

## **Guidance on equality 2014-2020 ESIF Programmes.**

### **(A) GENERAL.**

Public authorities in Northern Ireland have a duty to promote equal opportunities and good relations under **Section 75** of the Northern Ireland Act 1998:

- (1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity-
  - (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
  - (b) between men and women generally;
  - (c) between persons with a disability and persons without; and
  - (d) between persons with dependants and persons without.
- (2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- (3) In this section "public authority" means-
  - (a) any department, corporation or body listed in Schedule 2 to the Parliamentary Commissioner Act 1967 (departments, corporations and bodies subject to investigation) and designated for the purposes of this section by order made by the Secretary of State;
  - (b) any body (other than the Equality Commission) listed in Schedule 2 to the Commissioner for Complaints (Northern Ireland) Order 1996 (bodies subject to investigation);
  - (c) any department or other authority listed in Schedule 2 to the Ombudsman (Northern Ireland) Order 1996 (departments and other authorities subject to investigation);
  - (d) any other person designated for the purposes of this section by order made by the Secretary of State.
- (4) Schedule 9 (which makes provision for the enforcement of the duties under this section) shall have effect.
- (5) In this section-  
"disability" has the same meaning as in the Disability Discrimination Act 1995; and  
"racial group" has the same meaning as in the Race Relations (Northern Ireland) Order 1997.

Guidance and advice for public authorities is provided by the Equality Commission for Northern Ireland on its website:

<http://www.equalityni.org/Employers-Service-Providers/Public-Authorities/Section75>

Promotion of equal opportunity and non-discrimination is central to all aspects of managing the European Funding Programmes through appropriate structures, procedures, evaluation and monitoring.

### **(B) THE 2014-2020 ESIF REGULATIONS.**

#### **The Common Provisions Regulation (EU 1303/2013)<sup>1</sup>**

Article 7 Promotion of equality between men and women and non-discrimination

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<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1303>

The Member States and the Commission shall ensure that equality between men and women and the integration of gender perspective are taken into account and promoted throughout the preparation and implementation of programmes, including in relation to monitoring, reporting and evaluation.

The Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation and implementation of programmes. In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of programmes.

Article 50 (4) requires that the **Annual Implementation Report** shall *also assess the implementation of actions to take into account the principles set out in Articles 7 and 8...*

Article 52(2)(i) requires that the **Member State Partnership Agreement Progress Report** to be submitted in 2017 and 2019 shall *include a summary of the actions taken in relation to the application of the horizontal principles referred to in Articles 5, 7 and 8 and policy objectives for the implementation of the ESI Funds.*

Article 97(7)(b) [ERDF and ESF] requires that

7. Each **operational programme**, except those where technical assistance is undertaken under a specific operational programme, shall, subject to the Member State's duly justified assessment of their relevance to the content and objectives of the operational programmes, include a description of:

- (a) the specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;
- (b) the specific actions to promote equal opportunities and prevent discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements to ensure accessibility for persons with disabilities;
- (c) the contribution of the operational programme to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of gender perspective at operational programme and operation level.

Article 110 (1)(f) states that the **Programme Monitoring Committee** shall examine:

(f) actions to promote equality between men and women, equal opportunities, and non-discrimination, including accessibility for persons with disabilities;

Article 125(3)(a) relates to the duties of the **Managing Authority**:

3. As regards the selection of operations, the managing authority shall:

- (a) draw up and, once approved, apply appropriate selection procedures and criteria that:
  - (i) ensure the contribution of operations to the achievement of the specific objectives and results of the relevant priority;
  - (ii) are non-discriminatory and transparent;
  - (iii) take into account the general principles set out in Articles 7 and 8.

## **(C) COMMITMENTS IN UK PARTNERSHIP AGREEMENT AND OPERATIONAL PROGRAMMES.**

Proposals to ensure Equality are set out in the UK Partnership Agreement, in the UK and Northern Ireland chapters. This text is reproduced at Annex 1 of this document.

