

EQUALITY COMMISSION FOR NORTHERN IRELAND

**ANNUAL**

**REPORT**

**2005 - 2006**

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**Equality Commission**

FOR NORTHERN IRELAND

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EQUALITY COMMISSION  
FOR NORTHERN IRELAND

annual report  
and accounts

for the year ended  
31 March 2006

Laid before the Houses of Parliament, by the Secretary of State for Northern Ireland in accordance with Paragraph 5(4) of Schedule 8 to the Northern Ireland Act 1998, Paragraph 12(2) and 12(4) of the Schedule to the Northern Ireland Act 2000 and Paragraph 34 of the Schedule to the Northern Ireland Act 2000 (Prescribed Documents) Order 2004.

21 November 2006

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21 November 2006

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# Equality Commission for Northern Ireland

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Dear Minister

I have pleasure in submitting to you the seventh annual report of the Equality Commission for Northern Ireland, covering the period 1 April 2005 to 31 March 2006. The report demonstrates both the breadth and depth of the Commission's responsibilities and the extent to which they have been successfully discharged.

On behalf of the Commission, I would like to express our appreciation of the assistance given to the Commission by officials of the OFMDFM and the NIO.

Yours sincerely

BOB COLLINS  
Chief Commissioner

## Chief Commissioner's Foreword

The year whose events are covered by this report was a period of continuity and of change; one where enduring priorities were the subject of sustained attention and where emerging issues took clearer shape and laid the basis for future engagement. It was a year that marked the end of the period of the second corporate plan and the preparation for the third; a year in which four members of the Commission, including my predecessor Dame Joan Harbison, came to the end of their terms in office and five new members joined its ranks. Those who have departed have left us all in their debt.

Among those issues addressed during the year, one, in particular, has the potential for an impact across many years to come. The review of the effectiveness of Section 75 began last autumn and will be completed before the end of the 2006/07 period. There is a danger that a project of this kind may be perceived as mechanistic or formulaic or inward-looking, of interest only to the initiated. It is nothing of the kind. Rather is it a real opportunity to apply the lessons of the experience of the last seven years to the implementation in the future of one of the most innovative pieces of equality legislation in Europe. There is a danger, too, that an apparent over-preoccupation with reviewing a piece of law may suggest incurable defects. Whatever about the extent to which Section 75 has been so reviewed in its short life, the current review is an expression of its health, of its capacity to sustain evaluation and of confidence in its future potential. This was an important initiative of the year under review and will be a major priority for the Commission in the year ahead under the watchful eye of the Deputy Chief Commissioner Anne O'Reilly.

A body charged by Parliament with the range of duties and powers as is the Commission has a particular responsibility to ensure that its role is and is seen to be for all the people of Northern Ireland. Much attention was given to the need to reach out to the entire community, to overcome any perceptions that exist of the Commission as having a partial focus and to persuade people and their elected representatives that equality matters to everyone and should engage the interest of everyone. That will also be a priority in the years ahead. Equality and good relations are twin responsibilities of the Commission and are inseparable. The one without the other is a much diminished concept. Both in its work with public authorities and in general, that combination of perspectives will be the signature of the Commission's approach.

A community emerging from conflict has particular needs. Promoting equality of opportunity and good relations and challenging discrimination are important parts of the process. A community emerging from relatively recent conflict will also, for some time, show symptoms or echoes of that past. Thus, sectarianism continues to be a depressing reality, affecting both main communities in Northern Ireland. The essential difficulty in coming to terms with difference, which sectarianism reflects, manifests itself also in racially motivated hate crime and in homophobic attacks. Older people and disabled people are not exempt from being subject to such abhorrent behaviour either. PSNI figures showed chilling increases in the levels of such attacks during the year – a fact that gives us all cause for reflection.

The realisation of fair employment is a measure of maturity, self-confidence and openness in this community. Much has been achieved as is testified in the Monitoring Report published last December. But the issue remains important and urges us to look anew at areas of continuing under-representation and at any emerging trends that might offer avenues of enquiry and understanding. The world of work is dynamic and allows of no easy assumptions. We must be ready to detect shifting sands. The Commission paid particular attention during the year under review to the composition of its own staff, recognising that there is a substantial under-representation both of Protestants and of men. As well as being scrupulously fair in its processes, its primary concern is to ensure that its work benefits from the effective reflection of the lived experience of all the communities who make up life in Northern Ireland. The availability of that dynamic within its staff will add to the impact of its work and will be a significant priority in the years ahead. This issue will not be overcome within a single year but every possible option that the law allows will be explored.

Increasingly, Northern Ireland is aware of itself as a place where many people are choosing to come to work and to live, where new languages, new traditions and new cultural expressions offer enrichment and variety. An important focus of the Commission's work has been the reality of the lives of those we call migrants but who are, in fact, new residents, new neighbours and, for the most part, new fellow-citizens. Those who are recently come among us do not come simply to participate in the economic life of Northern Ireland but come as complete human beings with all the interests and needs of the rest of us. There are real implications for the way in which we conduct our affairs so that they can participate fully in community life and so that their children can genuinely feel at home. That is still quite a distance from us and the Commission will continue to work with all concerned to make this a reality.



Education was a theme which resonated in much of the Commission's work. It has a central relevance in the area of fair employment; the Special Educational Needs and Disability Order was a major development; the mainstreaming of equality in schools was the subject of commissioned research; Travellers' educational needs were the subject of research and of policy attention. That focus will be retained in much of the work of the coming year. So too will the focus on the position of Travellers to whose accommodation needs – especially within the context of the Unauthorised Encampments Order – much attention was given.

The Equality Commission, in common with many other bodies, has a leadership role in Northern Ireland. It will discharge that responsibility in every way possible. Thus, it will continue to challenge discrimination, to promote equality of opportunity, to advance good relations, to identify those issues as they arise in areas of public policy – the RPA being a case in point – and to seek to reflect those desirable principles in all that it says and does.

Finally, I wish to take the opportunity to express my thanks and appreciation to my fellow Commissioners, to the Chief Executive, Evelyn Collins, and to all the staff for their commitment and diligence. Similarly, I offer thanks to the Northern Ireland Office and to the Office of the First Minister and Deputy First Minister for their interest and assistance in the Commission's work.

Bob Collins  
Chief Commissioner

## Chief Executive's Introduction and Management Statement

I am pleased to present the Annual Report as a record of our achievements in another busy and productive year. The review of the year and the detailed description of our performance against business objectives demonstrate both the range of the Commission's work and the extent to which we are meeting our statutory remit.

Some particular highlights through the year included taking on new responsibilities under the Special Educational Needs and Disability Order 2005, working closely with the Department of Education and the Department for Employment and Learning on the development of our codes of practice as well as with pupils with disabilities and other key stakeholders. We are committed to ensuring the legislation now in place makes a real difference to the educational experience of disabled people. Work to prepare the organisation for taking on new duties in respect of age discrimination in employment and training during the forthcoming year was also one of the key challenges and we look forward to meeting our new responsibilities on behalf of people of all ages.

The implementation of our revised organisational structure, which commenced in January 2005, continued through the year. We were pleased to recruit Keith Brown to the post of Head of Corporate Services, Eileen Lavery to the post of Head of Strategic Enforcement, and Fionuala Devlin to the post of Head of Promotion and Education. These staff joined Antoinette McKeown as Head of Policy and Development and Jacqui McKee as Head of Employment Development to make up our Senior Management team.

We continued our organisational focus on continuous improvement in all that we do. The targets we set ourselves for the year and our achievements against them are set out in the body of the report and I am pleased to record that we met or partly met 85% of these.

The Equality Commission for Northern Ireland is an executive non-departmental public body sponsored by the Office of the First Minister and Deputy First Minister. The Commission, established on 1 October 1999 under the Northern Ireland Act 1998, assumed, along with the responsibilities for statutory equality duties and disability matters, the duties and responsibilities of four former organisations:

- The Commission for Racial Equality for Northern Ireland;
- The Equal Opportunities Commission for Northern Ireland;
- The Fair Employment Commission for Northern Ireland; and
- The Northern Ireland Disability Council.

Since October 1999, additional duties and responsibilities with respect to disability, sexual orientation and special educational needs have also been assumed.

The Equality Commission's accounts are prepared in accordance with Schedule 8(2) of the Northern Ireland Act 1998 and the Transfer of Rights and Liabilities (Northern Ireland) Order 1999 and in a form directed by the Office of the First Minister and Deputy First Minister with the approval of the Department of Finance and Personnel.

### Important Events Occurring After the Year End

There have been no significant events since the year-end, which would affect these accounts.

### Results for the Year

The results for the Commission for the period are set out in detail in our Financial Statements at page 73. The deficit for the year was £387,417. This deficit was financed primarily by the utilisation of the £341,524 cash brought forward from 2004-05. The Executive is content that it will not impact on future plans.

### Business Review

In the year to 31 March 2006, the most significant developments in the work of the Commission were as a result of the introduction of the legislation on special educational needs (SEND) and its continuing implementation of the organisational and landscape reviews. A full review of the activities of the Commission is given in the 2005-2006 Annual Report.

### Likely Future Developments

In 2006-07 we anticipate further extension of the Commission's mandate, into new areas of discrimination such as Age in employment and training and Sexual Orientation protection in relation to goods, facilities and services. We also anticipate further extension to our remit in the area of disability discrimination. Next year should also see the agreement of a new Management Statement and Financial Memorandum with our sponsoring Department, OFMDFM.

### Research and Development

The Equality Commission for Northern Ireland does not engage in any research and development activities as defined by GAAP.

### Charitable Donations

The Commission made no charitable donations during the period.

## Pension Liabilities

Staff Pension Liabilities are borne by the Principal Civil Service Pension Scheme (NI) – see notes 1 and 3 to the Accounts, and the Commission’s Remuneration Report, which follows this Statement.

## Payment to Suppliers

The Commission is committed to the prompt payment of bills for goods and services received in accordance with the Government’s Better Payment Practice Code. Unless otherwise stated in the contract, payment is due within 30 days of receipt of the goods or services, or presentation of a valid invoice or similar demand, whichever is later. During the period 94.9% of bills were paid within this standard.

## Disabled Persons

The Equality Commission seeks to follow best practice guidance, as set out in Disability Codes of Practice, on employment and the provision of services to disabled persons.

## Equality of Opportunity

The Commission is committed to the provision of equality of opportunity and fair participation to all persons regardless of sex, marital status, religious belief, political affiliation/opinion, age, family status, ethnic or racial background, sexual orientation, disability, nationality or trade union membership. The Commission will, in all its actions, conform to both the letter and the spirit of the relevant equality legislation.

The Commission will provide equality of opportunity to all persons irrespective of whether or not there are legislative provisions in place.

## Employee Involvement

The Commission encourages widespread consultation and exchange of information at all levels within the Commission. This is effected through staff briefings and the involvement of staff representatives on a Joint Consultative and Negotiating Committee.

## Commission Members

The following served as members of the Equality Commission during the reporting period:

Joan Harbison	Chief Commissioner	to 31/07/05
Bob Collins	Chief Commissioner	from 01/08/05
Anne O’Reilly	Deputy Chief Commissioner	

Annie Campbell	
Brian Carlin	
Tony Carlin	
Eileen Evason	
Una Gillespie	
Tom Haverty	
Alan Henry	to 31/07/05
Ann Hope	to 31/07/05
Ruth Lavery	to 31/07/05
Bryan Johnston	from 01/08/05
James Knox	from 01/08/05
Thomas McGrath	
Eithne McLaughlin	from 01/08/05
Michael Rea	
Audrey Simpson	
Daphne Trimble	
Elaine Waterson	from 01/08/05
Derick Wilson	
Paul Yam	

### Commissioners' Interests

An up to date register of Commissioners' interests is maintained by the Chief Executive as Accounting Officer and is available for inspection at the Commission's offices in Equality House, 7-9 Shaftesbury Square, Belfast BT2 7DP.

### Statement of Disclosure of Information to Auditors

So far as each of the Commissioners in office at the date of approval of these financial statements is aware:

- there is no relevant audit information of which the Commission's auditors are unaware; and
- they have taken all steps that they ought to have taken as Commissioners in order to make themselves aware of any relevant audit information and to establish that the Commission's auditors are aware of that information.

## Commission Offices

Equality House  
7-9 Shaftesbury Square  
Belfast  
BT2 7DP

## Auditor

Northern Ireland Audit Office  
106 University Street  
Belfast  
BT7 1EU

Signed by:

Evelyn Collins  
Chief Executive and Accounting Officer

# Remuneration Report

## Remuneration Policy

The remuneration of all staff of the Commission follows that of the Northern Ireland Civil Service and is entirely performance based.

The remuneration of Commission members is determined by the Secretary of State for Northern Ireland.

## Service Contracts

Staff appointments are made in accordance with the Commission's Recruitment Policy, which requires all appointments to be on a merit basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

Unless otherwise stated, staff covered by this report hold appointments which are open-ended until they reach the normal retiring age of 60. Policy relating to notice periods and termination payments is contained in the Northern Ireland Civil Service (NICS) Staff Handbook.

Commission members are appointed by the Secretary of State for Northern Ireland.

## Salary and pension entitlements

The following section provide details of the remuneration and pension interests of the Commissioners, Chief Executive and other senior officials of the Commission.

Official	2005-06 Salary £000s	2004-05 Salary £000s
Evelyn Collins Chief Executive	70-75	65-70
Antoinette McKeown Head of Policy & Development	50-55	50-55
Keith Brown Head of Corporate Services (appointed 01.04.05)	50-55	n/a
Eileen Lavery Head of Strategic Enforcement (appointed 01.07.05)	50-55	n/a
Joan Harbison Chief Commissioner (to 31.07.05)	35-40	70-75
Bob Collins Chief Commissioner (from 01.08.05)	40-45	n/a
Anne O'Reilly Deputy Chief Commissioner	5-10	5-10
Annie Campbell	0-5	0-5
Brian Carlin	0-5	0-5
Tony Carlin	0-5	0-5
Eileen Evason	0-5	0-5
Una Gillespie	0-5	0-5
Tom Haverty	0-5	0-5
Alan Henry (to 31.07.05)	0-5	0-5
Ann Hope (to 31.07.05)	0-5	0-5
Ruth Lavery (to 31.07.05)	0-5	0-5
Bryan Johnston (from 01.08.05)	0-5	0-5
James Knox (from 01.08.05)	0-5	0-5
Thomas McGrath	0-5	0-5
Eithne McLaughlin (from 01.08.05)	0-5	0-5
Michael Rea	0-5	0-5



Audrey Simpson	0-5	0-5
Daphne Trimble	0-5	0-5
Elaine Waterson (from 01.08.05)	0-5	0-5
Derick Wilson	0-5	0-5
Paul Yam	0-5	0-5

## Salary

“Salary” includes gross salary, performance pay or bonuses, any allowance such as London Weighting Allowances to the extent that it is subject to UK taxation. This report is based on payments made by the Commission and thus recorded in these accounts.

