

Equality Scheme for Invest Northern Ireland

Drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998

This document is available in a range of formats on request.

Please contact us with your requirements (see below and page 10 for contact details).

Pamela Marron

**Invest Northern Ireland
Bedford Square**

Bedford Street

Belfast BT2 7ES.

Tel : 028 9069 8268

**Text Phone : +44 (0)28 9069
8273**

E-mail :

Pamela.marron@investni.com

Website

www.investni.com

Approved by the Equality Commission for Northern Ireland (ECNI) on 25th
July 2012.

Foreword

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act¹.

In our equality scheme we set out how Invest NI proposes to fulfil the Section 75 statutory duties.

We will commit the necessary resources in terms of people, time and money to make sure that the Section 75 statutory duties are complied with and that the equality scheme is implemented effectively, and on time.

We commit to having effective internal arrangements in place for ensuring our effective compliance with the Section 75 statutory duties and for monitoring and reviewing our progress.

We will continue to develop and deliver a programme of communication and training with the aim of ensuring that all our staff and board members are made fully aware of our equality scheme and understand the commitments and obligations within it.

We, the Chairman and Chief Executive of Invest NI are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by

¹ See section 1.1 of our Equality Scheme.

our work, to positively influence how we carry out our functions in line with our Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our equality scheme, can make complaints.

On behalf of Invest NI and our staff we are pleased to support and endorse this equality scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.

Chief Executive
Kieran Donohue

Chairman
John Healey

Contents

Please note: Foreword and Appendices 3 and 4 form part of this equality scheme.

		Page
Foreword		2
Chapter 1	Introduction	7
	Section 75 of the Northern Ireland Act 1998	7
	How we propose to fulfil the Section 75 duties in relation to the relevant functions of Invest NI	7
	Who we are and what we do	8
Chapter 2	Our arrangements for assessing our compliance with the Section 75 Duties	10
	Responsibilities and reporting	12
Chapter 3	Our arrangements for consulting	16
Chapter 4	Our arrangements for assessing, monitoring and	20

	publishing the impact of policies	
	Screening	21
	Equality impact assessment	23
	What we publish	24
	How we publish the information	25
	Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity	26
	Our arrangements for publishing the results of our monitoring	27
Chapter 5	Staff training	28
	Commitment to staff training	28
	Training objectives	28

	Awareness raising and training arrangements	29
	Monitoring and evaluation	30
Chapter 6	Our arrangements for ensuring and assessing public access to information and services we provide	31
	Access to information	31
Chapter 7	Timetable for measures we propose in this equality scheme	34
Chapter 8	Our complaints procedure	35
Chapter 9	Publication of our equality scheme	37
Chapter 10	Review of our equality scheme	38
Appendix 1	Organisational chart	39
Appendix 2	Example groups relevant to the Section 75 categories for Northern Ireland purposes	40
Appendix 3	List of consultees	42

Appendix 4	Timetable for measures proposed	49
Appendix 5	Glossary of terms	52
Appendix 6	Audit of Inequalities and Action Plan	60

Chapter 1 Introduction Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires Invest NI to comply with two statutory duties:

Section 75 (1)

In carrying out our functions relating to Northern Ireland we are required to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation, men and women generally, persons with a disability and persons without, persons with dependants and persons without.

Section 75 (2)

In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

“Functions” include the “powers and duties” of a public authority². This includes our employment and procurement functions.

Please see below under “Who we are and what we do” for a detailed explanation of our functions.

How we propose to fulfil the Section 75 duties in relation to the relevant functions of Invest NI

The Section 75 statutory duties require that a public authority must have due regard to the need to promote equality of opportunity, while it must also have regard to the desirability of promoting good relations.

1.2 Schedule 9 4. (1) of the Act requires Invest NI as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties

² Section 98 (1) of the Northern Ireland Act 1998.

imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

1.3 Invest NI is committed to the discharge of our Section 75 obligations in all parts of our organisation and we will commit the necessary resources in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that our equality scheme can be implemented effectively.

Who we are and what we do

1.4 Invest Northern Ireland (Invest NI) is Northern Ireland's economic development agency. Established in April 2002 under the Industrial Development Act (Northern Ireland) 2002, it is a Non Departmental Public Body (NDPB) operating under a Board and is a body corporate. Its sponsoring Department is the Department of the Economy (DfE).

1.5 Invest NI's business is to encourage economic development in Northern Ireland within the economic policy context determined by the Minister for Enterprise Trade and Investment and the framework of the Northern Ireland Executive's Programme for Government. Invest NI will work in partnership with DfE to achieve its aims. Broadly, DfE's role is to formulate policy while that of Invest NI is to deliver policy. However, as the operational delivery vehicle, Invest NI has an important role in helping DfE shape economic development policy and in acting as a listening post for the concerns and needs of local businesses.

1.6 While we are a public body in our own right we are aware of the usefulness of a joined up approach to issues affecting S75 groups. As a consequence officials work together on particular issues that cut across the remit of a number of departments and policy areas as set out in the Northern

Ireland Economic Strategy. Our Audit of Inequalities references the Economic Strategy in detail.

Chapter 2 Our arrangements for assessing our compliance with the section 75 duties

(Schedule 9 4. (2) (a))

2.1 Some of our arrangements for assessing our compliance with the Section 75 statutory duties are outlined in other relevant parts of this equality scheme see chapters 3, 4, and 8.

In addition we have the following arrangements in place for assessing our compliance:

Responsibilities and reporting

2.2 Invest NI will conduct an annual review of progress made in implementing the arrangements specified in this Equality Scheme and complying with the statutory duties. This review will then be forwarded to the Equality Commission and Invest NI will liaise with the Commission as appropriate.