**Note that** the proposed condition set out in paragraph 10 of the Northern Ireland chapter, ie '*Employers with less than 11 employees seeking project support through*

*structural funds will be required to have an equality policy and sign up to the equality conditions within their Letter of Offer* is now considered excessive following legal advice. Therefore guidance issued by the Managing Authorities need not require such small organisations to implement a formal equality policy. The Northern Ireland authorities will seek to amend the Partnership Agreement text at a suitable opportunity.

**Please also note** in relation to paragraph 4 of the NI chapter in Annex 1 that the report was completed and forwarded to the 2007-2013 Equality working Group. It has informed this Guidance Note for the 2014-2020 programmes.

Proposals included in the Operational Programmes to ensure equal opportunities, non-discrimination and equality between men and women are set out in the Operational Programmes. These texts are reproduced at Annex 2 of this document.

#### **(D) RESPONSIBILITIES AND PROCESSES**

All bodies responsible for the implementation of the EU programmes must play their part in ensuring non-discrimination and promotion of equality in all aspects of the programmes.

The Member State will implement and promote equality of opportunity in administering the IGJ Monitoring Committee, the EUSG, in circulating guidance in this area to Managing Authorities and any other activities.

Managing Authorities must implement and promote equality of opportunity in all aspects of the programme including:

- Selection and managing of operations
- Suitable training for MA and IB staff
- Programme evaluations

#### **(E) EXCEPTIONS**

[Draft – none at present]

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## Annex 1: UK Partnership Agreement 2014-2020.

### UK chapter

#### 1.5.2 Promotion of equality between men and women, non-discrimination and accessibility (with reference to Article 7 of CPR)

1. In the UK, the Equality Act 2010 protects people from discrimination on the grounds of any of the nine following 'protected characteristics':
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation
2. The Public Sector Equality Duty (section 149 of Equality Act 2010 ) means that public bodies in Great Britain must consider all individuals when designing and delivering their services, and have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. Northern Ireland has a separate equality duty which is set out in section 75 of the Northern Ireland Act 1998<sup>2</sup>.
3. By adhering to the principles and processes set out in domestic legislation, the UK Government and devolved administrations will ensure that all ESI Funds programmes in the UK will promote equality between men and women, non- discrimination and accessibility in accordance with EU requirements.
4. In line with domestic legislation and EU requirements, the UK Government and devolved administrations have adopted the following principles to further integrate promotion of equality into the preparation, implementation, monitoring and evaluation actions of all the ESI Funds programmes for 2014-2020:
  - no beneficiaries are excluded from participation in the programmes on the grounds of their protected characteristics;
  - the needs of all potential beneficiaries are considered at project design stage in order that the service is appropriately targeted and delivered;
  - all physical regeneration, i.e. construction of new buildings and upgrading of existing premises, meets minimum accessibility requirements (in line with the Equality Act, Part M of Building Regulations and recommended British Standards for accessibility);
  - services are responsive to the needs of all communities and under-represented groups;
  - support is targeted towards under-represented communities where relevant; and
  - responsiveness of delivery of the needs of under-represented groups.

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<sup>2</sup> Further details at: <http://www.legislation.gov.uk/ukpga/1998/47/section/75>

5. In practice, these principles will be embedded through the following actions:
- Managing Authorities will consider equality during the preparation of the new programmes, including the analysis underpinning the programmes and the ex-ante evaluations;
  - During the implementation stage, ESI Funds Programme Monitoring Committees (PMCs) will include representatives from bodies responsible for promoting equality;
  - Managing Authorities will build on good practice in the 2007-2013 programme period to monitor that equality issues are embedded at project level in line with domestic and EU legislative requirements;
  - Managing Authorities may where appropriate work with partners to bring forward specialist provision of targeted support for those facing multiple barriers to engagement with or progression in the labour market;
  - Managing Authorities will give implementation staff appropriate equality training, with advice and guidance obtained where necessary from equality bodies or experts;
  - Managing Authorities, where applicable, will provide equality guidance to projects, including lessons learnt from other projects;
  - Information, as set out in Fund specific regulations, will be gathered in order to help monitor the extent to which men, women, the disabled and relevant disadvantaged groups participate in ESI Funds programmes. Operational Programmes will also be subject to proportionate equality impact assessments; and
  - Managing Authorities, Programme Monitoring Committees and evaluation experts will embed equalities impact into the evaluation strategies for the relevant ESI Funds programmes.