The Chief Executive’s salary includes a performance related non-consolidated bonus but she does not receive any taxable benefits in kind. The Chief Executive is a member of the Principal Civil Service Pension Scheme (NI) on the same basis as all other members of staff.

## Benefits in Kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by Inland Revenue as a taxable emolument. Examples of benefits in kind could be living accommodation provided at public expense or private use of an allocated car.

No benefits in kind were paid during this period.

## Civil Service Pensions

	Total accrued pension at age of 60 at 31/3/06 and related lump sum £k	Real increase in pension and related lump sum at age 60 £k	CETV at 31/03/06 £k	CETV at 31/03/05 £k	Real increase in CETV £k
<b>Commissioners</b>					
J Harbison (Chief Commissioner)	5-10 plus 15-20 lump sum	0-5 plus 0-5 lump sum	n/a	n/a	n/a
Bob Collins (Chief Commissioner)	0-5 no automatic lump sum	0-5 no automatic lump sum	n/a	7	7
<b>General Management</b>					
E Collins (Chief Executive)	15-20plus 55-60 lump sum	0-5 plus 0-5 lump sum	261	287	5
A McKeown (Head of Policy & Development)	5-10 plus 15-20 lump sum	0-5 plus 0-5 lump sum	66	76	6
K Brown (Head of Corporate Services)	10-15 plus 30-35 lump sum	0-5 plus 0-5 lump sum	133	263	21
E Lavery (Head of Strategic Enforcement)	15-20 plus 30-35 lump sum	0-5 plus 0-5 lump sum	229	263	21

*Commissioners other than the Chief Commissioner do not receive any pension entitlements.*

Pensions benefits are provided through the Northern Ireland Principal Civil Service Pension Scheme. From 1 October 2002, civil servants may be in one of three statutory based “final salary” defined benefit schemes (classic, premium and classic plus). The schemes are unfunded, with benefits met by monies voted by Parliament each year. Pensions payable under classic, premium and classic plus are increased annually in line with the Retail Price Index. New entrants after 1 October 2002 may choose between membership of premium or joining a good quality “money purchase” stakeholder arrangement with a significant employer contribution (partnership pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for classic, and 3.5% for premium and classic plus. Benefits in classic accrue at the rate of 1/80th of pensionable salary for each year of service. In addition, a lump sum equivalent to 3 years’ pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum (but members may give up (commute) some of their pension to provide a lump sum). Classic plus is essentially a variation of premium, but with benefits in respect of service before 1 October 2002 calculated broadly in the same way as classic.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a selection of approved products. The employee does not have to contribute but, where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer’s basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement). Further details about the civil service pension arrangements can be found at the web site [www.civilservicepensions-ni.gov.uk](http://www.civilservicepensions-ni.gov.uk).

### Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member’s accrued benefits and any contingent spouse’s pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves the scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The CETV figures and, from 2003-2004 the other pension details, include the value of any pension benefit in another scheme or arrangement which the individual has transferred to

the Civil Service pension arrangements and for which the CS Vote has received a transfer payment commensurate with the additional pension liabilities being assumed. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries.

### Real Increase in CETV

This reflects the increase in CETV effectively funded by the employer. It takes account of the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Evelyn Collins  
Accounting Officer

## Review of the Year

Inevitably, in any review of the year, the unusual or the high profile initiatives take precedence over the detailed day to day operational activities, which are the bedrock of our work. The more detailed review of Performance against Business Objectives gives information on the extent and scale of this work. Whether in the area of providing advice and assistance to employers and others, providing guidance to those who feel they have been discriminated against, or enforcing and advising on the duties placed on employers, service providers and public bodies, on a daily basis Commission staff are involved in making the legislative framework work.

Interest in Northern Ireland's equality framework, both at home and abroad, remains high. Every year we see a dramatic increase in the use of our website. Last year the Commission's website received over four million hits and on average is receiving more than 600 visits each day. Despite this increasing use of technology, much of our work is still face to face, provided to individuals or small groups in meetings or to large groups in the seminars and conferences we organise on an almost daily basis.

During this year advice on equality was provided to a total of 3,499 employers and service providers, 3,541 potential complainants and almost 10,000 general enquirers, either by phone, letter, email or face to face. This excludes the contact staff have with larger groups at workshops and training events. This year we provided 219 training sessions, ranging from general awareness sessions for schools to detailed guidance on the law and best practice to employers and others.

Despite the scope of the work we do and the resources we commit to it, each year requires us to set our priorities and plan for their delivery. This year was no different. Much of it was driven by the ongoing equality agenda; locally by our ongoing commitment for equality for all, or more globally. Important here are the continuing increase in labour mobility and other changes arising from European Union expansion and harmonisation and the extension of new rights in areas such as disability, sexual orientation and soon, age.

The central goal of our work is 'Equality for all'. Indeed, during the year this was the key message displayed on the banner draped over our building and was the slogan for a general advertising campaign on buses. Below we focus on some of the issue specific work undertaken this year. Each year we have to focus on specific topics and issues but underpinning all our work is a central belief in 'Equality for all'.

Further information on all areas of our work, including all of our publications, can be found on our website at [www.equalityni.org](http://www.equalityni.org).

# Promoting Equality of Opportunity

## Disability and SENDO

The Special Educational Needs and Disability Order (SENDO) became law on 1 September 2005. It made disability discrimination in Northern Ireland's schools and institutions of further and higher education unlawful. Central to our SENDO work was the development of Codes of Practice, one for schools and one for Further and Higher Education, setting out the guidelines for good practice. Commission staff undertook a series of speaking engagements focusing on managers and principals in the Northern Ireland education sector on the subject of 'managing inclusion'.

As part of a wide ranging awareness raising strategy, in January 2006, the Commission ran a major television, billboard and newspaper advertising campaign. On the ground, it also ran events from workshops to an art competition. The art competition, facilitated by Disability Action, was run in schools to raise awareness of SENDO amongst children. Pupils were asked to draw what an accessible school might look like. A panel of judges, including Anya O'Connor (NICCY Youth Panel), Monica Wilson (Disability Action), Ruth Lavery (ECNI Commissioner) and Sally Wheeler (Artist), decided on the winning images. The images were showcased in the 2006 SENDO Calendar, five thousand of which were circulated across the education sector.

A prize giving event was held to unveil the winning images at W5 in Belfast. Chief Executive, Evelyn Collins, and Frank Mitchell, UTV, presented the prizes to the winning pupils.

The development and launch of two disability employment codes was another important highlight this year. In addition to a short radio advertising campaign, information on the new codes was mailed to employers and more than 40 training events were organised.

## Racism and Migrant Workers

Over 150 delegates attended our annual conference in November. The title of the conference, which took place during Anti-Racist Workplace Week (ARWW), was 'Migrant Workers – Meeting the challenges of a diverse workforce'. We were pleased that Lord Rooker, Minister of State for Northern Ireland, gave the keynote speech at this event, outlining the contribution that migrant workers make to all aspects of life in Northern Ireland and the Government's commitment to fair treatment of migrant workers. The theme for ARWW over all was the need to build practical strategies to support employers in promoting a culturally diverse workforce. In partnership with the Equality Authority, our counterpart organisation in Ireland, and the business sector and other social partners, November saw the

launch of posters and other materials, including an agricultural workers' guide supported by the Ulster Farmers' Union.

Throughout the year migrant workers were a focus for our advisory work, with publications produced in a variety of languages and training events for employers organised across Northern Ireland.

If anti-racist workplace week in November was one of the key dates in our calendar, another was Intercultural Week in March and International Day against Racism on 21 March.

Partnership work was again a focus of Intercultural week, with the emphasis on participation and belonging. The week saw projects and events organised jointly with the Sports Council, Police Service of Northern Ireland and Education and Library Boards.

As well as the posters, guidance materials and educational work, a novel step for us this year was working with the Queen's Film Theatre in Belfast and Derry's Nerve Centre on film festivals themed around racism and migrant workers.

### Sexual Orientation

Despite the legal protection against discrimination in employment and training on grounds of sexual orientation introduced in 2003, legal complaints and enquiries in this area remain low. The Commission, in partnership with the Equality Authority, initiated research on barriers to accessing legal protection, which should be completed next year. That said, during the year we were pleased to publicise the first settlement of a sexual orientation case attained in an assisted case, concerning harassment and constructive dismissal of a gay man.

Regrettably too, despite legislation on hate crimes introduced in 2004 covering violence against lesbian, gay and bisexual people, attacks remain prevalent. The Commission supported Gay Pride Week again during the year under review and continued with its awareness raising work to promote equality in the workplace and in further and higher education and training. A new publication on LGB equality rights was produced this year and anti-homophobia initiatives were supported by radio and bus advertising.

### Education and Travellers

The severe educational disadvantage experienced by the Irish Traveller community here has recently been highlighted in reports for the Northern Ireland Commissioner for Children and Young People and the EU Monitoring Centre on Racism and Xenophobia. This is just one area of disadvantage that Irish Travellers share with most of the EU's six million Roma and Traveller population.

The Commission, acknowledging education as a key driver for equality, has joined with NGOs and statutory equality and human rights bodies from five EU countries in an initiative called the Roma EDEM Project. This project supports the integration and equal treatment of ROMA and Travellers in education and employment.

The Commission has established a Steering Group to advance the project in Northern Ireland, with representatives from the Traveller Community and the Departments of Education and Employment and Learning. An Munia Tober and Save the Children have been engaged as NGO collaborators to provide relevant information, advice and assistance. At a local level, the project included a series of seminars involving key stakeholders.

## Challenging Discrimination

Our educational and advisory work is one of the tools we use to challenge discrimination and promote equality. The advice we give to potential complainants and assistance to those taking cases through the tribunal system is another key role played by the Commission. In 2005-06 the Commission provided advice to 3,541 enquirers and potential complainants, up from 2,180 last year. The largest single area of enquiries was in relation to disability complaints, followed by gender, religious belief or political opinion and race. There were few enquiries in relation to sexual orientation. A breakdown of enquiries and applications for assistance is provided at Appendix 3.

The Commission received 389 new applications for assistance from people who wished to pursue discrimination complaints in tribunals or courts. Thirty four per cent of new applications were granted assistance.

At 31 March 2006 the Commission was supporting 170 ongoing cases.

In the past year, 58 settlements were achieved. Most settlements included compensation and remedial terms. A more detailed breakdown of individual settlements is attached as an appendix to this report. The Commission followed up settlements of complaints to the tribunals and provided advice to 32 organisations. The agreed terms, which include improvements in employment practices, were complied with in 18 cases and work with the 14 others was ongoing at the year end. Additionally, 18 potentially discriminatory advertisements were followed up which resulted in a number of changes to advertising practices.

During the year six cases were decided before a tribunal or court of which four were upheld and two dismissed. In addition a further four cases were under appeal to the Court of Appeal.

To assist our work, this year the Commission published Discrimination Complaint



Packs giving guidance to individuals on the initial stages of making a complaint of discrimination in employment or training to the Industrial Tribunal or the Fair Employment Tribunal. The guidance provides information on lodging a claim at the tribunal and using the questionnaire procedure. This guidance has now been translated from English into six other languages – simplified Chinese, Polish, Lithuanian, Russian, Spanish and Portuguese.

Harassment remains a key problem area and this year, in addition to updating and reprinting its model harassment policy and procedure, the Commission produced, jointly with the Labour Relations Agency, a major new publication “Harassment and Bullying in the Workplace”.

## Under-Representation and Affirmative Action

The 15th Annual Report on the monitored Northern Ireland Workforce (for the year 2004) was published on 8 December 2005. The report this year shows a closer correlation between the proportions of Protestants and Roman Catholics in the monitored workforce (57.7% and 42.3%) and their proportions among those available for work (57.3% and 42.7%), than ever before. This means that the aggregate imbalance (relative to the proportions of those available for work according to the 2001 Census of Population – Economically Active Persons of Working Age) between Protestant and Roman Catholic participation in the monitored workforce, which was evident in the early nineties, has largely disappeared. The monitoring data, however, reveals continuing under-representation for both communities in individual instances in both the private and public sectors. The utilisation of Article 55 reports and the implementation plans developed from them remains at the core of our work with employers to improve the composition of their workforces. The reports selected by the Commission for review of the implementation of affirmative action measures, on the whole, continue to demonstrate the good faith efforts being made by many of these employers. Dialogue with these employers is ongoing. A seminar was held with the Local Government Staff Commission for councils, designed to ensure and build councils’ awareness of their obligations under Article 55.

The Commission has received reviews from an additional 60 employers targeted to promote affirmative action through Article 55 Review. Feedback has been provided to 26 employers and further work is being undertaken in relation to one review which has been deemed to be non-compliant. These are currently being considered together with ongoing consultation regarding the development of equality policies, practices and procedures and the promotion of appropriate affirmative action measures.

The Commission completed its own Article 55 report this year. Although the report demonstrated some improvement in applicant numbers from the Protestant community, the representation of Protestants in our workplace fell over the review

period. A breakdown of the Commission's overall composition as recorded in the January 2006 Monitoring Return is provided at Appendix 2. At the year end the Commission was reviewing its own affirmative action programme. Like other employers, the Commission is interested in promoting equality in its own workplace across all of the areas and in 2006-07 will be undertaking a comprehensive review of its own equality provision.

This trend towards comprehensive employment equality plans is becoming more prevalent, particularly in the public and larger private sector firms and the Commission continues to support a number of organisations in their development work.