2.3 Where Invest NI has lead responsibility for a policy which requires close co-operation with other organisations, (such as third party organisations or those working on behalf of Invest NI) it will ensure that these bodies are made aware of the Section 75 obligations where they may be required to provide information necessary for use in equality impact assessments. Similarly where Invest NI is implementing a policy, formulated by DfE, it will work in partnership with DfE to ensure the promotion of equality of opportunity and good relations.

While the Department of Finance (DF) has overall responsibility for procurement policies for NI departments, the procurement arrangements for Invest NI are under the auspices of a Service Level Agreement with the Procurement Service of DF. Under this service level agreement, the Procurement Service has undertaken to comply with all relevant legislation, including the requirements of Section 75 of the Northern Ireland Act 1998.

To identify which of Invest NI policy areas should be subject to a detailed equality assessment, the impact of each of the policies or programmes will be considered, in terms of the nine categories listed in Section 75, using the following screening criteria:

(a) is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?

(b) is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?

(c) is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?

(d) have consultations with relevant representatives, organisations or individuals within groups indicated that particular policies create problems that are specific to them?

If the answer to any of these questions is positive, then further consideration will be given as to whether the policy should be equality impact assessed. Impact assessment is a detailed procedure involving consideration of all available data and research on a particular policy or service; assessment of any impact on equality of opportunity; consideration of measures which might mitigate any adverse impact or better achieve equality of opportunity; formal consultation and then decision by Invest NI on action to be taken.

Where appropriate from an evaluation and assessment perspective, individual, but related, programmes within each policy area may be grouped together. Where relevant, an equality impact assessment will also include an annex on the promotion of good relations (without prejudice to the statutory obligation on equality of opportunity).

Equality impact assessments will involve detailed consideration of available data and the possible commission of new research to enable assessments to be carried out on the impact of policies on the Section 75 groups. Invest NI will consult with representative bodies to identify further sources of information during the assessment, alert the public and relevant groups about the policy being assessed and invite their comments and input to the exercise.

Invest NI will carry out equality impact assessments in accordance with the

Equality Commission's Section 75 Guide for Public Authorities.

Before the introduction of any new policies Invest NI will carry out a screening exercise at the early development stage to identify whether there would be any impact on the promotion of equality of opportunity or good relations, and whether greater equality of opportunity could be promoted and therefore be subject to a full impact assessment.

When Invest NI has an opportunity to influence the development of a national or international policy, it will use its screening process to identify any adverse impact on equality of opportunity or good relations and will advise the sponsoring department or organisation of its findings.

2.4 We are committed to the fulfilment of our Section 75 obligations in all parts of our work.

The statutory responsibility for the effective implementation of our Equality Scheme lies with Invest NI's Board and Chair. Overall management responsibility 75 issues lies within the Equality Unit of the Performance Compliance and Co-ordination division, currently headed up by Carol Keery. An organisation chart is provided at Appendix 1. (Invest NI will inform the Equality Commission and any affected groups, where appropriate and relevant, should there be a change to the structure or the named officer at Appendix 1.)

2.5 If you have any questions or comments regarding our equality scheme, please contact Pamela Marron at the address given below and we will respond to you as soon as possible:

Pamela Marron
Performance Compliance and Co-ordination
Equality
Invest Northern Ireland
Bedford Square
Bedford Street

Belfast, BT2 7ES

Direct T: 028 9069 8273

Text Relay Number: 18001 028 9069 8273

If you are calling using a textphone from outside the UK please call: +44 151 494 1260 028 9069 8273

E-mail: pamela.marron@investni.com

2.6 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans³.

2.7 Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the equality scheme, where relevant. The personal performance plans are subject to appraisal in the annual performance review.

2.8 Invest NI prepares an annual report on the progress we have made on implementing the arrangements set out in this equality scheme to discharge our Section 75 statutory duties (Section 75 annual progress report). Progress on the delivery of Section 75 statutory duties will also be included in our (organisational) annual report.

2.9 The Section 75 annual progress report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission. The latest Section 75 annual progress report is available on our website and can be accessed through the following link: www.investni.com/equality or by contacting Pamela Marron, Equality Manager, contact details as above (2.5)

2.10 Invest NI will liaise closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.

³ See Appendix 4 'Timetable for measures proposed' and section 2.11 of this equality scheme.

2.11 Actions, objectives and targets relating to the statutory duties contained in this Equality Scheme and its Action Plan will be included in Invest NI's future Corporate Plans, Annual Operating Plans and future Annual Reports. Officials will include implementation of the statutory duties in their annual personal performance and development plans, as appropriate to their role, to ensure the effective integration of equality issues throughout the organisation. Progress on meeting these targets will be reported at Senior Management Level on a quarterly basis.

Action plan/action measures

2.12 Invest NI has developed an action plan to promote equality of opportunity and good relations.

2.13 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories⁴ to identify the inequalities that exist for our service users and those affected by our policies⁵.

2.14 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.

2.15 We will develop an action plan for a period of between one and five years in order to align the actions with our corporate and business planning cycles. Implementation of the action measures will be incorporated into our business planning process. The action plan can be accessed on our website, www.investni.com/equality, under the publications section. However, please note that as the Equality Commission will not consider the content of action plans as part of the approval process for equality schemes

⁴ See section 1.1 of this equality scheme for a list of these categories.

⁵ See section 4.1 of this equality scheme for a definition of policies.

(as outlined in Appendix 6) therefore, the action plan will not form part of the approved equality scheme.

2.16 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission.

2.17 We will monitor our progress on the delivery of our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work. We will carry out consultation with relevant groups where relevant in order to ensure that the action plan can be amended as necessary if new inequalities are identified.