## Northern Ireland chapter

### 1.5.2 Promotion of equality between men and women, non-discrimination and accessibility (with reference to Article 7 of CPR)

1. The principle of equality is well imbedded in Northern Ireland law and policy. Legislation outlawing discrimination in grounds of sex and religious belief and political opinion in the areas of employment and training has been in place since 1976. These provisions have been extended on a number of occasions since and have been added to in terms of legislation outlawing discrimination on grounds of race and ethnic origin, disability, sexual orientation and age. The equality protections in Northern Ireland are more extensive than those in many European countries in that they not only require duty bearers (employers and service providers) to avoid discrimination but also require the positive promotion of equality (Section 75 of the Northern Ireland Act<sup>3</sup> and the Fair Employment and Treatment Order<sup>4</sup>).
2. Section 75 of the Northern Ireland Act 1998 requires public authorities to promote equality of opportunity:
  - between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
  - between men and women generally;

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<sup>3</sup> Further details at: <http://www.legislation.gov.uk/ukpga/1998/47/section/75>

<sup>4</sup> Further details at: <http://www.equalityni.org/archive/word/finalArt55270203.doc>

- between persons with a disability and persons without; and
  - between persons with dependants and persons without.
3. This act establishes an Equality Commission for Northern Ireland. All Northern Ireland departments are required to publish their Equality policies and to report annually to the Equality Commission on their implementation. For those departments which act as programme authorities, this report includes a section on the implementation of the programme concerned.
  4. Representatives from the Equality Commission are represented on the Consultative Partnership Group advising on the preparations for ESIF Programmes 2014-2020 and are expected to be represented on the Monitoring Committees for the programmes, which shall establish working groups to further horizontal principles in the implementation of the Operational Programme. It has not yet been decided whether there will be a single Working Group to cover Promotion of Equality, non-discrimination and accessibility across all programmes or liaison between discrete working groups to achieve the same result.
  5. As part of the ex-ante Evaluation process, Operational Programmes undergo screening for Equality Impact Assessment and where appropriate, full assessment. The outcome of screening and assessment will be reported when completed in the section summarising ex-ante evaluations of the Operational Programme.
  6. In addition, promoting gender equality is one of the Government's priorities and the Gender Equality Strategy for Northern Ireland 2006-2016 provides a policy framework for our work to mainstream gender equality and tackle gender inequalities. More information on the Strategy can be found at the webpage<sup>5</sup>.
  7. The Equality Commission for Northern Ireland is an independent public body established under the Northern Ireland Act 1998. The Equality Commission aims to advance equality, promote equality of opportunity, encourage good relations and challenge discrimination through promotion, advice and enforcement.
  8. The Commission's duties and functions are set out in the legislation for which we have responsibility.
  9. All Northern Ireland employers with 11 or more employees, each working 16 or more hours per week in Northern Ireland must register with the Equality Commission and:
    - Monitor the community background composition of applicants and employees. (Monitoring questionnaire can be viewed at the link below<sup>6</sup>);
    - Conduct periodic reviews of the composition of the workforce and employment practices ("Article 55 Reviews"). (Guide to completing and Article 55 Review can be viewed at the link below<sup>7</sup>);
    - Have regard to the Fair Employment code of practice when conducting these reviews. (Fair Employment code of practice can be viewed at the link below<sup>8</sup>); and
    - Take affirmative action, where it is reasonable and appropriate to do so, and consider setting goals and timetables. (A sample affirmative action plan can be viewed at the link below<sup>9</sup>).