## New developments in equality legislation

Each of the past few years has seen major extensions to the equality framework and this year was no exception, with the introduction in September of the Special Educational Needs and Disability Order and amendments to the sex discrimination legislation. The future will see no let up in the pace of change. During the year a response to DTI consultation on new age discrimination legislation was submitted and also, in November 2005, we issued our response to the OFMDFM consultation on the Draft Employment Equality (Age) Regulations (Northern Ireland) 2005. During the year under review, the Commission began preparations for the new provisions, which it is anticipated will be enacted in October 2006. A further response in relation to the Discrimination Law Review was submitted in March 2006 and a response to the additional statutory duties on disability in the Draft Disability Discrimination Order was submitted in September 2005.

A response to revisions to legislation as a result of the Revised Equal Treatment Directive was submitted in July 2005. The Commission also made a submission to consultation on positive duties for gender to be introduced in GB, based on our implementation of Section 75.

There has been limited progress made on a Single Equality Bill in the course of 2005-06. Actions dependent on further Single Equality Bill progress by OFMDFM will be continued in 2006-07.

## Mainstreaming Equality and Good Relations

A key role for the Commission is to encourage all public authorities to mainstream equality and good relations in all that they do, by providing advice on the equality and good relations duties set out in Section 75 of the Northern Ireland Act 1998. We also have a key role in keeping under review the effectiveness of these duties

and for investigating complaints into alleged breaches of public authorities' Equality Schemes.

We continued during the year to monitor the implementation of the duties by public authorities, publishing the Annual Progress Report for 2003/2004 and, for the second time, an Audit of Progress on the Good Relations Duty. We provided formal guidance to public authorities for their five year reviews of Equality Schemes, the first ones being completed in early 2006.

We also established the Good Relations Forum during the year, bringing together, for the first time, regional policy makers and individuals working in local communities on good relations and conflict transformation, to share thinking and to contribute to the Commission's unique good relations remit in Northern Ireland. Towards the end of the year, the Commission and Community Relations Council agreed that this should be a joint initiative between the two organisations.

The Commission also agreed terms of reference and detailed objectives for a major review of effectiveness of the equality and good relations duties and work was well advanced at the end of the year. Concluding the review in the coming year will be a significant focus of attention for the Commission.

## Public Authorities' Progress with Mainstreaming Equality and Good Relations

In terms of reporting on progress of public authorities in meeting their Section 75 duties, the annual report on progress for the 2005/6 reporting year, due to be published shortly, has highlighted the following.

Of the 157 public authorities that submitted progress reports, a very high percentage (95%) indicated they believed their work to date on implementing the statutory duties had produced positive benefits for the organisation. This result reflects a 12% increase on the previous year's result, with a noticeable increase in reporting of benefits from local government. Less than half (44%) of education sector authorities noted positive benefits for the organisation, although five authorities did not provide relevant information in their reports.

Respondents were asked to indicate the extent of benefit on a scale of very noticeable, noticeable and no real change. Just over one third (34%) of those that reported positive benefits said that awareness of equality issues in policy making increased very noticeably and just over a quarter (29%) reported that awareness of equality issues in service delivery had increased very noticeably. Less than a quarter (23%) of respondents also stated that the ability to ensure that policies were designed and targeted to reflect equal opportunities objectives had increased very noticeably. A slightly higher proportion (25%) of respondents acknowledged that the ability to ensure services were designed and targeted to reflect Section 75 requirements had increased very noticeably.

However, less than a fifth (15%) of those reporting positive benefits stated that awareness of good relations issues in policy making had increased very noticeably. A tenth also indicated that their ability to ensure that policies were designed and targeted to reflect good relations objectives had changed very noticeably.

The overwhelming majority (86%) of those that responded indicated that they believed their work to date on implementing the statutory duties had produced positive benefits for individuals from the various equality categories covered by Section 75. This overall figure reflects a 10% increase on the previous year. Government departments, health and further and higher education sectors were much more likely to report positive benefits for the nine equality groups than other Northern Ireland/Cross Border organisations (67%), or UK wide authorities (62%). Just over half (55%) of the education sector authorities noted positive benefits for the equality categories, although four did not complete this section.

Views from the public sector on the amount of change in equality of opportunity were sought. More than three quarters (85%) of respondents indicated that implementation of the statutory duties had increased equality of opportunity for people with a disability, with just under three quarters (74%) indicating increased equality of opportunity for people of different racial groups. Just under two thirds (61%) indicated increased opportunities for people of different ages and 58% reported increased equality of opportunity for people of different religious belief. For people with and without dependants, over half (51%) reported increased opportunities. Under a half (48%) reported increased opportunities for women and men and just over a third (37%) reported benefits for people of different political opinion. Under a third (31%) reported increased equality of opportunity for people of different sexual orientation, and a quarter reported increased opportunities for people of different marital status.

## Finance and Resources

The finance and resource environment for all public bodies is tight and the Commission is no exception. The Commission's funds available for 2005-06 totalled £7,295k, after efficiency savings and carry over from 2004-05 were accounted for. This included additional funding, provided by the Department of Education, to support the Commission in its delivery of work on SENDO. The Commission's aim is to manage within this budget. During the year, in cash terms, the Commission spent £6,991k. A full report on the Commission's financial position can be found in our Financial Statements for 2005-06 at page 73 of this report.

The Commission has a staff complement of 146. During the year the average number of staff in post was 130. This year saw the restructuring of the Commission's senior management team completed and the recruitment of a number of new senior managers. Although this year has seen another reduction in staff absence levels, the reduction did not meet the additional 1% reduction we had set ourselves. The recorded absence figure as at 31 March 2006 was 6.11%; this reflects a 0.39% decrease from this time last year. The figures reflect an increase in the long-term absence of a small number of staff.

The Commission is committed to good corporate governance and building a culture of continuous improvement. This commitment is reflected in the Commission's new Corporate Plan for 2006-09, which was prepared and consulted upon this year and received Departmental approval in March 2006.

This year has seen a considerable enhancement of the Commission's internal audit provision. Following a tender exercise, a new internal audit team was appointed and a Strategic Audit Plan for 2005-08 agreed and implemented. A major programme of Commission wide risk management training was undertaken.

The principal corporate risks facing the Commission, including lack of funding and staff skills, poor communications or major failure in ICT services, are included in its Corporate Risk Register. A review of the Corporate Risk Register was undertaken and the revised Risk Register approved at the February Commission meeting. Reviews of Divisional Risk Registers and completion of Stewardship reports were undertaken.

In June 2005 the Commission's Strategic Enforcement Division were awarded the Law Society's Quality Mark for Excellence in the delivery of legal practice, Lexcel. The award is for three years and is then reconfirmed each year, following a maintenance visit by independent assessors. The Division were successfully awarded Lexcel Accreditation following re-assessment in January 2006.

The ongoing implementation of organisational development recommendations continued, with further developments in progress towards Investor in People and the initiation of work on Charter Mark and ISO 9001. These initiatives will be further progressed in 2006-07 towards the objective of external assessment and accreditation across the Commission.

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# Performance against business objectives 2005 - 2006

# 1. Customers and Stakeholders

1.1 To provide a range of high quality, targeted and accessible services and to increase awareness of equality issues.

1.1a Plan and deliver campaigns and programmes of activities to increase awareness of key equality issues.

**Measure of success and target:**

Plans prepared and delivered in line with target dates.



During the year a number of major awareness campaigns were planned and delivered. The key campaigns undertaken this year covered disability, race and sexual orientation. Disability campaigns included a major advertising campaign to promote the new laws covering disability discrimination in education and the launch of new disability employment codes of practice and guidance materials.

Our anti-racism work ranged from employment rights clinics for migrant workers, to film festivals in Belfast and Derry. Much of the work was with the involvement of the wider business community. This year, our partnership work also involved links across Europe highlighting the disadvantage suffered by the European Union’s six million Roma and Traveller population.

We extended our work on sexual orientation this year, with conferences on employment and education and radio and bus advertising targeted around anti-homophobia awareness week.

1.1b Improve External Communications.

**Measure of success and target:**

- Measured improvements in communications by March 2006;
- Implementation and evaluation of political liaison strategy by March 2006;
- Key Stakeholders Strategy developed and implemented by March 2006;
- Review the effectiveness of ECNI accessibility arrangements during 2003 - 2006 by December 2005.





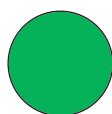
The review of external and internal communications undertaken this year has resulted in changes to our processes and overall approach. By the end of the year communications reports were demonstrating increased positive coverage of our external communications. A new political liaison strategy was implemented and is being evaluated on an ongoing basis. Initial work on the Key Stakeholders Strategy commenced and the review of our accessibility arrangements was undertaken.

### 1.1c Maintain the range of and activity levels in our work with stakeholders and customers.

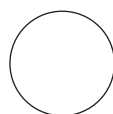
#### Measure of success and target:

- Advice on Section 75 provided to designated authorities and voluntary and community organisations;
- Demonstrable improvements in equality practices by service providers as a result of Commission advice;
- Advice on equality provided to 1,500 employers and service providers by March 2006;
- Six employer networks maintained.

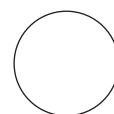
Outcome



Met



Partly Met



Not Met

During 2005, a new system for logging and monitoring Section 75 and public policy queries was developed and it is anticipated that this will be piloted and become operational during 2006-07. During the reporting period, 130 queries have been responded to and 45 new Equality Schemes approved. The Commission also undertook a series of awareness raising sessions on Section 75 with five political parties during February and March 2006.

The 2003-04 report on Progress on Section 75 implementation was prepared. The report demonstrates respondent perceptions of increases in equality of opportunity as a result of the implementation of Section 75.

In line with Commission priorities for policy intervention, the Commission gave detailed advice to OFMDFM and DFP in relation to improving the EQIA process in Priorities and Budget. In other areas of its advisory work with employers and service providers, staff engaged in detailed work with 128 employers during 2005 to improve equality practices.

The Commission also provided advice to 32 organisations in following up settlements of complaints to the Tribunals. The agreed terms, which include improvements in employment practices, were complied with in 18 cases and work with the 14 others was ongoing at the year end. Additionally, 18 potentially

discriminatory advertisements which were followed up resulted in a number of changes to advertising practices.

Other key outcomes of our work are highlighted below.

- Eighteen employers have now developed comprehensive employment equality plans.
- Disability and sex equality plans and an integrated equality standard have been developed and promoted with the Local Government Staff Commission. Ten local councils have adopted equality plans.
- The local government gender initiative 'Women in Local Councils' was launched by the Minister Lord Rooker, in January 2006. Commission staff will play a key role in delivering the range of events which are planned for during 2006-07 as part of the initiative.
- A disability equality plan has been developed for the health sector with the objective being that health trusts across Northern Ireland adopt this model.
- Commission staff have worked in partnership with the Employment Services Board, the Employment Forum and Gems Northern Ireland Ltd on initiatives to help those not currently in employment to gain work opportunities with major employers, mainly located in the Greater Belfast area.

Advice on equality was provided to a total of 3,499 employers and service providers, by phone, letter, email or face to face. This excludes the contact staff have with larger groups at workshops and training events and surpasses our target of 1,500 contacts.

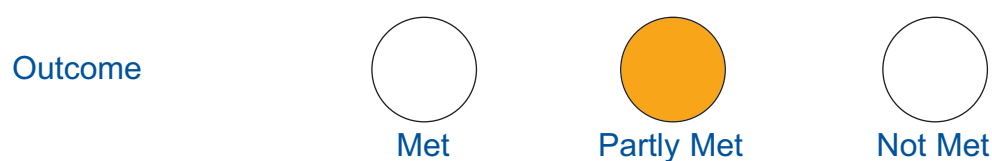
Our target, of supporting six employer networks this year, was also achieved with ongoing support provided to nine networks. These networks cover specific industries such as retail and construction in the private sector, and health, education and local government in the public sector. The Commission is represented on equality groups set up within the education sector. Four other networks of employers, located outside of the Belfast area, are also facilitated.

### 1.1d Provide an effective and efficient service for complainants by meeting target for consideration of applications by Legal Funding Committee and legal assistance criteria.

#### **Measure of success and target:**

- Information and advice provided to 2500 potential complainants by March 2006;
- Self help packs for potential complainants developed and distributed by September 2005;
- Implementation of legal assistance strategy meets processing time targets and legal assistance criteria;

- Conciliation services for DDA goods and services implemented and SENDO conciliation preparations by September 2005.



During this year information and advice has been provided to 3,541 potential complainants.

To assist this work, the Commission published Discrimination Complaint Packs giving guidance to individuals on the initial stages of making a complaint of discrimination in employment or training to the Industrial Tribunal or the Fair Employment Tribunal. The guidance provides information on lodging a claim at the tribunal and using the questionnaire procedure. This guidance has now been translated from English into six other languages – simplified Chinese, Polish, Lithuanian, Russian, Spanish and Portuguese.

As at 31 March 2006 there were 170 live funded cases. A longstanding key target has been to increase the percentage of cases dealt with on an in-house basis. This year the target was to maintain the percentage above 80% and by the year end we had achieved 91%. We also met our key target of ensuring that 90% of new applications for assistance are progressed to a Legal Funding Committee (LFC) within four months.

In the past year 58 settlements were achieved for 50 individual complainants. This included ten disability, eleven gender, four race, nine religion/politics and two sexual orientation settlements. The remainder were hybrid claims across a number of equality areas. Most settlements included compensation and remedial terms. These variously included liaising with the Commission to improve practices, policies or procedures, expressions of regret and in some disability cases, action to secure access to service provision. A more detailed breakdown of individual settlements is attached as an appendix to this report.

During the year six cases were decided before a tribunal or court, of which four were upheld and two dismissed. In addition, a further four cases decided at hearing are under appeal to the Court of Appeal.

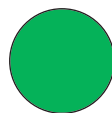
Despite our efforts, our target for overseeing the implementation of disability conciliation services was not met. An invitation to tender for the development and provision of the conciliation services was externally advertised in August 2005. Only one proposal was received and this was not accepted. A further invitation to tender is being considered and will proceed in 2006-07.