2.18 Invest NI will inform the Commission of any changes or amendments to our action plan and will also include this information in our Section 75 annual progress report to the Commission. Our Section 75 annual progress report will incorporate information on progress we have made in implementing our action plans/action measures.

2.19 Our action plan is available on our website and as an appendix to this document. If you require this document in an alternative format please contact us on the details provided in 2.3.

Chapter 3 Our arrangements for consulting

(Schedule 9 4. (2) (a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted).

(Schedule 9 4. (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.

3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our

equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*'):

3.2.1 All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.

3.3 Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our and our consultees resources, we may take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc.

3.4 Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Information will be made available, on request, in alternative formats⁶, in a timely manner. We will ensure that such consultees have sufficient time to respond. Methods of consultation could include the following:

- Pre Consultation

⁶ See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

- Face-to-face meetings
- Focus groups
- Written documents with the opportunity to comment in writing
- Questionnaires

3.5 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given as to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities. We take account of existing and developing good practice, including the Equality Commission's guidance *Let's Talk Let's Listen – Guidance for public authorities on consulting and involving children and young people (2008)*.

3.6 Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.7 The consultation period lasts for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments⁷.

Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our authority's control, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.

⁷ Please see below at 4.27 to 4.31 for details on monitoring.

3.8 If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, we will give consideration to the feasibility of allowing a longer period for the consultation.

3.9 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language or whether a signer and/or interpreter is necessary.

3.10 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.11 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.

3.12 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of our consideration of and response to consultees' input. The feedback is provided in formats suitable to consultees. (Please see also 6.3)

3.13 A list of our consultees is included in this equality scheme at Appendix 3. It can also be obtained from our website at www.investni.com/equality. It can also be obtained from the Invest NI Equality Unit whose contact details are set out at 2.3.

3.14 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies. We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the Invest NI Equality Unit to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

Chapter 4 Our arrangements for assessing, monitoring and publishing the impact of policies

(Schedule 9 4. (2) (b); Schedule 9 4. (2) (c); Schedule 9 4. (2) (d); Schedule 9 9. (1); Schedule 9 9.(2))

Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (Schedule 9 4. (2) (b))

4.1 In the context of Section 75, ‘policy’ is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this equality scheme,

the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, eg, 'draft', 'pilot', 'high level' or 'sectoral'.

4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.

4.3 Invest NI uses the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:

- the guidance on screening, including the screening template, as detailed in the Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*' and
- on undertaking an equality impact assessment as detailed in the Commission's guidance '*Practical guidance on equality impact assessment (February 2005)*'.

Screening

4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.

4.6 The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However,

screening will also involve other relevant team members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. Where possible we will include key stakeholders in the screening process.

4.7 The following questions are applied to all our policies as part of the screening process:

- What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
- Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
- To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)
- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

4.8 In order to answer the screening questions, we gather all relevant information and data, both qualitative and quantitative. In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.

4.9 Completion of screening, taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

- the policy has been ‘screened in’ for equality impact assessment

- the policy has been ‘screened out’ with mitigation⁸ or an alternative policy proposed to be adopted □ the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.

4.10 If our screening concludes that the likely impact of a policy is ‘minor’ in respect of one, or more, of the equality of opportunity and/or good relations categories, we may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.

4.11 Where we mitigate we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy. This screening decision will be ‘signed off’ by the appropriate policy or programme lead within Invest NI.

4.12 If our screening concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to an equality impact assessment. This screening decision will be ‘signed off’ by the appropriate policy lead within Invest NI.

4.13 If our screening concludes that the likely impact of a policy is ‘none’, in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken. This screening decision will be ‘signed off’ by the appropriate policy lead within Invest NI.

4.14 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior

⁸ Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and / or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

manager responsible for the policy, will be made available on our website www.investni.com/equality. It will also be available on our intranet and on request from the Equality Unit.

4.15 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.

4.16 Our screening forms are published quarterly [see below at 4.20 - 4.22 and 4.23 for details].

Equality impact assessment

4.17 An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.

4.18 Once a policy is screened and screening has identified that an equality impact assessment is necessary, we will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented.

4.19 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).

Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity

(Schedule 9 4. (2) (d); Schedule 9 9. (1))

4.20 We make publicly available the results of our assessments (screening and EQIA) of the likely impact of our policies on the promotion of equality of opportunity and good relations.

What we publish

4.21 Screening reports

Screening forms are permanently available on our website, new screening forms are made available on our website quarterly. Screening reports of recent screenings are published every quarterly. Screening reports detail:

- All policies screened by the Department over the three month period
- A link to the completed screening template(s) on our website

4.22 Screening templates

For details on the availability of our screening templates please refer to 4.14.

4.23 Equality impact assessments

EQIA reports are published once the impact assessment has been completed. These reports include:

- A statement of the aim of the policy assessed

- Information and data collected
- Details of the assessment of impact(s)
- Consideration given to measures which might mitigate any adverse impact
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity
- Consultation responses
- The decision taken
- Future monitoring plans

How we publish the information

4.24 All information we publish is accessible on our website and can be made available in alternative formats on request. Please see 6.3 below.

Where we publish the information

4.25 The results of our Equality Scheme and assessments (screening reports and the results of equality impact assessments) are available on our website www.investni.com/equality. New screening forms will be uploaded on a quarterly basis.

4.26 In addition to the above, screening reports will be made available on request to the Equality Unit via emailed electronic link. A hard copy is available on request only where a recipient is unable to access electronic media. This in line with Invest NI's policy relating to Corporate Social Responsibility and in order to maximise efficiency and sustainability.

4.27 We will inform the general public about the availability of this material through communications such as press releases where appropriate.

Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity (Schedule 9 4. (2) (c))

4.28 Monitoring can assist us to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, Invest NI follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.29 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.30 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:

- The collection, collation and analysis of existing relevant quantitative and qualitative data across equality categories on an ongoing basis;
- An audit of existing information systems within one year of approval of this equality scheme, to identify the extent of current monitoring and consider action to address any gaps in order to have the necessary information on which to base decisions;
- Undertaking or commissioning new data if necessary.

4.31 If over a two year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, we will ensure that the policy is revised to achieve better outcomes for relevant equality groups.

4.32 We review our EQIA monitoring information on an annual basis. Other monitoring information is reviewed on an annual basis allowing us to revisit a policy and revise if appropriate.

Our arrangements for publishing the results of our monitoring (Schedule 9 4. (2) (d))

4.33 Schedule 9 4. (2) (d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as follows:

4.34 EQIA monitoring information is published as part of the Invest NI Section 75 annual progress report [see 2.7]

4.35 All information published is accessible on our website and can be made available in alternative formats on request. Please see below at 6.3 for details.

Chapter 5 Staff training (Schedule 9 4.(2) (e))

Commitment to staff training

5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.

5.2 Our Chief Executive wishes to positively communicate the commitment of Invest NI to the Section 75 statutory duties, both internally and externally. To this end we have introduced an effective communication and training programme for all staff, which will be reviewed and updated in line with current legislation. We will also ensure that our commitment to the Section 75 statutory duties is made clear in all relevant publications.

Training objectives

5.3 Invest NI has trained its staff, and will continue to provide training on induction to the organisation to achieve the following objectives:

- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, our equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our staff fully understand their role in implementing the scheme
- to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively
- to provide those staff who deal with complaints in relation to compliance with our equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively
- to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively
- To provide those staff involved in the implementation and monitoring of the effective implementation of Invest NI equality scheme with the necessary skills and knowledge to do this work effectively.

Awareness raising and training arrangements

5.4 The following arrangements are in place to ensure all our staff and board members are aware of and understand our equality obligations. Invest NI will provide access to copies of the full equality scheme for all staff on our intranet site, ensuring that any queries or questions of clarification

from staff are addressed effectively through the Equality Unit. We will also notify all staff of this equality scheme through the electronic internal staff brief as soon as possible after the approval of the scheme.

The Section 75 statutory duties will continue to form part of the induction training for new staff.

5.5 Section 75 training has been provided in the past for all Invest NI staff. Focused training will continue to be provided for key staff within Invest NI who are directly engaged in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).

5.6 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and our staff. For example our Human Resources department work in partnership with Employers for Disability and avail of their one to one advice service. We also have a link on the Employers for Disability website to the Invest NI website page which advertises job opportunities.

5.7 In order to share resources and expertise Invest NI will, where possible, work closely with other bodies such as the Department of the Economy in the development and delivery of training. Internally we have also introduced a number of methods of supporting Section 75 groups within our staffing complement. This includes providing child care vouchers through Employers for Childcare, offering flexible working options, and a 'project bank' under our Corporate Social Responsibility (CSR) Strategy, which provides opportunities for personal development outside an individual's current role.

Monitoring and evaluation

5.8 Our training programme is subject to the following monitoring and evaluation arrangements:

As part of the Performance Management framework, it is a requirement that managers discuss training course objectives with their staff. The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.

Chapter 6 Our arrangements for ensuring and assessing public access to information and services we provide.

(Schedule 9 4. (2) (f))

6.1 Invest NI is committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.

6.2 We are aware that some groups will not have the same access to information as others.

In particular:

- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
- Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
- Children and young people may not be able to fully access or understand information.

Access to information

6.3 To ensure equality of opportunity in accessing information, we provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met we will ensure a reasonable alternative is provided. Alternative formats may include Easy Read, Braille, audio formats (CD, mp3 or DAISY), large print or minority languages to meet the needs of those for whom English is not their first language.

6.4 Invest NI liaises with representatives of disability and minority ethnic organisations such as NICEM and Disability Action and takes account of existing and developing good practice.

6.5 We regularly review our offices to take account of all relevant legislation and we will review our facilities with particular regard to people who may be affected by Autism Spectrum disorders. The signage in our buildings is colour coded and a map of the various meeting rooms is provided on a floor by floor basis.

6.6 We will respond to requests for information in alternative formats in a timely manner.

6.7 Invest NI is committed to achieving effective communication with the public. Recognising the growing range of communication methods and the differing needs and preferences of different groups, Invest NI will ensure the use of a range of communication channels to enable wide access to information, to mitigate the risk that some sections of the public might not enjoy equality of opportunity in accessing information provided by Invest NI.

6.8 Invest NI is therefore committed to ensuring that all of its services are fully accessible to everyone in the community across the Section 75 categories.

6.9 Invest NI is committed to achieving effective communication with the public. Recognising the growing range of communications channels and the differing needs and preferences of different groups, Invest NI will ensure the evidence-based evaluation and use of a range of communications channels to enable wide access to information, including advertising in the local press where appropriate, to mitigate the risk that some sections of the public might not enjoy equality of opportunity in accessing information provided by the organisation.

Access to services

6.10 Invest NI is committed to ensuring that all our services are fully accessible to everyone in the community across the Section 75 categories. Invest NI also adheres to the relevant provisions of current antidiscrimination legislation.

6.11 Invest NI is committed to ensuring that our facilities are designed to the requirements of all our customers. We also clearly state on all our publications that the documents can be provided in an alternative format on request.

Assessing public access to information and services

6.12 We carry out Equality Monitoring on an annual basis to ensure equality of opportunity and good relations are promoted.