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<sup>5</sup> Further details at: <http://www.ofmdfni.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/gender-equality/gender-equality-strategy-2006-2016.htm>

<sup>6</sup> Further details at: [http://www.equalityni.org/archive/word/Model\\_Fair\\_Employment\\_Monitoring\\_Questionnaire.doc](http://www.equalityni.org/archive/word/Model_Fair_Employment_Monitoring_Questionnaire.doc)

<sup>7</sup> Further details at: <http://www.equalityni.org/archive/word/finalArt55270203.doc>

<sup>8</sup> Further details at: <http://www.equalityni.org/archive/pdf/FECofPFINALwebversion@09.07.pdf>

<sup>9</sup> Further details at: [http://www.equalityni.org/archive/word/Draft\\_affirmative\\_action\\_plan.doc](http://www.equalityni.org/archive/word/Draft_affirmative_action_plan.doc)

10. Employers with less than 11 employees seeking project support through structural funds will be required to have an equality policy and sign up to the equality conditions within their Letter of Offer.
11. Under the umbrella of the EU Programme Monitoring Committee, an Equality Working Group covering the 2007 – 2013 Peace, Interreg, Competitiveness and Employment Programmes was set up. The Equality Working Group recently commissioned its advisor, the Northern Ireland Statistics and Research Agency, to produce a paper on the current practices surrounding the embedding and monitoring of equality practices in the 2007-2013 Programmes. The aim of this exercise was to identify the advantages and disadvantages of the current procedures, and, through discussion with the group, identify lessons learned that could inform the next round of EU Programmes. Work has not as yet been finalised on this. If available it is intended to provide more detail on this work in our various operational programmes.
12. The Northern Ireland ESF Programme will adopt a dual approach to gender equality and promoting equal opportunities. The Programme may fund specific activities which target women and other disadvantaged groups and will integrate equal opportunities into every stage of the programme as a whole. Equality considerations will be integrated into:
  - the programme design and development (for example, through support with childcare for programme participants);
  - promotion of the programme;
  - the application/procurement process;
  - monitoring; and
  - evaluation.
13. The Northern Ireland ESF programme will operate within the framework of EU and regional legislation on non-discrimination, gender equality and equal opportunities. The programme will be compliant with and supportive of the Women's Charter (2010) and will contribute to a number of thematic priorities contained in the Strategy for Equality between Men and Women 2010-2015. This strategy builds on the experience of the Roadmap for Equality between Women and Men (2006). Of particular relevance in the new strategy is Priority 1 – equal economic independence. Through the ESF programme, we will help and support more women to access the labour market, thereby addressing this important priority.
14. The Programme for Government (PfG) 2011-2015 sets out our intention to deliver a range of measures to tackle social exclusion through the Delivering Social Change Framework.
15. Our responsibilities to deliver the commitments in the United Nations Convention on the Rights of Persons with Disabilities have been acknowledged and we committed to measuring the impact of our efforts on longer term trends.
16. The Executive is committed to addressing and removing those obstacles and to ensuring that people with disabilities have equality of opportunity and equality of treatment that those without a disability enjoy.
17. The Executive's "A strategy to improve the lives of people with disabilities 2012-2015"<sup>10</sup> acknowledges that people with disabilities deserve to be treated equally alongside those without disabilities. This strategy acknowledges that women and children

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<sup>10</sup> Further details at: <http://www.ofmdfmi.gov.uk/disability-strategy-2012-2015-revised-010313.doc>

especially face particular challenges and have needs which have previously been overlooked.

18. The purpose of the strategy is to:

- Set out a high level policy framework to give coherence and guidance to Northern Ireland Department's activities across general and disability specific areas of policy;
- Drive improved performance of service delivery leading to improved outcomes for persons with a disability;
- Increase the understanding and importance of the needs of persons with a disability and ensure these needs are recognised when policy is developed or when implementing initiatives which impact on disable people; and
- Improve the opportunities for people with disabilities to contribute across all areas of society.