## 1.1e Provide and maintain an effective advisory service for employers, service providers and others, including introduction of Customer Helpline.

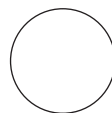
### Measure of success and target:

- Implementation of helpline/key target dates met;
- Four new advisory publications by March 2006;
- Two hundred training events organised and completed by March 2006;
- Information and advice provided to 9,000 individuals by March 2006;
- Two million hits on the Commission's website by March 2006;
- Four employer bulletins published by March 2006.

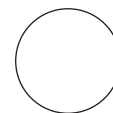
Outcome



Met



Partly Met



Not Met

All of the above targets were met. A review report of information and enquiry services was completed by an external consultant. The report considered existing information provision and made recommendations about how the Commission should best provide these services in the future. Implementation of agreed recommendations was in progress at year end.

Eleven new or substantially revised publications were produced in 2005-06. These included a major publication on harassment and bullying in the workplace, produced jointly with the Labour Relations Agency, a short guide to Section 75 of the Northern Ireland Act, guidance on racial equality for employers and updates on fair employment duties, including taking affirmative action and providing fair participation. A number of these publications were produced in a range of languages and formats, and all can be provided in different formats on request.

During the year, 219 training sessions were delivered, ranging from general awareness sessions for schools to detailed guidance on the law and best practice to employers and others.

We also achieved our target of providing advice to 9,000 individuals, through handling 9,921 enquiries during 2005-06, and our website recorded a total of 4,677,049 hits, surpassing our two million target.

Four employer bulletins were produced; two on equal pay and two focusing on the Commission's work with employers, providing 'good practice' employment examples.

## 1.2 To mainstream equality effectively in public policy and service provisions.

### 1.2a Evaluate progress in relation to impact measures and put in place appropriate programme of work for 2005-06.

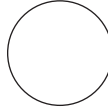
**Measure of success and target:** Programmes of work underway by June 2005.

Outcome			
	Met	Partly Met	Not Met

Work progressed with the Department of Education in relation to Section 75 in 2004-05 and culminated in the Commission's project on Mainstreaming Equality in Education (ref 1.2f). The programme of work arising involves the Department of Education, the Education & Training Inspectorate and General Teaching Council.

### 1.2b Overview of progress and proposals for new impact measures for next Corporate Plan.

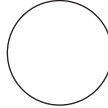
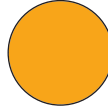
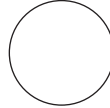
**Measure of success and target:** Review commissioned by September 2005; and completed by December 2005.

Outcome			
	Met	Partly Met	Not Met

Research published by the Northern Ireland Statistics and Research Agency (NISRA) has highlighted the complexities in establishing equality indicators. The Commission awaits further publication of research on this area of work and has deferred this action in the interim.

### 1.2c Review the operation and impact of Section 75 and identify recommendations.

**Measure of success and target:** Review completed by December 2005, implementation plan for recommendations by March 2006.

Outcome			
	Met	Partly Met	Not Met

Considerable preparatory work was undertaken by Commissioners and staff in developing clear aims and objectives for this. Agreed by the Commission at its October meeting, the review's Terms of Reference set out its scope and detailed objective. The associated project work, involving a number of

commissioned pieces of work, was well underway by year end. Ongoing consultation with key stakeholders on the review was also a key task.

### 1.2d Implement any agreed recommendations from the McLaughlin /Ferris review.

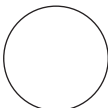
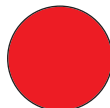
**Measure of success and target:** Measured progress and timetables agreed with the Office of the First Minister and Deputy First Minister (OFMDFM) and Northern Ireland Office (NIO).

Outcome			
	Met	Partly Met	Not Met

The Commission's contribution to the Northern Ireland Office's final response was completed in February 2006. The Commission implemented a number of the review's recommendations and took account of others in the context of the Commission's own review of S75 effectiveness, scheduled to be completed in 2007.

### 1.2e Publish monitoring guidance further to ESNRIG research work.

**Measure of success and target:** Guidance completed and published by December 2005.


Outcome			
	Met	Partly Met	Not Met

Progress on this project was dependent upon the work of the Equality and Social Need Research and Information Group (ESNRIG). The ESNRIG research report was completed in November 2005. The Commission will be publishing its monitoring guidance during 2006-07.

### 1.2f Implement strategy to further mainstream equality in education.

**Measure of success and target:**

- Complete consultation on the possible designation of schools for Section 75 by December 2005;
- Develop recommendations for strengthening equality in teacher education by March 2006;
- Establish, with the Education & Training Inspectorate, equality indicators for education by December 2005.

Outcome			
	Met	Partly Met	Not Met

A research project on Mainstreaming Equality Objectives in Schools has been awarded and the project outline and way forward were agreed with Steering Group in November 2006. Public consultation on the key questions took place in December 2005, and a series of seminars held in March 2006. A process mapping exercise has been completed for the identification of the current project.

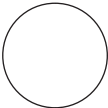
An end of project, education conference will take place in June 2006, with key findings and proposal options to be presented. Discussions with the ETI will take place in 2006.

### 1.2g Identify and implement strategies and actions for effective public policy intervention, with specific focus on:

- Priorities and Budget;
- Public service reform;
- Investment;
- Traveller health and education;
- Racism;
- Fair employment.

#### Measure of success and target:

- Responses to key consultation documents issued within consultation period; key recommendations promoted and debated;
- Strategies developed on key issues by September 2005;
- Strategies being implemented by March 2006;
- Recommendations for change in two key areas adopted by March 2006.

Outcome			
	Met	Partly Met	Not Met

During 2005-06 a diverse range of Consultation responses was issued by the Commission, covering the areas outlined above including: Government strategies on Gender and Race Equality, draft legislation, the Government's overall Priorities and Budget, and proposals for the Review of Public

Administration. The Commission provided detailed responses to these and other consultation processes.

### 1.2h Implement strategy on Good Relations.

**Measure of success and target:**

- Good Relations Forum established by June 2005;
- Guidance published by September 2005.



The Good Relations Forum was established and two meetings of the Forum held, with future meetings to be co-chaired by the Community Relations Council (CRC) and the Commission.

Although guidance on good relations was not published in 2005, draft good relations guidance was circulated to the Forum for comment.

### 1.2i Advise public authorities in relation to the review of their Equality Schemes by developing guidance and advice for planned reviews.

**Measure of success and target:** Plan for phased review of schemes developed by March 2006.



Guidance for the five year review of schemes was published and circulated. A cross-sectoral awareness raising and training programme commenced early in October 2005 and a total of 106 officials attended the six events held.

### 1.2j Review ECNI role within EU funded programmes

**Measure of success and target:** Complete review and implement recommendations by December 2005

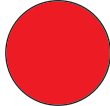


Due to the restructuring which took place during the year, this project has been reprioritised.



## 1.2k Develop and publish guidance on consulting children and young people.

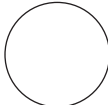

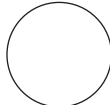
**Measure of success and target:** Guidance published by March 2006.

Outcome			
	Met	Partly Met	Not Met

This project was deferred until 2006-07.

## 1.2l Develop and publish guidance on equality considerations in PPPs.

**Measure of success and target:** To develop Public Private Partnership (PPP) procurement guidance by March 2006.

Outcome			
	Met	Partly Met	Not Met

A Project plan was developed and practitioners' group established. A series of meetings was held with key stakeholders and draft guidance prepared. A decision was taken to broaden the scope of guidance to include social considerations more generally and, accordingly, work on this was extended to 2006-07.

## 1.3 To influence change in equality legislation.

### 1.3a Develop and promote proposals for improvements in equality legislation including Single Equality Bill (SEB), age discrimination and Disability Bill.

**Measure of success and target:**

- Key recommendations on SEB, age and disability legislation promoted and debated by March 2006;
- Publication on key SEB recommendations prepared by June 2005;
- Programme of events explaining key SEB recommendations by September 2005.

Outcome			
	Met	Partly Met	Not Met

A response to DTI Consultation on Age was submitted and in November 2005, we issued our response to the OFMDFM consultation on the Draft Employment Equality (Age) Regulations (Northern Ireland) 2005. A further response in relation to the Discrimination Law Review was submitted in March 2006. A response for the additional statutory duties under the Draft Disability Discrimination Order was submitted in September 2005.

There has been limited progress made on a Single Equality Bill in the course of 2005-06. Actions dependent on further Single Equality Bill recommendations will be deferred to 2006-07.

### 1.3b Contribute to legislative reform developments with relevance to NI at UK and EU levels.

**Measure of success and target:** Responses issued within required timescales.

Outcome			
	Met	Partly Met	Not Met

Each of the past few years has seen major extensions to the equality framework and this year was no exception, with the introduction in September of the Special Educational Needs Disability Order and amendments to the sex discrimination legislation. The future will see no let up in the pace of change. A further response in relation to the Discrimination Law Review was submitted in March 2006.

A response to revisions to legislation as result of Revised Equal Treatment Directive was submitted in July 2005. The Commission also made a submission to the consultation on positive duties for gender to be introduced in GB, based on our implementation of Section 75.

## 2. Finance and Resources

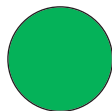
2.1 To make effective, efficient and strategic use of our resources.

2.1a Ensure effective and efficient organisational processes and structures are in place to achieve our corporate objectives.

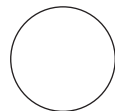
### Measure of success and target:

- Complete implementation of recommended changes to the Commission's Management structure as outlined in the Organisational Review;
- By June 2005 implement organisational development recommendations as outlined in the Organisational Review;
- In accordance with agreed timescales implement the agreed recommendations of the Commission's Landscape Review.

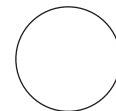
Outcome



Met



Partly Met



Not Met

This year saw the restructuring of the Commission's senior management team completed and the recruitment of a number of new senior managers.

The ongoing implementation of organisational development recommendations continued, with further developments in progress towards Investor in People and the initiation of work on Charter Mark and ISO 9001. These initiatives will be further progressed in 2006-07 towards the objective of external assessment and accreditation.

The Human Resources team have continued to develop a range of new policies and a rolling process of approval and implementation has commenced. As part of the liP action plan, a cross-divisional working group undertook a review of the current staff appraisal scheme. The group have made a number of recommendations to the Management Board. Discussions on the implementation of a revised appraisal scheme are ongoing with OFMDFM.

A number of organisational culture issues identified in the Commission's staff survey (March 2005) are being addressed with the ongoing work of the Investors in People Steering Group, the launch of the ECNI communication framework and actions being taken forward by the equality group.

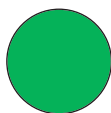
An action plan, derived from the Landscape review, has been developed and agreed at Commission level and with our sponsoring Department. Regular progress on delivery of the action plan is presented at quarterly meetings. The action plan includes the development of a revised Management Statement and Financial Memorandum.

## 2.1b Deploy staff and financial resources to ensure effective and efficient delivery of business plan activities and Corporate Plan objectives.

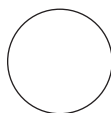
### Measure of success and target:

- Deploy staff and financial resources to ensure effective and efficient delivery of business plan activities and Corporate Plan objectives;
- Demonstrate effectiveness and transparency in publication of annual report and accounts within agreed timescales.

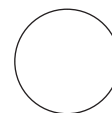
Outcome



Met



Partly Met



Not Met

Throughout the year, the Management Board reviewed the Commission's staffing structure on a monthly basis, identifying vacancies and priority posts for recruitment. Similarly, on a monthly basis, the Management Board and other budget holders were provided with financial reports and analyses of variances. On a quarterly basis, similar information and explanation and outlines of remedial action were provided to Commissioners.

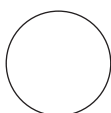
Commissioners and staff are also provided with quarterly reviews of progress against business objectives. Similar information is provided to our sponsoring Department and discussed at bi-monthly and quarterly meetings.

The Commission's Annual Report of progress against business objectives and Financial Statements are also subject to annual audit by the Northern Ireland Audit Office. Following this process they are submitted to Parliament and made public. The 2004-05 Report was published in February 2006. An objective for 2006-07 will be to assist NIAO in their audit process and a speedier publication of the Annual Report.

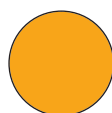
## 2.1c Continue implementation of attendance policy and compliance with best practice

**Measure of success and target:** Reduce absence levels by 1 percentage point by March 2006.

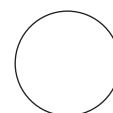
Outcome



Met



Partly Met



Not Met

Although this year has seen another reduction in staff absence levels, the reduction did not meet the additional 1% reduction we had set ourselves. The recorded absence figure as at 31 March 2006 was 6.11%; this reflects a 0.39% decrease from this time last year. The figures reflect an increase in the long-term absence of a small number of staff.

The introduction of the Human Resources Management Information System will enable a detailed analysis of figures for presentation to the Commission's Management Board. An on-going programme of training incorporating managing attendance will be undertaken in 2006-07.

### 2.1d Implement affirmative action programme in the areas of:

- Religion;
- Gender.

#### Measure of success and target:

- Evaluate the impact of the affirmative action programme including targeted advertising in 2004/2005 and make revisions as necessary by June 2005;
- Complete Article 55 review and identify appropriate action by January 2006;
- Implement the Equal Pay Audit recommendations within the agreed timescale.

Outcome			
	Met	Partly Met	Not Met

The 2004 monitoring return was completed. A review of composition and progress against our affirmative action programme was completed and presented to the June 2005 meeting of the Commission. The programme was further reviewed in Quarter four in the context of Article 55 Review. Article 55 Review and associated Action Plan progress report were completed and presented at the April 2006 meeting of the Commission.

Work on Equal Pay was focussed on starting salaries procedures, including providing better guidance to applicants.

### 2.1e Maintain and enhance levels of internal control.

#### Measure of success and target:

- Implement new contract for internal audit services by June 2005;
- Complete all scheduled audits on time;
- Auditors' recommendations implemented by March 2006;
- Complete the annual review of Risk Register by December 2005.