Chapter 7 Timetable for measures we propose in this equality scheme

(Schedule 9 4. (3) (b))

7.1 Appendix 4 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.

7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan.

Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see above at 2.11 – 2.18.

Chapter 8 Our complaints procedure

(Schedule 9 10.)

8.1 Invest NI is responsive to the views of members of the public. We will endeavour to resolve all complaints made to us. In addition we will support the individual to bring his/her complaint (e.g. interpreter support, specialist transport costs, advocacy services) in order to ensure our complaint procedures are fully accessible to those affected by the Section 75 duties.

8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme.

If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

8.3 A person wishing to make a complaint that Invest NI has failed to comply with its approved equality scheme should contact:

Invest NI
Equality Unit
3rd Floor, Bedford Square,
Bedford Street, Belfast,
BT2 7ES.
Tel: 028 9069 8268 Text
Phone: 028 9069 8585
e-mail :equality@investni.com

8.4 We will in the first instance acknowledge receipt of each complaint within 3 days.

8.5 Invest NI will carry out an internal investigation of the complaint and will respond substantively to the complainant within one (1) month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two (2) months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.

8.6 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.

8.7 In any subsequent investigation by the Equality Commission, Invest NI will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require. Invest NI will cooperate fully with any investigation by the Equality Commission under subparagraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.

8.8 Invest NI will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

Chapter 9 Publication of our equality scheme

(Schedule 9 4. (3) (c))

9.1 Invest NI's equality scheme is available free of charge in print form and alternative formats from Invest NI's Equality Unit whose details are at 2.3 above.

9.2 Our equality scheme is also available on our website at:
<http://www.investni.com/equality>.

9.3 The following arrangements are in place for the publication in a timely manner of our equality scheme to ensure equality of access:

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include press releases, prominent advertisements in the press, the internet and direct mail shots to groups to our consultees.
- We will respond to requests for our equality scheme in alternative formats in a timely manner.
- Our equality scheme is available on request in alternative formats such as Easy Read, Braille, large print, audio formats (CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.

9.4 For a list of our stakeholders and consultees please see Appendix 3 of the equality scheme, visit our website at <http://www.investni.com/equality> or contact Invest NI's Equality Unit as at 2.4 above.

Chapter 10 Review of our equality scheme

(Schedule 9 8. (3))

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.

10.2 The review will evaluate the effectiveness of our scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.

10.3 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public and sent to the Equality Commission.

Appendix 1 Organisation Chart

Kieran Donoghue

Chief Executive Officer (CEO) & Chair

Anne Beggs

Chief Commercial Officer (CCO)

Kathryn Hill

Chief Operating Officer (COO)

George McKinney

Chief Development Officer (CDO) - Acting

Paula Logue

Executive Director, People and Culture

Peter Harbinson

Executive Director, Marketing & Communications

Appendix 2**Example groups relevant
to the Section 75
categories for Northern
Ireland purposes**

Category	Example groups (Please note, this list is for illustration purposes only, it is not exhaustive.)
----------	--

Religious belief	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.
------------------	---

For the purposes of Section 75, the term “religious belief” is the same definition as that used in the *Fair Employment & Treatment (NI) Order*⁹. Therefore, “religious belief” also includes any *perceived* religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “*similar philosophical belief*”.

Political opinion ¹⁰	Nationalists generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).

⁹ See Section 98 of the Northern Ireland Act 1998, which states: “In this Act...”political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.”

¹⁰ *ibid*

Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
----------------	---

Age	Children and young people; older people.
-----	--

Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
---------------------------	---

Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
-------------------------	--

Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.
--------------------	--

Appendix 3 List of consultees

(Schedule 9 4. (2) (a))

Organisation Name

Gingerbread NI
Co-operation Ireland
Counteract
Cara-Friend
New Social Economy Agency (NI)
Disability Action
NI Volunteer Development Agency
Age Concern
NI Consumer Committee for Electricity NI
Council for Voluntary Action
Prince's Youth Business Trust
Women's Resource & Development Agency
Community Relations Council
Indian Community Centre
Multi-Cultural Resource Centre
NI Voluntary Trust
Traveller Movement (NI)
Belfast Centre for the Unemployed
NI Council for Ethnic Minorities
Chinese Welfare Association Ltd
Business in the Community NI
Presbyterian Church in Ireland
Belfast Hebrew Congregation
Church of Ireland
Methodist Church in Ireland
Baha'i Office for Northern Ireland
Sikh Cultural Centre
Northern Ireland Islamic Centre

East Belfast Community Development Agency West Belfast Economic
Forum
Bar Council
NUS/USI
Youth Council for Northern Ireland
Coalition on Sexual Orientation (CoSo)
NIGRA
Association of Chief Officers of Voluntary Organisations
NIACRO
Children's Law Centre
Law Centre (NI)
POBAL
Rural Development Council
Ulster Scots Heritage Council
Belfast Traveller Education and Development Group
NI Women's European Platform
Women's Forum
INCORE Conflict Resolutions Ltd
Greater Shankill Partnership
Press for Change
Enterprise Ulster
Training for Women Network Ltd
General Consumer Council for NI
Christian Action Research & Education (CARE)
Organisation for the Unemployed Northern Ireland
Queen's University
Belfast City Centre Management
Association of Independent Advice Centres
Chief Executive's Forum
City Partnership Board
Civic Forum
Creggan Enterprises Ltd
Forum for Community Work NI
Greater Belfast Community Network