## **Annex 2: Equality text in Operational Programmes.**

### **Investment for Growth and Jobs: ERDF Programme.**

*Description of specific actions to promote equal opportunities and prevent discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements for ensuring accessibility for persons with disabilities.*

The principle of Equality is already embedded in NI law and policy. Section 75 of the Northern Ireland Act 1998 requires public authorities to promote equality of opportunity:

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

The Equality Commission for NI is an independent public body established under the Northern Ireland Act 1998. The Equality Commission aims to advance equality, promote equality of opportunity, encourage good relations and challenge discrimination through promotion, advice and enforcement.

All NI Departments are required to publish their Equality policies and to report annually to the Equality Commission on their implementation. Representatives from the Equality Commission were represented on the Consultative Partnership Group advising on the preparations for ESIF Programmes 2014-20 and are expected to be represented on the relevant Programme Monitoring Committees, which shall establish working groups to oversee the implementation of horizontal principles in the Programmes.

As part of the ex-ante Evaluation process, Programmes undergo screening for Equality Impact Assessment (EqIA) and where appropriate, full assessment. DETI has carried out an initial pre-screening assessment of this Programme and has concluded that it can be screened out for full EqIA at this stage. As was the case for the 2007-2013 Competitiveness Programme, the Monitoring Committees will be invited to form an Equality Working Group to oversee the implementation of equality principles in the new Programme. The Equality Working Group will consider the need for a full EqIA and will commission the assessment if it is deemed to be required.

The NI Executive's commitment to improving community relations and continuing the journey towards a more united and shared society was further articulated in the 'Together: Building a United Community Strategy'.

Building a united community based on equality of opportunity, the desirability of good relations and the promotion of reconciliation is not only important for a society moving from conflict and division but is vital to shaping a modern, diverse and sustainable community which is equipped for the future.

To reinforce the importance of this Strategy, good relations principles will be mainstreamed into everything that Government does in NI and this process will be constantly monitored by a ministerial panel. The delivery of ESI Funds 2014-20 will contribute to 'Together: Building a United Community' and will be monitored for this purpose.

In the NI Programme for Government (PfG) 2011-2015, the NI Executive reaffirmed its commitment to ensuring that no section of the community is left behind; equality of opportunity, fairness, inclusion and the promotion of good relations are cornerstones of our PfG priorities.

In addition to promoting gender, equality is one of the government's priorities and the Gender Equality Strategy for NI 2006-2016 provides a policy framework for our work to mainstream gender equality and tackle gender inequalities. The Strategy acknowledges that women and children especially face particular challenges and have needs which have previously been overlooked.

The NI Executive's PfG 2011-2015 sets out its intention to deliver a range of measures to tackle social exclusion through the Delivering Social Change Framework.

The NI Executive acknowledges its responsibilities to deliver the commitments in the United Nations Convention on the Rights of Persons with Disabilities and is committed to measuring the impact of our efforts on longer term trends.

The NI Executive is committed to addressing and removing those obstacles and to ensuring that people with disabilities have equality of opportunity and equality of treatment that those without a disability enjoy.

The NI Executive's strategy acknowledges that people with disabilities deserve to be treated equally alongside those without disabilities. The purpose of the Strategy is to:

- Set out a high level policy framework to give coherence and guidance to NI Departments' activities across general and disability specific areas of policy,
- Drive improved performance of service delivery leading to improved outcomes for persons with a disability, and
- Increase the understanding and importance of the needs of persons with a disability and ensure these needs are recognised when policy is developed or when implementing initiatives which impact on disabled people.

### **Equality between men and women**

*Description of contribution of the operational programme to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of the gender perspective at operational programme and operation level.*

As detailed above, promoting gender equality is one of the government's priorities and the Gender Equality Strategy for NI 2006-2016 provides a policy framework to mainstream gender equality and tackle gender inequalities.