Outcome			
	Met	Partly Met	Not Met

This year has seen a considerable enhancement of the Commission's internal audit provision. Terms of Engagement were agreed with the Commission's newly appointed auditors and a Strategic Audit Plan for 2005-08 agreed and implemented. In this financial year, a major programme of audit was completed, including audits of:

- advisory and employer contact work;
- promotion and education work; and
- regulatory compliance.

Additionally, issues relating to grant support and use of procurement cards were also reviewed. A major programme of Commission wide risk management training was undertaken. A review of the Corporate Risk Register was undertaken and the revised risk register approved at the February Commission meeting. Reviews of Divisional Risk Registers and completion of stewardship reports were undertaken.

A number of internal audits have been undertaken, including an audit of risk management procedures, financial control systems, human resources and ICT, to provide assurance against the Accounting Officer's Statement of Internal Control.

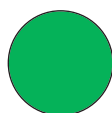
## 2.2 To control costs

### 2.2a Monitor all aspects of expenditure and ensure expenditure is within annual approved budget.

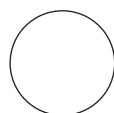
#### Measure of success and target:

- Profile of operational expenditure meets balance outlined in Corporate Plan and is in place by April 2005 and revised quarterly;
- Actual outturn for 2005-06 no greater than +/- 2% of approved budgets.

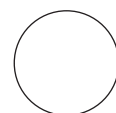
Outcome



Met



Partly Met



Not Met

During the course of the year regular monitoring of spending against agreed budget headings and business plan objectives took place and reports provided to Commissioners and the Commission's sponsoring Department on a monthly and/or quarterly basis, as appropriate. Following quarterly reviews where under/over spends were identified, eg, in staff salaries, overheads and Commission programmes, remedial action was also identified and easement and virement declared where necessary.

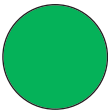
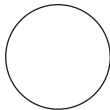
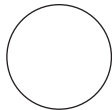
At year end there was a 6.2% underspend compared to the original budget. However, with the approval of declarations of easement, carry over of funds into 2006-07 was within the 2% limit agreed in our Financial Memorandum.

## 2.3 To secure funding to maintain and develop our services.

### 2.3a Prepare Corporate Plan for 2006-09.

#### Measure of success and target:

- Evaluate outcomes of 2003-06 Corporate Plan by June 2005;
- Draft plan prepared by September 2005;
- Consultation concluded by December 2005;
- Plan submitted to OFMDFM by January 2006

Outcome			
	Met	Partly Met	Not Met

Evaluation of the 2003-06 Plan was undertaken during May/June 2005 and throughout the course of the year a programme of internal consultation was undertaken. In addition, public consultation took place between December and February, including meetings across Northern Ireland. This culminated in a final draft corporate plan being submitted to OFMDFM in February and receiving Departmental approval in March 2006.

### 2.3b Quantify revenue requirements to meet responsibilities from 2005-06 to 2007-08.

#### Measure of success and target:

- Budgets for respective years match with anticipated Business Plan requirements and Corporate Plan objectives;
- Undertake revenue requirements in liaison with OFMDFM/Corporate Plan update in January 2006

Outcome			
	Met	Partly Met	Not Met

A series of discussions with our sponsoring Department (OFMDFM) regarding financing the 2006-09 Corporate and Business Plans has taken place and confirmation of bids for 2006-07 and 2007-08 has been provided. Discussions in relation to additional requirements for new age and sexual orientation provisions are ongoing. It is anticipated that additional funding for these key areas of our work will be made available in 2006-07.

## 3. Processes

3.1 To utilise effectively our powers to tackle discrimination and promote equality of opportunity.

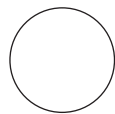
3.1a Improve service delivery in the following business areas:

- Website;
- E-services;
- Small businesses;
- Enquiry.

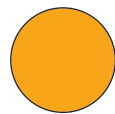
### Measure of success and target:

- Web site improvements in place by September 2005;
- Plan for the development of E-services prepared by March 2006;
- Plans developed for initiating links with small businesses;
- Review of complainant enquiry services completed and recommended actions implemented by March 2006.

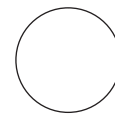
Outcome



Met



Partly Met



Not Met

In the course of 2005-06, the Commission's existing website has been maintained and developed. In February 2005, following a tender exercise, the Commission awarded a contract to design and develop a new website. Development work is ongoing and it is anticipated that the new site will go live in 2006.

The Commission received a legal opinion on the implications of FETO electronic collection of monitoring return forms from registered employers and is currently reviewing internal systems prior to initial discussions with employers.

The Commission has undertaken meetings with the Chamber of Commerce, Federation of Small Businesses and Labour Relations Agency, and a plan for extending our services to small businesses has been developed. The plan includes raising awareness of ECNI services and partnership working targeted at the small business community. Sponsorship of Federation of Small Business event and awareness raising of Commission services was held in October 2005, as part of this plan.

A review of complainant enquiry service is ongoing. This work is closely aligned to the implementation of the Commission helpline project.



### 3.1b Review Enforcement Strategy, including legal assistance, formal investigations and statutory duty investigations.

**Measure of success and target:** Review completed and recommendations developed by March 2006.

Outcome			
	Met	Partly Met	Not Met

The Legal Assistance Strategy consultation commenced during the year and was nearing completion by the year end. A review of our strategy for formal investigations under Section 75 of the Northern Ireland Act was also undertaken and revisions made to our procedures and internal mechanisms to identify potential subjects for Commission - initiated investigations put in place.

### 3.1c Make effective use of investigations mechanisms.

**Measure of success and target:**

- DDA Formal investigation progressed within agreed timetables;
- Statutory duty investigations progressed within agreed timetables;
- Statutory duty complaints investigated within procedural timetables.

Outcome			
	Met	Partly Met	Not Met

Preliminary work on an investigation into the access to health information for people with learning disabilities commenced. During the year, two Commission initiated Statutory Duty investigations were completed.

The Commission concluded an investigation into compliance by the Northern Ireland Office with its approved equality scheme in connection with the introduction of Anti Social Behaviour Orders.

Following the placing of an order on Mr Peter Neil, there was a Judicial Review of the legislation which called into question the validity of the legislation and a collateral challenge by the Northern Ireland Office of the Commission's report and recommendation. Girvan J, in his judgement, confirmed the validity of the investigation report and recommendations. The Investigation Report was laid before Parliament in March 2006 and, at year end, the Commission was following up with the Northern Ireland Office the implementation of its recommendations.

Twenty potential complaints were received for consideration within procedure and were being progressed in line with procedure.

### 3.1d Maintain compliance levels with FETO employer duties.

#### Measure of success and target:

- Maintain compliance levels at 95% by March 2006;
- 9,000 advices provided to employers, by phone, mail and meeting by March 2006;
- Evidence of effective implementation of affirmative action with targeted employers/progress reported quarterly by March 2006;
- Affirmative action promoted through Article 55 reviews by March 2006;
- Review Commission's strategy on promoting affirmative action by December 2006.



#### Registration

For the period up to 6 April 2006, there were 4,249 concerns registered with the Commission. The annually updated Register of Employers was completed and is available on the website.

#### Monitoring

The Commission received a total of 4,248 monitoring return forms for 2005, which are being processed. The level of compliance with the fair employment monitoring requirements remains high at over 99%.

#### Article 55 Reviews

A total of 166 reviews were received in this reporting period. 155 were requested and 11 were submitted voluntarily. All reports have been assessed for compliance.

Ten reports were initially not in compliance with requirements, and five of these were brought into compliance following discussions with Commission staff. Feedback on remaining reviews is ongoing in terms of current practice and compliance. Workshops were delivered to companies who had been requested to submit their reviews to assist them prepare.

A total of 12,309 telephone contacts, providing advice to employers to comply with legislative requirements, were recorded.

#### Affirmative action

A total of 82 reports were received to review the implementation of affirmative action measures: 13 were reviewed by the Compliance and Strategic

Enforcement Committee, with some good faith efforts evident in each of these. Commission staff also reviewed the implementation reports on the remaining 69 employers, all of which have showed evidence that the employers were implementing the agreed measures. Dialogue with these employers is ongoing. A seminar was held with the Local Government Staff Commission for councils, designed to ensure and build councils' awareness on their obligations under Article 55 (FETO).

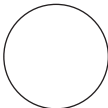
The Commission received reviews from 60 employers targeted to promote affirmative action through Article 55 Review. Feedback was provided to 26 employers and further work is being undertaken in relation to one review which has been deemed to be non-compliant. These are currently being considered together with ongoing consultation regarding the development of equality policies, practices and procedures and the promotion of appropriate affirmative action measures.

### 3.1e Identify inequalities by commissioning or undertaking research in the following areas:

- Equality monitoring;
- Gender inequalities;
- Multiple identities;
- Sexual orientation.

#### Measure of success and target:

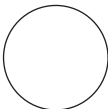
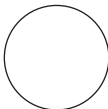
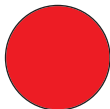
- Projects ongoing from 2004-05 completed by June 2005;
- New projects commenced and progressed according to project plan by March 2006.

Outcome			
	Met	Partly Met	Not Met

During the course of the year a number of existing and new projects were completed or progressed in line with their project plans. There was, however, slippage in some projects and deferral of completion into 2006-07.

### 3.1f Provide financial assistance to groups through the Equality Support Programme.

**Measure of success and target:** Programme implemented and evaluated by March 2006.

Outcome			
	Met	Partly Met	Not Met

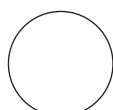
Following further consideration of the programme in light of available resources and audit considerations, implementation was deferred this year.

### 3.1g Prepare and promote Codes of Practice to support equality practice.

**Measure of success and target:** Completion of work by target dates.

- DDA Employment Code by June 2005;
- SENDO School Code by September 2005;
- SENDO Further & Higher Education Code by September 2005;
- Race Housing Code by December 2005;
- Equal Pay Code by December 2005;
- Integrated Employment Code by March 2006.

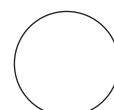
Outcome



Met



Partly Met



Not Met

A considerable programme of work on codes of practice was undertaken and completed this year. In some areas delays arose due to the timetables for statutory consultation.

The drafting and publication of two disability employment Codes was completed and they were formally launched in June 2005. A best practice summary of the Codes was also published and disseminated.

A consultation exercise was undertaken with schools and colleges of further education and two SENDO codes were passed to the relevant Departments for approval, in July 2005. Approval for the codes was obtained and they were published in March 2006.

The Commission appointed a consultant to assist with the drafting of the Race Housing Code. It is intended that the Code will be completed during 2006-07.

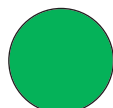
Work on a draft Equal Pay Code and model policy is progressing.

OFMDFM has given approval for further work to progress on integrated codes. These are being progressed in-house. This is a rolling programme of work and further consideration in relation to the new equality provisions for Age will be included.

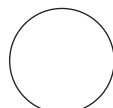
### 3.1h Prepare for ECNI duties in relation to age discrimination.

**Measure of success and target:** Clarify timetable and extent of the Commission's responsibilities and plan for the delivery of responsibilities by March 2006.

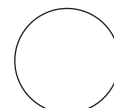
Outcome



Met



Partly Met



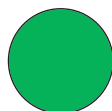
Not Met

Clarification of the timetable and Commission's responsibilities has been obtained. Additional resources have been secured and planning for delivery undertaken. Staff training was initiated in March 2006 and the provision of initial guidance for employers is being progressed at year end.

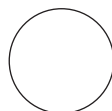
### 3.1i Comply with the provisions of the Freedom of Information Act (Fol).

**Measure of success and target:** Respond to requests within specified time limits as set out in the Freedom of Information (Fol) Act.

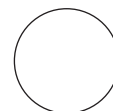
Outcome



Met



Partly Met



Not Met

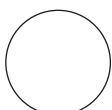
In the course of 2005-06, the Commission received and dealt with 14 Freedom of Information requests. These included requests in relation to advice given by Commission staff, legal assistance, consultants' reports obtained by the Commission and the MacBride Principles. All responses were made in accordance with the statutory time limits.

Freedom of Information was included in the audit of Regulatory Compliance and as a result ongoing development of our systems and procedures will be undertaken during 2006-07.

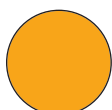
### 3.1j Consult on and implement the ECNI Equality Scheme.

**Measure of success and target:** Consultation completed by Sept 2005 and Scheme implemented/by March 2006.

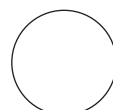
Outcome



Met



Partly Met



Not Met

A draft ECNI Equality Scheme was agreed by the Commission in June 2005. The ongoing development of screening of identified policies and an overall screening report were further considered and consultation on the Scheme and screening report will take place in 2006.

## 4. Learning and Growth

4.1 To have staff numbers and skill levels required to deliver our service.

4.1a Enhance skills and knowledge base of staff through detailed action to meet organisational priorities.

**Measure of success and target:**

- Improvements in staff skills and knowledge measured by training outcomes and performance appraisals by March 2006.



The Commission has a clear purpose, shared vision, business plan and strategy in place. Senior management have demonstrated commitment to business improvement by allocating a substantially increased training and development budget. Progress on the development of a new Learning and Development Strategy is underway. Included in the strategy is a greater focus on the measurement and evaluation of training outcomes.

4.1b Maintain and develop staff expertise across all equality strands and multi-dimensional equality work.

**Measure of success and target:** Review and implement further improvements in ECNI focus on specific equality strands by March 2006.



During the year, the Commission recruited a number of Policy Managers, enabling it to further focus on single strand issues. In addition, programmes of work across each of the strands were undertaken in line with business plan priorities.

4.1c Implement agreed recommendations from 2004-05 staff survey.

**Measure of success and target:** Recommendations implemented and evaluated by December 2006.



The aim of the survey was to benchmark the main issues affecting staff attitudes within the organisation and provide a baseline from which improvements can be measured. The research was conducted with staff to provide baseline data with regard to staff attitudes and a wide range of areas. The Commission is taking forward the improvement plan with a number of key recommendations integrated into the work of the Investors in People Working Group.

#### 4.1d Develop and implement improvements to internal communications.

**Measure of success and target:** Develop and implement improvements to internal communications.

- Evaluations of revisions by March 2006;
- Intranet developed and in place by June 2005.