Greater East Belfast Partnership Board
Larne Development Forum
Larne District Partnership Board
NI Association of Citizens Advice Bureaux
Lurgan Council for Voluntary Action
North City Business Centre
North Belfast Partnership Board
NI Centre for Competitiveness
NI Partnership Board
West Belfast Partnership Board
University of Ulster at Coleraine
Women Mean Business
University of Ulster at Jordanstown
Civic Forum
ATGWU
AMICUS-AEEU
Communication Workers' Union (CWU)
Engineers and Managers Association (EMA)
GMB
Institution of Professionals, Managers & Specialists
Manufacturing Science Finance (MSF)
Northern Ireland Public Service Alliance (NIPSA)
Public Commerce Services Union (PCS)
Services Industrial Professional Technical Union
UCATT
UNISON
Union of Shop, Distributive & Allied Workers (USDAW)
NIC/ICTU
Antrim Enterprise Agency Ltd
Ards Business Centre Ltd
Argyle Business Centre Ltd
Armagh Business Centre Ltd
Ballymena Business Development Centre Ltd
Banbridge Enterprise Centre
Belcoo Enterprise Ltd

Brookfield Business Centre Ltd
Carrickfergus Enterprise Agency Ltd
Castlederg & District Enterprises Co Ltd
Castlederg Enterprises Ltd
Coalisland & District Development Association
Coleraine Enterprise Agency Ltd
Cookstown Enterprise Centre Ltd
Craigavon Industrial Development Org Ltd
Crossmaglen Community Enterprises Ltd
Down Business Centre
Dungannon Enterprise Centre Ltd
East Belfast Enterprise Park Ltd
Eurocentre West Ltd
Farset Enterprise Park Ltd
Fermanagh Enterprise Ltd
Glenwood Enterprises Ltd
Keady Business Centre Ltd
Kesh Development Association Charitable Trust
Larne Enterprise Development Co Ltd
Lisburn Enterprise Organisation Ltd
Moyle Enterprise Co Ltd
Newry & Mourne Enterprise Agency
Mallusk Enterprise Park
North City Business Centre Ltd
North Down Development Organisation Ltd
Omagh Enterprise Co Ltd
Ormeau Enterprises Ltd
Roe Valley Enterprises Ltd
Roslea Enterprises Ltd
South West Fermanagh Development Organisation Ltd
Strabane Industrial Properties Ltd
Townsend Enterprise Park Ltd
West Belfast Development Trust Ltd
Westlink Enterprise Ltd
Workspace

Equality Commission for NI
NI Human Rights Commission
Committee on the Administration of Justice
Confederation of British Industry
NI Chamber of Commerce & Industry
Institute of Directors (NI Division)
Federation of Small Businesses
Head of Civil Service
MENCAP
NI Association of Mental Health NI
Anti-Poverty Network
Foyle Women's Information Network Women
Together for Peace
Women's Information Group
Women's Support Network
Carers National Association NI
NW Community Network
Falls Community Council
Rural Community Network
Employers' Forum on Disability
Equality Forum NI
Community Relations Training/Learning Consortium
British Deaf Association (NI)
RNIB (NI)
RNID (NI)
Cedar Foundation
Fermanagh Women's Network
NI Women's Aid Federation
The Blind Centre
NSPCC
Relate
Child Poverty Action Group (NI)
Help the Aged, Northern Ireland
First Minister

Deputy First Minister
All MLA's & MPs
Sinn Fein
PUP
SDLP
UK Unionist Party
NI Women's Coalition
Alliance Party
DUP
Ulster Unionist Party
NI Unionist Party
United Unionist Assembly Party
The Workers Party
Labour Party
Democratic Left
Invest NI Staff

This consultation list is indicative and not exhaustive and is reviewed on an annual basis to ensure it remains relevant to Invest NI's functions and policies.

Appendix 4 Timetable for measures proposed

(Schedule 9 4.(3) (b))

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report [2.7]	Equality Manager	31 August (annually)
Action plan		
Consultation on draft action plan [2.15]	Equality Manager	Jan 2012 [in line with consultation on equality scheme]
Finalised action plan published [2.18]	Equality Manager	May 2012
Arrangements for monitoring progress in place [2.16]	Equality Manager	Pilot monitoring scheme now completed and system testing is being carried out for company data. Individual data collection will continue and will be available in the Annual Progress Report.
Consultation list reviewed and updated [3.4]	Equality Manager	January (annually)

New Screening forms placed on	Equality Manager	Quarterly
-------------------------------	------------------	-----------

Invest NI website. [4.4] Screening Reports produced and consultees advised. [4.15]	Equality Manager	Every Six Months.
EQIA timetable [4.16]	Equality Manager	Corporate Plan EQIA to be carried out once Programme for Government is finalised.
Monitoring Review of monitoring information [4.31] Publication of monitoring information [4.33;4.34]	Equality Manager Equality Manager	April - Annually This data will be contained within the Annual Progress Report to the Equality Commission.

Training		
Focussed training [5.4]	Equality Manager in conjunction with Learning and Development Team	All new staff will be made aware of section 75 during their induction training. 'Refresher' Disability Awareness and Diversity training as required.
Assessing access to		
information and services [6.9]	Equality Unit	Annually
Communication of equality scheme [9.3]	Equality Manager	From May 2012 onwards
Notification of consultees [9.3]	Equality Manager	Within three months of Scheme's approval.
Review of equality scheme [10.1]	Equality Unit	Within 5 years

Appendix 5 Glossary of terms

Action plan

A plan which sets out actions a public authority will take to implement its Section 75 statutory duties. It is a mechanism for the realisation of measures to achieve equality outcomes for the Section 75 equality and good relations categories.

Action measures and outcomes

Specific measures to promote equality and good relations for the relevant Section 75 and good relations categories, linked to achievable outcomes, which should be realistic and timely.

Adverse impact

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.

