levels of public awareness compared to the previous two years across a number of key areas.

This survey work showed an increase in public awareness of Article 2 protections and on the role of the two Commission's including in respect to providing legal advice. There would be further internal qualitative analysis of some comments, sharing the report with some key stakeholder and publishing and disseminating some of the key findings. The findings will also be used to help shape promotional and policy work going forward.

Commissioners raised queries in respect of the sample size and were assured that the sample methodology was appropriate.

Commissioners **noted** the results of the survey and the proposed next steps.

5. Business Reporting

- Draft Annual Report and Accounts 2023-24 EC/24/06/05

Keith Brown, Interim Chief Executive presented the audited Annual Report and Accounts 2023-24. This was considered by the Audit and Risk Committee (ARAC) on 25 June 2024.

He was pleased to report that the Annual Accounts would receive a clean audit opinion from the NI Audit Office with only one Priority 2 and one priority 3 recommendation made in the draft Report to those Charged with Governance.

Mr Brown advised that the Annual Report and Accounts will be formally certified, by the Comptroller and Auditor General (C&AG), in early July. However, due to the timing of the General Election it may not be possible to lay the Annual Report until after the summer recess, possibly not until September 2024. He reminded the Committee that the Report needed to be laid in Westminster and in the NI Assembly.

The Deputy Chief Commissioner expressed appreciation to staff, on behalf of the Commission, for another good performance this year and another very positive outcome to the annual audit.

Commissioners **approved** the Annual Report and Accounts for formal submission to C&AG.

- Budget allocation 2024-25 – update EC/24/06/06

The Interim Chief Executive provided Commissioners with information on progress in relation to the Commission's budget allocation for 2024-25. The opening resource allocation was the same as last year's opening figure. He explained that this was in reality a cut in real terms, due to the impact of the public sector pay deal and no allocation of budget this year to provide for it. A number of bids had been made in June monitoring and the outcome was awaited.

Scenario planning was taking place and remedial action will be taken as necessary, in the event that the June monitoring bids are not approved. Communication was ongoing with TEO officials.

Commissioners discussed the budget situation including the impact of this on programme budgets including the legal assistance budget. They discussed the impact these resource pressures had on staff and their morale. Commissioners would be kept apprised of the situation.

Commissioners **noted** the current budget position and action being taken by the Finance team.

6. Other Matters for Commission Decision

- Draft investigation report: WHSCT EC/24/06/07

Siobhan Cullen, Chair, SDIC Committee presented the Investigation Report of the Commission's investigation into two complaints made by one Complainant against the Western Health and Social Care Trust, on whether it failed to comply with its approved Equality Scheme, as alleged by the Complainant. The Committee found that the Trust failed to comply with its Equality Scheme, in that, it neither recognised nor responded to the Complainant's complaints in a way that complied with its commitments in Chapter 8 of its Equality Scheme.

Commissioners **considered** and **approved** the Investigation Report, with its findings and recommendation, and **noted** the next steps in terms of communication including with the Trust and the Complainant.

7. Chief Commissioner's Business

The Chief Commissioner outlined the meetings and engagements she had attended since the May meeting, including participating as a panel member at the Building an Inclusive Labour Market: The Role of the Voluntary and Community Sector Conference and met with the Principle and Mr Mark Tinneny, Board of Governors, Dunmurry Primary School.

She attended the Education Committee at the NI Assembly and attended a number of other engagements, including a meeting with James Applegate, American Consul General.

She advised that the strategic discussion session would take place on 27/28 August and an email confirmation would follow.

Commissioners **noted** the Chief Commissioners Report.

8. Chief Executive's Report

EC/24/06/08

Keith Brown, Interim Chief Executive provided further detail to his report, including in respect of the pay remit and a potential pay and grading review.

Commissioners **noted** the Chief Executive's update.

9. Matters for Information

- Advancing Equality for Children with Special Educational Needs EC/24/06/09
- Submission to the European Affairs Committee Inquiry on UK-EU Data Adequacy Agreements EC/24/06/10
- Census 2021: Briefing paper EC/24/06/11

Commissioners **noted** the matters outlined above for information.

10. Minutes of Committee Meetings

- Minutes of the Statutory Duty Investigations Committee held on 19 April 2024. EC/24/06/12

Commissioners **noted** the Minutes outlined above for information.

11. Any Other Business

The Chief Commissioner updated on matters discussed and agreed at the SDIC meeting earlier that day.

- 12. **Date of next meeting:** Two Hundred and fourteenth Commission Meeting on **Wednesday, 28 August 2024** (time and venue to be confirmed)

The meeting ended at 5.20 pm

Signed:



Date: 28 August 2024