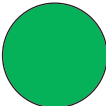
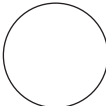
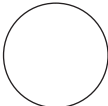
Outcome   

Met                      Partly Met                      Not Met

The ECNI Intranet site was launched in April 2005 with great success. It has now become the internal portal for all information pertaining to Commission's business and services and a platform which keeps all staff updated in relation to current news and Commission wide events. A major review of internal communications has been undertaken this year and its recommendations will be rolled out in 2006.

#### 4.1e Improve ECNI knowledge and practice by working with other equality organisations.

**Measure of success and target:** Co-operation on three joint initiatives: EQUINET, Joint Equality and Human Rights Forum, Roma Edem Project.

Outcome   

Met                      Partly Met                      Not Met

The Commission recognises that meeting its objectives can be achieved most effectively by working in collaboration with a broad range of partners, contributing to and learning from the development of best practice nationally and internationally.

EQUINET is a network of specialised equality bodies across 25 European Union member states. The Equality Commission is leading in the area of information sharing initiatives. Involvement in the Joint Equality and Human Rights Forum, comprising the Chairs and Chief Executives of all of the equality and human rights bodies in UK and Ireland, continued throughout the year. Additionally, a number of meetings with officials of Irish and GB bodies has taken place. To date meetings have been convened in Edinburgh, Cardiff and Dublin.

We have also maintained our links with the GB equality bodies as plans for the CEHR in Britain take shape, following the announcement of the Equality Act in February 2006.

Our links with the Equality Authority in Ireland remain strong and effective. We hosted our joint meeting this year, in March 2006, which focused on migration issues; equality, socio-economic status and anti-poverty strategies; and equality in the health sector. We also published, in January 2006, a joint research report on 'Equivalence in Promoting Equality – The Implications of the Multi-Party Agreement for the further development of Equality Measures in Northern Ireland and Ireland'.

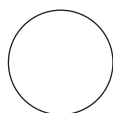
The Roma Edem project supports the integration and equal treatment of ROMA and Travellers in education and employment. The Commission has established a Steering Group, representative of the Traveller Community and the Departments of Education and Employment and Learning, to advance the project in Northern Ireland.

#### 4.1f Develop and implement a system of knowledge management.

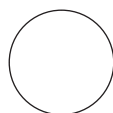
##### Measure of success and target:

- Complete a literature review of strategies to integrate learning by June 2005;
- Prepare recommendations for knowledge sharing and information retrieval by December 2005 and implementation by March 2006.

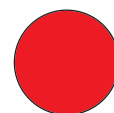
Outcome



Met



Partly Met



Not Met

Work on this objective was deprioritised during the course of the year and will be reviewed for inclusion in the Commission's 2006-07 Business Plan.

#### 4.2 To be recognised as an excellent service provider.

##### 4.2a To achieve external accreditation in the following service delivery areas.

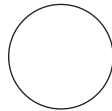
- Legal services casework;
- Software security;
- Investors in People.

##### Measure of success and target:

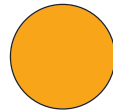
- Lexcel achieved by June 2005 and maintained by March 2006;
- FAST Gold achieved by September 2005;
- ISO and EFQM evaluated by March 2006.



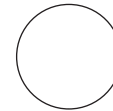
Outcome



Met



Partly Met



Not Met

In June 2005 the Commission's Strategic Enforcement Division were awarded the Law Society's Quality Mark for Excellence in the delivery of legal practice, Lexcel. The award is for three years and is then reconfirmed each year, following a maintenance visit by independent assessors. The Division was successfully awarded Lexcel Accreditation following re-assessment in January 2006.

FAST provides an education programme to the corporate end user on how to achieve excellence in software and IT management. It assists organisations to identify and eliminate risks relating to software management. The Commission has been awarded Bronze and Silver and is currently working towards Gold accreditation in 2007.

Evaluation of business improvement tools has been undertaken by the Performance Development Manager, who took up employment with the Commission in October 2005. The Charter Mark standard, linked to customer satisfaction, is underway within the Employment Development Division.

The Corporate Services Division will seek ISO accreditation in 2006. The utilisation by the Commission of the EFQM framework is being kept under review. The recruitment of a Business Improvement Officer to enhance this work was underway at the year end.

Evelyn Collins  
Chief Executive



# APPENDICES

1. Commission Members 2005 - 2006
2. Organisational Structure
3. Legal Enquiries and Complaints 2005-06
4. Settlements 2005-06

# APPENDIX ONE

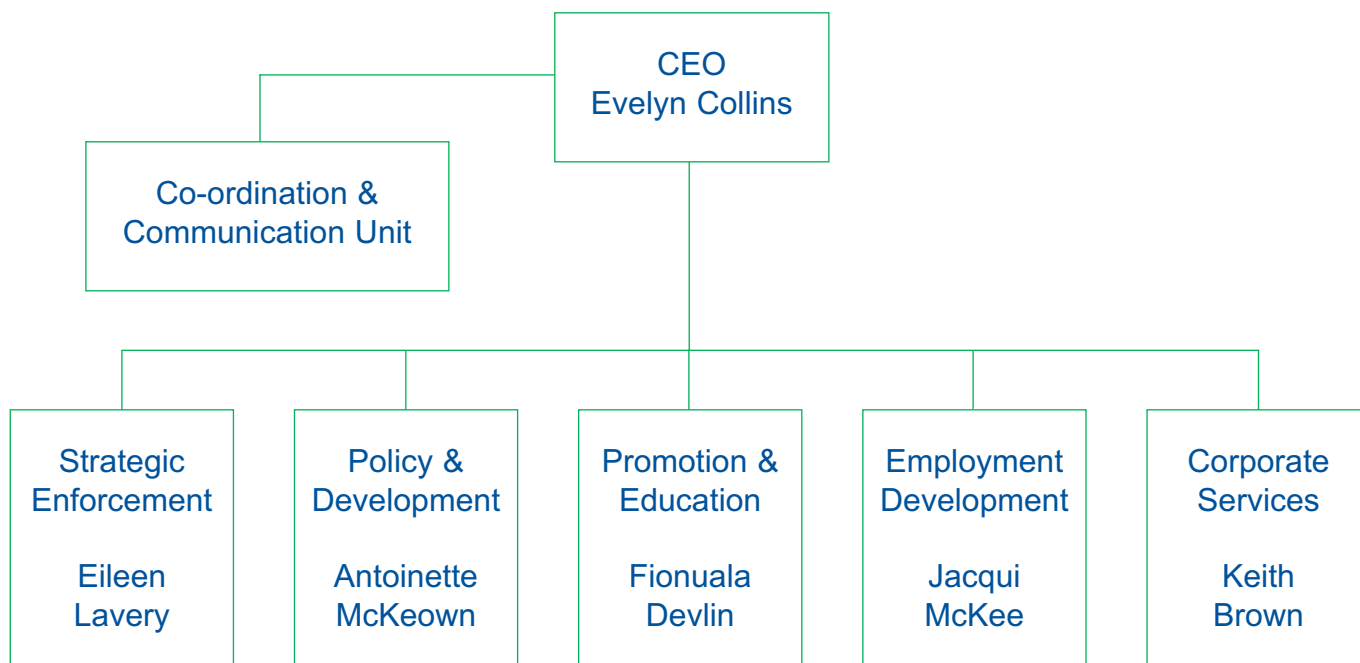
## Commission Members 2005-2006

The following served as members of the Equality Commission during the period:

Joan Harbison	Chief Commissioner	to 31/07/05
Bob Collins	Chief Commissioner	from 01/08/05
Anne O'Reilly	Deputy Chief Commissioner	
Annie Campbell		
Brian Carlin		
Tony Carlin		
Eileen Evason		
Una Gillespie		
Tom Haverty		
Alan Henry		to 31/07/05
Ann Hope		to 31/07/05
Ruth Lavery		to 31/07/05
Bryan Johnston		from 01/08/05
James Knox		from 01/08/05
Thomas McGrath		
Eithne McLaughlin		from 01/08/05
Michael Rea		
Audrey Simpson		
Daphne Trimble		
Elaine Waterson		from 01/08/05
Derick Wilson		
Paul Yam		

# APPENDIX TWO

## Equality Commission Organisational Structure



### Religious and Gender composition of Equality Commission staff at 1 January 2006.

MALE	FEMALE	TOTAL	PROTESTANT	ROMAN CATHOLIC	CANNOT BE DETERMINED	TOTAL
45 (32.1%)	95 (67.9%)	140	49 (35.0%)	80 (57.1%)	11 (7.9%)	140

# APPENDIX THREE

## Legal Enquiries & Complaints 2005 - 2006

### Appendix Three Legal Enquiries and Complaints 2005-2006

Area of Law	Religion/ Politics	Race	Gender	Disability	Sexual Orientation	Hybrid	Total
<b>Legal complaints &amp; enquiries *1</b>							3541 *2
Legal complaints & enquiries	399	242	940	983	34	554	389
Applications for assistance	57	33	84	148	5	62	
Applications granted assistance *3	15	20	28	50	2	17	132
Applications refused assistance	42	13	56	98	3	45	257
<b>Review of existing casework *4</b>							
Granted further assistance	22	14	30	37	1	14	118
Assistance withdrawn	8	6	2	6	1	2	25
<b>Re-examination *3</b>							
Decisions reviewed and upheld	6	1	1	4	0	11	23
Decisions reviewed & assistance Re-instated	3	0	1	1	0	1	6

\*1 Received in the period 1 April 2005 to 31 March 2006

\*2 Total figures include a further 389 enquiries which did not fall into any of these categories

\*3 Processed in the period 1 April 2005 to 31 March 2006

\*4 Note that each case may be reviewed on more than one occasion

# APPENDIX FOUR

## Settlements 2005 - 2006

### Appendix Four Settlements 2005-2006

Hybrid						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Briega Madden v Barnardo's	Less favourable treatment; redundancy	£12,000			✓	✓
Zoe Crawford v Belfast Telegraph	Harassment	£7,500			✓	
Paul Devlin v Ulster Community H & SS Trust	Direct/indirect discrimination in recruitment/selection on grounds of sex & religious belief/ political opinion	£8,000			✓	✓
Stavroula Tomara v Union Theological College	Termination of "employment"	£3,750				✓

# APPENDIX FOUR

## Settlements 2005 - 2006

Disability							
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms	
Carol Anderson v Oriental International	Refusal of service	£1,000	✓		✓	✓	
Patrick Campbell v Nazareth House Care Village	Less favourable treatment for reason related to disability; failure to provide reasonable adjustment; dismissal on ill-health grounds	£7,500				✓	
Joe Cassells v Department of Culture Arts & Leisure	Reasonable adjustment	£4,000				✓	
Stephen Cree v Praxis Challenge	Reasonable adjustment	£1,000				✓	
Marie Gallen v Willowbrook Ltd	Reasonable adjustment in provision of financial services	£3,422.68 total compensation			✓	✓	



# APPENDIX FOUR

## Settlements 2005 - 2006

Disability (Cont'd)		
Ronald Hudson Livingston v Royal County Down Golf Course	Refusal of golf club to permit plaintiff to use motorised golf buggy	no damages
Alastair Kane v BMI British Midland	Differential service; reasonable adjustment	£2,000
Paul McClarey v Bass Ireland Ltd	Reasonable adjustment	£5,000
Susan Murphy v Craigavon & Banbridge Community H & SS Trust & others	Reasonable adjustment; dismissal	£7,000
Sam Reaney v Department of Finance & Personnel	Reasonable adjustment	£6,000

# APPENDIX FOUR

## Settlements 2005 - 2006

Disability (Cont'd)						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Marianne Martin v Board of Governors of St Therese of Liseaux Primary School & Catholic Council for Maintained Schools	Reasonable adjustment	£7,500	✓		✓	✓
John McCosh v Department of Environment NI	Detriment re service					✓
Stephen Hegarty v McColgans Quality Foods Ltd	Reasonable adjustment; dismissal	£10,000			✓	✓
Dermot Kelly v Northern Ireland Housing Executive	Reasonable adjustment	£5,000			✓	✓

# APPENDIX FOUR

## Settlements 2005 - 2006

Disability (Cont'd)			
Damien Moore v Royal Mail Group Plc	Less favourable treatment, harassment, reasonable adjustment	£7,500	✓
Robert Beacom v Action Mental Health	Other Detriment	£1,000	✓
Gareth Carville v Southern Education & Library Board	Education		
Ann Collins v Craftswoman Fabric	GFS	£1,000	✓
Raymond Griffiths v John Crane (UK) Ltd	Redundancy	£3,000	✓
Norah Kennedy v Belfast City Hospital Health & Social Services Trust	Less favourable treatment, harassment, victimisation	£20,000	

# APPENDIX FOUR

## Settlements 2005 - 2006

Gender						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Patricia Burns v Belfast City Hospital H & SST	Work life balance	£3,294				
Brenda Callaghan v SIPTU	Harassment; victimisation	£50,000				✓
Melissa Cowden v Halifax Insurance Ireland Ltd	Provision of financial services	£1,000			✓	✓
Eileen Curran v Western Education & Library Board	Allocation of bursary; part time study	£5,000				✓
Annette Keenan v Belfast City Hospital H & SS Trust	Work life balance	£6,912				
Mairead McConnell v Belfast City Hospital H & SS Trust	Work life balance	£4,097				
Moya Sherry v Belfast City Hospital H & SS Trust	Work life balance	£726				

# APPENDIX FOUR

## Settlements 2005 - 2006

Gender (Cont'd)		
Isobel Wells v Belfast City Hospital H & SS Trust	Work life balance	£4,569
Amanda O'Neill v PFS Partners	Maternity dismissal	£12,500
Fiona Rann v City of Belfast Warehousing Ltd	Victimisation, dismissal, work life balance	£90,000
Catrina O'Prey v Barnardos	Equal Pay	£3,500

# APPENDIX FOUR

## Settlements 2005 - 2006

Race						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Bobby Narasimharao v Sion Mills Recreation Club	Harassment; victimisation, redundancy	£6,000			✓	✓
Lassana Embalo v Precision Industrial Services Ltd	Harassment; dismissal	£5,000	✓		✓	✓
Clarissa Riordan v Sangers (NI) Ltd	Harassment; work environment	£25,000				✓
Gabriel Chui v Sensor Systems Watchman Ltd	Recruitment & Selection	£4,250			✓	✓