Audit of inequalities

An audit of inequalities is a systematic review and analysis of inequalities which exist for service users and those affected by a public authority's policies. An audit can be used by a public authority to inform its work in relation to the Section 75 equality and good relations duties. It can also enable public authorities to assess progress on the implementation of the Section 75 statutory duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

Consultation

In the context of Section 75, consultation is the process of asking those affected by a policy (i.e. service users, staff, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the nine categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Discrimination

The anti-discrimination laws prohibit the following forms of discrimination:

- direct discrimination;
- indirect discrimination;
- disability discrimination; • victimisation; and
- harassment.

Brief descriptions of these terms are set out below:

Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless: (a) in an age discrimination case, the decision can be objectively justified; or (b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational* requirement exception; or, a positive action exception which permits an employer to use “welcoming statements” or to take other lawful positive action

to encourage participation by underrepresented or otherwise disadvantaged groups.

Indirect discrimination

The definition of this term varies across some of the antidiscrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

Disability discrimination

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) failure to comply with a duty to make reasonable adjustments.

(a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.

(b) *Failure to comply with a duty to make reasonable adjustments*. One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

Victimisation

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

Harassment

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

Equality impact assessment

The mechanism underpinning Section 75, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

Equality of opportunity

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation. The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

Equality scheme

A document which outlines a public authority's arrangements for complying with its Section 75 obligations. An equality scheme must include an outline of the public authority's arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

Good relations

Although not defined in the legislation, the Equality Commission has agreed the following working definition of good relations: 'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'.

Mainstreaming equality

The integration of equal opportunities principles, strategies and practices into the every day work of public authorities from the outset. In other words, mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end. Mainstreaming can help improve methods of working by increasing a public authority's accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

Mitigation of adverse impact

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems. Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

Non- Departmental Public Body (NDPB)

An NDPB is a body which has a role in the processes of national government, but is not a government department, or part of one, and which accordingly operates to a greater or lesser extent at arm's length from ministers. NDPBs have a national or regional remit and carry out a wide range of important functions. Their distance from government means that the day-to-day decisions they make are independent as they are removed from ministers and Civil Servants. Ministers are, however, ultimately responsible to the Assembly for an NDPB's independence, its effectiveness and efficiency.

Northern Ireland Act

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

Northern Ireland Human Rights Commission

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

Policy

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as ‘a course or principle of action adopted or proposed by a government party, business or individual’. In the context of Section 75, the term **policies** covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

Qualitative data

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis. Consultations are more likely to yield qualitative than quantitative data.

Quantitative data

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine ‘significance’ either in relationships or differences in the data.

Screening

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies. Screening requires a systematic review of existing and proposed policies.

Schedule 9

Schedule 9 of the Northern Ireland Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an equality scheme.

Section 75

Section 75 of the Northern Ireland Act provides that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:

persons of different religious belief, political opinion, racial group, age, marital status and sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without.

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Appendix 6 Invest Northern Ireland: Audit of Inequalities and Action Plan

Introduction

Invest Northern Ireland (Invest NI) was established as a corporate body under the Industrial Development Act 2002 to work in partnership with the Department of Enterprise, Trade and Investment (DETI) to stimulate and encourage economic development in Northern Ireland.

Invest NI's business is to encourage economic development in Northern Ireland within the economic policy context determined by the Minister for Enterprise Trade and Investment and the framework of the Northern Ireland Executive's Programme for Government and Economic Strategy. In line with our statutory equality duties under Section 75 of the Northern Ireland Act 1998 and the Equality Commission's April 2010 revised Guide for Public Authorities, Invest NI has mainstreamed equality considerations fully into its corporate planning process. In the first instance, we have undertaken an audit of inequalities to identify the range of key inequalities upon which the work of Invest NI might impact. In doing so, we have carefully considered the organisation's range of current and developing policies and programmes in order to highlight those priority areas where we are most likely to contribute to promoting better equality of opportunity and good relations.

As part of our role and working with the Department of Enterprise, Trade and Investment (DETI), Invest NI monitors labour market and employment trends closely. The sections below outline what we consider to be the priority areas for attention. We have outlined the key information available on equality-related issues in those areas of work and provided a brief overview of action already being taken to address those issues together with future plans to tackle inequality and disadvantage.

This Action Plan is predicated on previous research following the numerous EQIA's conducted by Invest NI, most recently the Business Strategy EQIA 24 – 27 and can be found as an Appendix to this scheme.

Each of these EQIA's is available to view on our website page:
<http://www.investni.com/equality>.

We believe that these documents demonstrate Invest NI's commitment to equality to date and provide a firm foundation for our work going forward. Data contained within these EQIA's have been used to inform the Action Plan.

Economic Strategy

The draft Economic Strategy for Northern Ireland has been developed by locally elected politicians to meet the particular needs of our economy. The overarching goal of this draft Strategy is to improve the economic competitiveness of the Northern Ireland economy.

In order to achieve this, and following the earlier consultation on the framework for growth, we are committed to strengthening our competitiveness through a focus on export led economic growth. This means we are prioritising the need to deepen and diversify our export base in order to increase employment and wealth across Northern Ireland.

Business Plan and Equality Action Plan

As the economic development agency for Northern Ireland, Invest Northern Ireland plays a key role in driving economic growth through supporting local businesses to grow through investing in jobs, exports and innovation and by helping attract new export-focused inward investors. Our work is directly aligned to the policy priorities and objectives of the Economy Minister, Department for the Economy and the Northern Ireland Executive, relating to both economic prosperity and social inclusion. The NI economy has grown steadily since 2017.

Our previous Business Strategy, for the period 2017-2021, centred on helping to support businesses, to scale and to standout. Invest NI will continue to integrate Section 75 obligations within our corporate planning

process and have outlined our equality commitment in our Business Plan and Equality Action Plan, as outlined below.