# APPENDIX FOUR

## Settlements 2005 - 2006

Religion/Politics						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
John Allen v Fire Authority for Northern Ireland x 2	Failure to appoint	£4,000				✓
John Greer v Department of Regional Development/Roads Service Direct	Harassment	£7,500		✓	✓	✓
Mervyn Robb v Department of Regional Development/Roads Service Direct	Harassment	£5,000		✓	✓	✓
Ivan Warnock v Department of Regional Development/Roads Service Direct	Harassment	£7,500		✓	✓	✓
Alexander Hasson v Royal Mail	Victimisation by harassment	£10,000				✓
Alexander Hasson v Walter Douglas	Victimisation by harassment	£3,000			✓	
Dr Colm McGurk v Ulster Community & Hospitals Trust	Failure to appoint	£20,000		✓	✓	✓

# APPENDIX FOUR

## Settlements 2005 - 2006

Religion/Politics (Cont'd)						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Reamann Mathers v Department of Culture, Arts & Leisure and Department of Agriculture & Rural Development	Failure to shortlist & appoint	£10,000			✓	✓
Aodhan Connolly v Botanic Inns Ltd	Less favourable treatment & alleged dismissal	£3,720		✓	✓	✓



# APPENDIX FOUR

## Settlements 2005 - 2006

Sexual Orientation						
Name of Case	Nature of Case	Compensation	Admission of Discrimination	Admission in relation to procedures	Apology/ Statement of Regret	Remedial Terms
Paul Hindley v Fannin Health Care	Harassment; Constructive dismissal	£6,000				✓
Oliver Reid v Gavin Feehly & Next Plc	Harassment	£5,000 by 2nd Respondent				✓ by 2nd Respondent



# EQUALITY COMMISSION for NORTHERN IRELAND

## Financial Statements

for the 12 months ended

31 March 2006

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(c) Cash Flow Statement	83
(d) Notes to the Accounts	84

## Statement of Commission's and Chief Executive's Responsibilities

Under Paragraph 7(2)(a) of Schedule 8 of the Northern Ireland Act 1998, the Commission is required to prepare for each financial year a statement of accounts in the form and on the basis determined by the Office of the First Minister and Deputy First Minister, with the approval of the Department of Finance and Personnel. The accounts are prepared on an accruals basis and must give a true and fair view of the Commission's state of affairs at the year-end and of its income and expenditure, total recognised gains and losses and cash flows for the financial year.

In preparing the accounts the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

- observe the Accounts Direction issued by the Office of the First Minister and Deputy First Minister, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed and disclose and explain any material departures in the financial statements;
- prepare the financial statements on an ongoing concern basis.

The Accounting Officer of the Office of the First Minister and Deputy First Minister has designated the Chief Executive of the Equality Commission for Northern Ireland as the Accounting Officer of the Commission. The Chief Executive's duties as Accounting Officer, including responsibility for the propriety and regularity of the public finances and for the keeping of proper records, are set out in the Non-Departmental Public Bodies Accounting Officer's Memorandum issued by the Department of Finance and Personnel and published in Government Accounting Northern Ireland.

Signed by:

Evelyn Collins  
Chief Executive and Accounting Officer  
on  
17th October 2006

# Statement on Internal Control 2005-06

## Scope of Responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Commission's policies, aims and objectives, whilst safeguarding the public funds and Commission assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Government Accounting Northern Ireland.

The relationship between the Commission and its sponsoring Department, OFMDFM, is set out in the Management Statement. The Management Statement defines the financial and administrative framework within which the Commission operates, sets out the conditions on which grant-in-aid is paid and the delegations within which the Commission operates. The Management Statement has been given ministerial approval and is supplemented by the Financial Memorandum agreed with the Commission and approved by the Department.

## The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place for the year ended 31 March 2006 and up to the date of approval of the annual report and accounts, and accords with DFP guidance.

## Capacity to handle risk

The Commission has appropriate procedures in place to ensure that it has identified its objectives and risks and determined a control strategy for each of the significant risks. As a result, risk ownership has been allocated to the appropriate staff and the Commission has set out its attitude to risk in the achievement of its objectives. A risk management process manual has been prepared to clarify roles and responsibilities and to provide guidance to risk owners. During this year risk management training has been provided to Commissioners, senior managers and other risk owners. Risk awareness training was also provided for all staff.

## The risk and control framework

The Commission has ensured that procedures are in place for verifying that risk management and internal control are regularly reviewed and reported on. There has been a full risk and control assessment before reporting on the year ending 31 March 2006.

The Commission receives periodic reports concerning internal control. The appropriate steps are being taken to manage risks in significant areas of responsibility and monitor progress reports on key projects.

Following the identification of the Commission's key objectives and risks, further work is being done to bring more consistency to the way the Commission treats risks. Risk evaluation is being rolled out into individual Divisions and Divisional risk registers put in place. Stewardship reporting is in place and this will be further developed at the Divisional level in the incoming year.

## Review of effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Commission who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letters and other reports.

Commissioners have individual and collective responsibility for ensuring that the Commission fulfils its functions in accordance with its statutory remit and that its control, regulation and monitoring of its activities ensure value for money within a framework of best practice, regularity and propriety.

The Commission has an Audit and Risk Committee, which oversees internal audit arrangements and ensures that they are conducted in accordance with the objectives and standards set out in the Government Internal Audit Manual.

The Commission has an internal audit service, provided by the Internal Audit Unit of PricewaterhouseCooper, which operates to standards defined in the Government Internal Audit Manual. They submit reports, which include the Head of Internal Audit's independent opinion on the adequacy and effectiveness of the Commission's system of internal control together with recommendations for improvement.

I have been advised on the implications of the result of my review of the effectiveness of the system of internal control by the Audit and Risk Committee and plans to address weaknesses and ensure continuous improvement of the system are in place. The Commission's Internal Audit gave a partial assurance for the year.

During the course of the year improvements were made to financial and payroll applications, budgetary control and reporting arrangements, business continuity planning and procedures for responding to potential fraud. In the incoming year further improvements will be made to financial reporting and budgetary management, to procurement systems and procedures and to health and safety procedures and other procedures for regulatory compliance.

Signed by

Evelyn Collins  
Chief Executive and Accounting Officer  
on  
17th October 2006



# Equality Commission for Northern Ireland

## THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSE OF COMMONS AND THE NORTHERN IRELAND ASSEMBLY

I certify that I have audited the financial statements of the Equality Commission of Northern Ireland for the year ended 31 March 2006 under the Northern Ireland Act 1998. These comprise the Income and Expenditure Account, the Balance Sheet, the Cashflow Statement and Statement of Recognised Gains and Losses and the related notes. These financial statements have been prepared under the accounting policies set out within them.

### Respective responsibilities of the Commission, the Chief Executive and auditor

The Commission and Chief Executive are responsible for preparing the Annual Report and the financial statements in accordance with the Northern Ireland Act 1998 and the Office of the First Minister and the Deputy First Minister directions made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Commission's and Chief Executive's Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Northern Ireland Act 1998 and the Office of the First Minister and the Deputy First Minister directions made thereunder. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. I also report to you if, in my opinion, the Annual Report is not consistent with the financial statements, if the Commission has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by relevant authorities regarding remuneration and other transactions is not disclosed.

I review whether the statement on pages 76 to 78 reflects the Commission's compliance with the Department of Finance and Personnel's guidance on the Statement on Internal Control, and I report if it does not. I am not required to consider whether the Chief Executive's statement on internal control cover all risks and controls, or form an opinion on the effectiveness of the Commission's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises only include the titles included within the Chief Executive's Foreword, Chief Executive's Introduction and Management Statement, Review of the Year, Performance against Business Objectives, the unaudited part of the Remuneration Report and Appendices One to Four. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the

financial statements. My responsibilities do not extend to any other information.

### Basis of audit opinion

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Commission and Chief Executive in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the entity's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error and that in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

### Opinion

In my opinion:

- the financial statements give a true and fair view, in accordance with the Northern Ireland Act 1998 and directions made thereunder by the Office of the First Minister and the Deputy First Minister, of the state of Commission's affairs as at 31 March 2006 and of its deficit for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Northern Ireland Act 1998 and the Office of the First Minister and the Deputy First Minister directions made thereunder; and
- in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

I have no observations to make on these financial statements.



JM Dowdall CB  
Comptroller and Auditor General  
Northern Ireland Audit Office  
106 University Street  
Belfast BT7 1EU

19th October 2006

## INCOME AND EXPENDITURE ACCOUNT FOR 12 MONTHS TO 31 MARCH 2006

	Notes	12 months to 31/03/06 £	12 months to 31/03/05 £
<b>INCOME</b>			
Grant from the Office of the First and Deputy First Minister	2	6,535,183	6,639,249
Grant from EU Funds		6,054	14,406
Other Income		67,002	127,962
		<u>6,608,239</u>	<u>6,781,617</u>
<b>EXPENDITURE</b>			
Staff Salaries and Commissioner's Fees	3	3,943,255	3,848,419
Operating Costs	4	1,809,744	1,552,159
Other Costs	5	1,241,792	677,008
Depreciation	6	141,945	118,581
Capital Expenditure Grant Release	12	<u>(141,945)</u>	<u>(118,581)</u>
		6,994,791	6,077,586
Notional Costs of Capital	10	<u>865</u>	<u>13,335</u>
<b>TOTAL EXPENDITURE</b>		<b><u>6,995,656</u></b>	<b><u>6,090,921</u></b>
(Deficit)/Surplus for period		(387,417)	690,696
Credit in respect of Notional Costs	10	<u>865</u>	<u>13,335</u>
Transfer (from)/to Reserves		<u>(386,552)</u>	<u>704,031</u>

All amounts above relate to continuing activities.

The Commission has no recognised gains or losses other than the results above and therefore no separate statement of recognised gains and losses has been presented.

The notes on pages 84 to 94 form part of these accounts.

## Balance Sheet as at 31 March 2006

	Notes	2006	2005
		£	£
<b>Fixed Assets</b>			
Intangible Assets	6	4,775	9,549
Tangible Assets	6	<u>314,512</u>	<u>330,866</u>
		319,287	340,415
<b>Current Assets</b>			
Debtors	7	91,177	133,732
Cash at bank and in hand	8	<u>4,162</u>	<u>341,524</u>
		95,339	475,256
<b>Current Liabilities</b>			
Creditors: Amounts falling due within 1 year	9	<u>251,467</u>	<u>96,317</u>
<b>Net Current (Liabilities)/Assets</b>		(156,128)	378,939
<b>Total Assets less Current Liabilities</b>		163,159	719,354
<b>Provisions</b>	11	342,271	490,786
		<u>(179,112)</u>	<u>228,568</u>
<b>Financed by</b>			
Capital Grant Reserve	12	319,287	340,415
General Fund	13	<u>(498,399)</u>	<u>(111,847)</u>
		<u>(179,112)</u>	<u>228,568</u>

The notes on pages 84 to 94 form part of these accounts.

The financial statements on pages 81 to 83 were approved by the Commission and signed on their behalf by

Evelyn Collins  
 Chief Executive and Accounting Officer  
 on  
 17th October 2006

## Cash Flow Statement

### For 12 months to 31 March 2006

	Notes	12 months to 31/03/06 £	12 months to 31/03/05 £
Net cash (outflow)/inflow from operating activities	14	(337,362)	314,325
Capital Expenditure	2	(120,817)	(140,241)
Capital Grant Received		<u>120,817</u>	<u>140,241</u>
(Decrease)/Increase in Cash		<u>(337,362)</u>	<u>314,325</u>

The notes on pages 84 to 94 form part of these accounts.

# Notes to the Accounts

## For the 12 months to 31 March 2006

### 1. Statement of Accounting Policies

These financial statements have been prepared in accordance with paragraph 7(2)(a) of the Northern Ireland Act 1998 and the 2005-06 Government Financial Reporting Manual (FReM) issued by the Department of Finance and Personnel for Northern Ireland. The accounting policies contained in the FReM follow UK generally accepted accounting practice for companies (UK GAAP) to the extent that it is meaningful and appropriate to the public sector.

Where FReM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Commission for the purpose of giving a true and fair view has been selected. The Commission's accounting policies have been applied consistently in dealing with items considered material in relation to the accounts.

#### 1.1 Accounting Convention

These accounts have been prepared under the historical cost convention.

#### 1.2 Funding

The activities of the Commission are funded by the Office of the First Minister and Deputy First Minister. Additional income was received from EU funds. Permission must be sought from the Office of the First Minister and Deputy First Minister before non-grant income can be applied to the Commission's activities. Non-grant income for which departmental approval to use is not forthcoming is surrendered to the Consolidated Fund.

Grants of a revenue nature are credited to the Income and Expenditure account in the year to which it relates. Grants appropriated for capital purposes are credited to a Deferred Income account and released to the Income and Expenditure account over the expected life of the assets.

All expenditure on goods and services falls within the ambit of the Grant in Aid and complies with the Commission's Financial Memorandum and government purchasing requirements.

#### 1.3 Fixed Assets

- (a) The fixed asset additions are fully funded by the Office of the First Minister and Deputy First Minister.
- (b) Tangible fixed assets have been valued on a mixture of historic cost and net current replacement costs.

- (c) A capitalisation threshold of £500 is applied.
- (d) Depreciation is provided on non-current assets at rates calculated to write off the cost of each asset evenly over its expected life with rates of depreciation from 10.0% p.a. to 33.3% p.a. as follows;

IT Equipment	10.0% - 33.3%
Office Equipment	10.0% - 33.3%
Office Furniture	10.0%
Fixtures & Fittings	10.0% - 25.0%
Intangibles	33.3%

### 1.4 Pension Costs

Staff have the opportunity to join the Principal Civil Service Pension Scheme (NI). The PCSPS(NI) is an unfunded defined benefit scheme which produces its own resource accounts, but the Commission is unable to identify its share of the underlying assets and liabilities. The most up to date actuarial valuation was carried out as at 31st March 2003 and these details are available in the PCSPS(NI) resource accounts.

For 2005/06 employer contributions of £496,549 were payable to the PCSPS (NI) at one of four rates of pensionable pay based on salary bands. These rates were increased on 1st April 2005 as a result of the latest actuarial valuation to between 16.5% and 23.5%. The contribution rates reflect benefits as they are accrued not when the costs are actually incurred and reflect past experience of the scheme.

### 1.5 Value Added Tax

The Commission does not have any income which is subject to output VAT. Accordingly the Commission is not VAT registered and cannot recover any input tax.

### 1.6 Provisions

The Commission makes provisions for liabilities and charges where, at the balance sheet date, a legal or constructive liability exists (i.e. a present obligation from past events exists), where the transfer of economic benefits is probable and a reasonable estimate can be made. Where the time value of money is material, the provision is discounted to its present value using a standard Government discount rate which currently stands at 3.5%.

### 1.7 Notional Costs

The income and expenditure account includes the notional cost of capital employed by the Commission, reflecting the cost of capital utilised by the Commission. It is calculated at the Government's standard rate of 3.5% in real terms on the average of total assets less total liabilities used during the year.

## 1.8 Leased Assets

Where assets are financed by leasing agreements that give rights approximating to ownership ('finance leases') the assets are treated as if they had been purchased outright. The corresponding leasing commitments are shown as obligations to the lessor. Depreciation is charged to the profit and loss account on a straight line basis over the shorter of the lease terms and the useful lives of equivalent owned assets.

Lease payments are treated as consisting of capital and interest elements and the interest is charged to revenue in proportion to the reducing capital element outstanding.

Rentals under operating leases are charged to revenue as incurred.

## 1.9 Investments

The Commission does not undertake any investment activities.

### 1.10 Stocks

The value of stocks of consumables is immaterial and the Commission does not attribute a value for stocks in the accounts.

### 1.11 Legal Fees

The Commission provides for legal work authorised but not yet undertaken.

## 2. Income

	Notes	12 months to 31/03/06 £	12 months to 31/03/05 £
Grant from Office of the First Minister and Deputy First Minister		6,656,000	6,779,490
Less transfer of capital element to deferred income	12	<u>(120,817)</u>	<u>(140,241)</u>
		6,535,183	6,639,249
Revenue Grants – E U		6,054	14,406
Recovered seconded staff costs		41,002	113,962
Service level agreement income		<u>26,000</u>	<u>14,000</u>
Revenue Grants credited to Income and Expenditure account		<u>6,608,239</u>	<u>6,781,617</u>



### 3. Salaries (including Commissioners)

	Notes	12 months to 31/03/06 £	12 months to 31/03/05 £
Commissioners' Fees		193,184	178,529
Staff Wages and Salaries		2,869,096	2,923,021
Social Security Costs		215,691	214,553
Pension Costs		488,761	386,573
Agency Costs / ERC		176,523	145,743
		<u>3,943,255</u>	<u>3,848,419</u>

#### 3(a) Commissioners' Fees

Chief Commissioners' Fees	80,310	71,242
Social Security Costs	9,098	8,512
Pension Costs	14,807	11,399
	<u>104,215</u>	<u>91,153</u>
Other Commissioners' Fees	88,134	86,251
Social Security Costs	835	1,125
	<u>193,184</u>	<u>178,529</u>

#### 3(b) Staff Costs

Under Schedule 8 para5.(2) of the Northern Ireland Act 1998, the Commission is required to give details of how resources have been divided between the functions previously exercisable by the bodies dissolved at the time of its creation. With the Commission's ongoing development and the need to coordinate and integrate its work in the most efficient and effective manner possible, an increasing amount of the costs and staff numbers are categorized as "cross issue" rather than being specific to an individual area. The Commission has also been given responsibility for additional areas of legal protection from its inception. The description "Cross Issue/New Areas" in Tables 3(b) and 3(c) includes staff engaged in work on disability, gender, race, sexual orientation and religion and politics issues. Though impacting on the presentation of staffing costs and full time equivalents it does not reflect a diminution of effort in any area of activity. Note 5 "Other Costs" provides a breakdown of the programme spend by issue.

Issue	Salary £	Social Security Costs £	Pension Costs £	Agency Costs/ ERC £	12 mths to 31/03/06 £	12mths to 31/03/05 £
Cross Issue/ New Areas	714,500	51,639	131,522	41,768	939,429	1,552,919
Disability	258,960	18,428	41,692	0	319,080	242,707
Religion & Politics	438,340	31,110	74,144	26,738	570,332	454,312
Gender	153,676	11,532	24,128	0	189,336	0
Race	232,940	17,734	29,501	365	280,540	56,993
Statutory Duty	250,371	18,218	43,013	14,765	326,367	332,743
Resources	364,158	26,612	58,302	77,994	527,066	663,901
Executive	352,425	33,153	68,720	14,893	469,191	336,812
SEND	103,726	7,265	17,739	0	128,730	29,503
<b>Total</b>	<b>2,869,096</b>	<b>215,691</b>	<b>488,761</b>	<b>176,523</b>	<b>3,750,071</b>	<b>3,669,890</b>

The Chief Executive's salary includes a performance related non-consolidated bonus but she does not receive any taxable benefits in kind. The Chief Executive is a member of the Principal Civil Service Pension Scheme (NI) on the same basis as all other members of staff.

### 3(c) Average Number of Full Time Equivalents

	12 months to 31/03/06	12 months to 31/03/05
Cross Issue/New Areas	23	57
Disability	15	9
Religion and Politics	25.5	19
Gender	9	0
Race	11	1
Statutory Duty	13	10
SEND	5	0
Resources	18.5	19
Executive	10	8
	<u>130</u>	<u>123</u>

As the work of the Commission develops an increasing amount of the work is cross issue rather than being specific to an individual area. This is changing the analysis of costs and full time equivalents. The above figures for the current year includes an apportionment of staff for strategic enforcement based on the average number of cases in each area of work.

### 4. Operating costs

	12 months to 31/03/06 £	12 months to 31/03/05 £
<b>General Costs</b>		
Travel & Subsistence	44,711	42,898
Staff Recruitment	45,794	57,994
Staff Training	91,288	96,310
Postage	47,838	41,660
Telephones	59,879	35,841
Hospitality	1,473	223
Audit	32,000	19,000
Insurance	18,463	19,873
Miscellaneous	30,700	28,746
Office Consumables	87,311	66,550
R&M Office Equipment	165	1,578
Annual Contracts	49,881	43,479
Library	194	187
Legal Costs	49,371	1,504
Corporate Services	34,911	50,125
Early Retirement Costs – (a)	147,910	10,494
	<u>741,889</u>	<u>516,462</u>

Premises Costs	£	£
Rents	662,574	661,682
Rates	161,088	170,735
Service Charge	13,814	26,547
Electricity	56,844	48,078
R&M Buildings	26,839	637
Facilities Management	146,696	128,018
	<u>1,067,855</u>	<u>1,035,697</u>
	<u>1,809,744</u>	<u>1,552,159</u>

- (a) Early retirement costs include one off payments of;  
£53,141 in respect of lump sum and pension provisions and  
£9,841 in respect of pension enhancements.

The 2005 £10,494 early retirement costs has been transferred from the salaries to overheads giving a more accurate and transparent analysis of salaries. The above costs include £669,033 (2005: £653,293) paid in respect of operating leases for equipment and rents.

## 5. Other costs

								12 mths to 31/03/06 £	12 mths to 31/03/05 £
Commission Expenses								24,673	19,873
	Disability	Race	Gender	Religion and Politics	Stat. D	SEND	Cross Issue/ New Areas		
	£	£	£	£	£	£	£		
Education & Advice	77,757	118,481	2,902	14,488	37,992	312,918	215,398	779,936	352,400
Legal Fees	87,715	20,326	87,677	41,751	0	0	0	237,469	229,830
Investigations, Research & Consultancy	7,329	18,223	16,990	2,228	30,308	0	124,636	199,714	74,905
Subtotal	172,801	157,030	107,569	58,467	68,300	312,918	340,034	1,217,119	
Total								<u>1,241,792</u>	<u>677,008</u>

## 6. Fixed Assets

	Intangible Assets £	Information Technology £	Office Equipment £	Furniture & Fittings £	Fixtures £	Total Tangible £
Cost as at 01/04/05	14,323	387,460	96,953	258,217	59,403	802,033
Additions	0	65,253	28,351	16,616	10,597	120,817
Disposals	0	(51,477)	(11,148)	0	0	(62,625)
Cost as at 31/03/06	14,323	401,236	114,156	274,833	70,000	860,225
Accum. Depreciation as at 01/04/05	4,774	288,479	56,020	108,899	17,769	471,167
Depreciation for the period	4,774	85,749	15,948	26,884	8,590	137,171
Depreciation on Disposals	0	(51,477)	(11,148)	0	0	(62,625)
Accum. Depreciation as at 31/03/06	9,548	322,751	60,820	135,783	26,359	545,713
Net Book Value as at 31/03/06	4,775	78,485	53,336	139,050	43,641	314,512
Net Book Value as at 31/03/05	9,549	98,981	40,933	149,318	41,634	330,866

## 7. Debtors:

### 7(a) Analysis by type

	31/03/06 £	31/03/05 £
Prepayments	69,858	79,868
Other Debtors	21,319	53,864
	<u>91,177</u>	<u>133,732</u>

### 7(b) Intra-Government Balances

	31/03/06 £	31/03/05 £
Balances with other central government bodies.	9,841	0
Balances with bodies external to government	81,336	133,732
Total debtors 31 March	<u>91,177</u>	<u>133,732</u>

## 8. Cash at Bank and in hand

	31/03/06	31/03/05
	£	£
Cash at Bank	4,080	341,506
Cash in Hand	82	18
	<u>4,162</u>	<u>341,524</u>

## 9. Creditors:

### 9(a) Analysis by type

	31/03/06	31/03/05
	£	£
Trade Creditors	186,736	74,263
Accruals	64,731	22,054
	<u>251,467</u>	<u>96,317</u>

### 9(b) Intra-Government balances

	31/03/06	31/03/05
	£	£
Balances with other central government bodies	64,731	22,929
Balances with bodies external to government	186,736	73,388
	<u>251,467</u>	<u>96,317</u>

## 10. Notional Costs

The Income and Expenditure account bears a non-cash charge for interest relating to the use of capital. The basis of the charge is 3.5% per annum on the average capital employed defined as the average of total assets less total liabilities.

## 11. Provisions

	Internal Costs	Early Retirement Costs	Legal Fees	Total
	£	£	£	£
Provisions at 01/04/05	74,500	13,286	403,000	490,786
New provisions net	25,964	14,732	399,137	439,833
Unused provision w/back	0	0	(181,374)	(181,374)
Utilised in year	(50,464)	(7,286)	(349,224)	(406,974)
Provisions at 31/03/06	50,000	20,732	271,539	342,271

At 31 March 2006 three cases have been lodged against the Equality Commission on employment practices. It is the Commission's intention to rigorously defend these claims and, having obtained legal advice, a provision of £50,000 has been made in respect of costs. On the basis of the information available, the Commission believes that the provision made represents the best estimate of the outcomes of the various claims and their associated costs.

One of the key strategic objectives of the Commission is to combat discrimination and to promote equality of opportunity. In working towards this objective, the Commission offers support to complainants in cases of alleged discrimination. A provision for legal fees of £271,539 together with accrued legal expenditure covers all presently committed funds in respect of these cases.

The Commission has provided for all future costs in respect of early retirement.

## 12. Capital Grant Reserve

Capital Allocations not yet released to Income and Expenditure Account

	31/03/06	31/03/05
	£	£
As at 01/04/05	340,415	318,755
Received in period	120,817	140,241
Released to Income and Expenditure	(141,945)	(118,581)
As at 31/03/06	319,287	340,415

### 13. Reconciliation of Movements in General Funds

	31/03/06	31/03/05
	£	£
At 01/04/05	(111,847)	(815,878)
Transfer from Income and Expenditure Account	(387,417)	690,696
Credit in respect of notional cost of capital	865	13,335
	<u>(498,399)</u>	<u>(111,847)</u>

### 14. Notes to Cash Flow Statement

#### a. Reconciliation of result for period to net cash (outflow)/inflow from operating statement

	31/03/06	31/03/05
	£	£
(Deficit)/surplus for the period	(387,417)	690,696
Adjustment for non-cash transactions:		
Credit for notional charge	865	13,335
Depreciation	141,945	118,581
Amounts written off assets	0	0
Capital grant release	(141,945)	(118,581)
Adjustments for movements in working capital:		
Decrease/(increase) in debtors	42,555	(44,886)
Use of provisions	(148,515)	(49,000)
Increase/(decrease) in creditors	155,150	(295,820)
Net cash (outflow)/inflow	<u>(337,362)</u>	<u>314,325</u>

#### b. Reconciliation of net cash (outflow)/inflow to movement in net funds

	31/03/06	31/03/05
	£	£
Opening Cash	341,524	27,199
Net Cash (outflow)/inflow	(337,362)	314,325
Closing Cash	<u>4,162</u>	<u>341,524</u>

## 15. Financial Commitments

Commitments existed at the 31<sup>st</sup> March 2006 under operating leases in respect of annual rentals which expire:

### Land and Buildings

	2006
Within 1 year	-
Within 2 - 5 years	-
Over 5 years	£634,528

### Other Leases

	2006
Within 1 year	-
Within 2 - 5 years	£30,306
Over 5 years	-

Commitments under finance leases £nil.

## 16. Contingent Liabilities

There are outstanding employment tribunal cases lodged against the Commission, but, having received legal opinion, the Commission is advised that any potential liabilities be disclosed as contingent liabilities of £25,000 for the costs to defend these cases.

## 17. Related Party Transactions

The Equality Commission is a non-departmental public body sponsored by the Office of the First Minister and Deputy First Minister (OFMDFM). OFMDFM is regarded as a related party. During the year the Commission had various material transactions with OFMDFM and the following bodies for which OFMDFM is regarded as the parent body:

Northern Ireland Commissioner for Children and Young People, Northern Ireland Human Rights Commission.

There were no other related party transactions.







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