Whilst total employment is at record highs and unemployment at record lows, economic structural challenges remain relating to Economic Inactivity, youth unemployment, gender balance, areas of deprivation and educational attainment. Northern Ireland, like the wider UK, also continues to suffer from constrained Productivity performance, the key driver of higher living standards over the longer term. Real earnings for many people in NI have stagnated over the last decade² (with median gross real weekly earnings growing by less than £50 a week between 2013 and 2023).

Whilst the economy is forecast to continue to grow in the next few years, growth is expected at lower levels than historical comparisons due to a number of macro-economic factors which have transformed our current and future operating environment. The likely continuation of public spending restraint reinforces (i) the importance of building a bigger and more competitive private sector and (ii) the need for us to ensure value for money for every pound we spend.

We will continue to monitor, evaluate and report on the effectiveness of our interventions and seek to reduce our contribution levels, thereby maximising the return on our investment. And to ensure that the economic benefits of our activities better reach all of society, we will assess how the businesses and projects we support can positively impact society, for example, through their recruitment and training policies, corporate responsibility, supply chain development, etc.

Another key focus will be assisting the transition of businesses to deal with the threats, and exploit the opportunities posed, by climate change.

As a society, we need to decouple economic growth from carbon emissions. This will require a significant sustainable reset, that not only requires embracing net zero and adopting green technologies but also a revolution in operational approaches and how we use materials, including promoting the

circular economy to eliminate waste and increasing the use of sustainable, eco-friendly materials. In a period of ongoing public sector reform and in an increasingly competitive environment, be it for funding, talent or contracts, we will be seeking the private sector, other public bodies and stakeholders, to partner with us in a much more strategic and collaborative way to help achieve a more regionally balanced, sustainable, productive and prosperous economy.

A bigger and more competitive business base, however, will not be sufficient on its own to deliver true, long term economic success. Recent research has shown that economic, sustainable and social priorities are inextricably linked, and success requires that all parts of Northern Ireland are able to maximise their potential.

Our new Business Strategy looks to build on our success to date and enhance our contribution to the Economy Minister's Vision of a more balanced, sustainable and productive economy providing good jobs for our citizens.

Appendix 7

Current Equality Action Plan

Overarching Goals	Key Indicators	Measures	Timescales
Embed equality and diversity within Invest NI's Core Business	Raise awareness of equality obligations within Invest NI.	Induction training for all new staff when they join the organisation to include Section 75 and associated obligations.	Staff to complete induction training within 3 months of commencing employment.
	Fully embed and integrate Section 75 and associated obligations (such as Rural Proofing) within Invest NI's business planning process.	100% of Invest NI staff trained in Equality, Diversity and Inclusion.	Mandatory refresher training annually for existing staff
		Formally review Invest NI's Business Strategy EQIA on an annual basis as part of our business planning process	Annual business planning process.
		Equality obligations to be addressed within business strategy and business plan.	Annual business planning process.
		Review and refresh all Section 75 and associated policies to reflect on new Business Strategy.	Completed over course of new Strategy period
Within Invest NI's remit, contribute to addressing Inequalities within NI's Labour Market:	Enhance and improve Invest NI's capability to impact Gender	Review Invest NI's current offering of gender specific	Complete by 30th June 2025.

(1) Gender Imbalance	imbalance within NI's Labour Market.	initiatives and identify opportunities for new initiatives and / or enhancements	
		Through our communications team, promote female participants within case studies and testimonials to provide the role models for future generations.	Continuous promotion through our regular communication channels.
(2) People with disabilities	In line with our Disability Action Plan, work with clients, customers, partners, and stakeholders, to deliver initiatives to further employment opportunities for the disabled.	Review Invest NI's current offering of disabled specific initiatives and identify opportunities for new initiatives and / or enhancements.	Complete by 31st March 2025.
		In line with our Disability Action Plan, host a regular event, bringing together key partners and stakeholders to help contribute to reducing employment inequalities faced by disabled people.	Annual Event, rotated across Invest NI's Regional offices

		Annual Event, rotated across Invest NI's Regional offices.	
(3) Other Marginalised Groups & Minority Communities	Implement positive steps and take action to reduce social inclusion of marginalised groups and communities	Review Invest NI's current specific initiatives targeted at marginalised groups and minority communities and identify opportunities for new initiatives and / or enhancements.	Complete by 31st March 2025.
		Widen the reach of our Regional Offices in order to drive improved economic opportunities for our most deprived communities	Host annual networking and information events across our Regional Office areas, using a range of community and partner hubs, to promote Invest NI and its services
		Implement a new Alternative Talent Pathways approach, placing collaboration with partners at the centre, to streamline pathways to sustainable employment for marginalised groups and minority communities.	31st March 202
		In line with our ESG Action Plan, cultivate and foster better	Improve consultation and engagement with key representative

		relationships with our partners to enhance engagement and interaction with representative bodies and organisations in line with our Good Relations Strategy	groups across the year.
--	--	---	-------------------------

Version Control

Version History

<u>Version</u>	Date	Author	Description of Changes
1	25/07/2012	Pamela Marron	Approved by Equality Commission
2	03/01/2017	Pamela Marron	Changes made to Equality Action Plan to reflect Corporate Plan 2017 – 2022. Consultee list updated
3	03/05/2021	Pamela Marron	Changes made to Equality Action Plan to reflect the ‘10X Economy – A Decade of Innovation’ economic vision. Consultee list updated
4	23/05/22	Pamela Marron	Changes to Equality Scheme to reflect updated organisational structure and consultee list updated.
5	01/08/25	Pamela Marron	Changes to Equality Scheme to reflect updated organisational structure and consultee list updated. Business Plan Updated Equality Action Plan appended