## **Investment for Growth and Jobs: ESF Programme.**

### **Section 75 Northern Ireland Act 1998**

Under Section 75 of the Northern Ireland Act 1998, the Northern Ireland ESF programme and all its activities are required to have due regard to the need to promote equality of opportunity:

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

Section 75 is a mainstreaming approach to equality in that it makes equality central to the whole range of public policy making in Northern Ireland. The statutory duties are complementary but additional to other UK and EU equality legislation or directives.

Without prejudice to the above obligations, the Northern Ireland ESF Programme is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The ESF programme has been developed in line with Section 75 requirements.

Policies on which the ESF programme is based have been subject to equality impact assessment as a normal part of the policy development process. The programme itself has been screened for equality implications and has been found to be compliant with the requirements of the Section 75 legislation.

### **Equality between men and women**

The Northern Ireland ESF programme will operate within the framework of EU and regional legislation on non-discrimination, gender equality and equal opportunities. The programme will be compliant with and supportive of the Women's Charter (2010) and will contribute to a number of thematic priorities contained in the Strategy for Equality between Men and Women 2010-2015. This strategy builds on the experience of the Roadmap for Equality between Women and Men (2006). Of particular relevance in the new strategy is priority 1 - equal economic independence. Through the ESF programme we will therefore help and support more women to access the labour market, thereby addressing this important priority.

The Programme will adopt a dual approach to gender equality and promoting equal opportunities. The Programme may fund specific activities which target women and other disadvantaged groups such as people with a disability, lone parents, ex-offenders, and will integrate equal opportunities into every stage of the programme as a whole.

Equality considerations will be integrated into:

- the programme design and development (for example, through support with childcare for programme participants);
- promotion of the programme;
- the application/procurement process;
- monitoring; and
- evaluation.

All eligible applicants for support under the Northern Ireland ESF Programme will be afforded equal opportunities to access funding. Where a particular need has been identified, for example, the high percentage of lone parents who are economically inactive, Projects may provide training specifically for the particular target group.

Equality of participation in the Programme Monitoring Committees, working groups and selection panels shall be encouraged in accordance with the provisions of the regulations.

The implementation and delivery of the ESF Programme will be monitored and reviewed to ensure that the Department for Employment and Learning's Section 75 duties and commitment to mainstream equality are met. The ESF Programme's participation or take-up rates will be monitored annually to identify any participation or take-up rates which are lower than expected, and their causes.

The Department plans and oversees a rolling programme of evaluations (updated annually) which ensures that labour market programmes and services are evaluated every five years. Equality issues are treated as an integral part of each evaluation. The ESF Programme will be included in the Department's rolling programme and it will have its own evaluation strategy that will include at least two evaluations during its lifespan.

Equal opportunities, non discrimination and equality between men and women will be examined as part of the evaluation work.

The Northern Ireland ESF Programme Monitoring Committee will be invited to establish an Equality Working Group to monitor and advise the Monitoring Committee on equal opportunities and gender equality issues. The Equality Working Group will take into account the work of the Equality Working Group established under the Community Support Framework 2007-2013 and the findings of the mid-term evaluation of that programme.

In addition to the above, the Equality Working Group issued new equality guides for use by groups applying for funding, selection panels which assess project applications and for implementing bodies responsible for distributing EU Structural Funds. These guides will be updated to support delivery of the new programme.

### **Rural Development Programme**

Section 75 of the Northern Ireland Act (1998) requires public authorities in carrying out their functions to have due regard to the need to promote equality of opportunity and regard to promoting good relations across nine equality groups. An Equality Impact Assessment (EQIA) was carried out by the Ex-Ante Evaluators on the DARD

proposals for the Rural Development Programme. DARD held a public consultation to gather views from the public and stakeholders on its Equality Impact Assessment at the same time as the consultation on the draft programme.

The consultation received 4 written submissions from the following organisations:

- Community Relations Council
- Equality Commission
- Rural Community Network
- Age NI

Overall the respondents were in agreement that although the assessment contained a comprehensive amount of information it would have benefitted from consideration of the more up-to-date research available. It was also highlighted that there is a need for more research into the ageing rural demographic.

The respondents felt that the EQIA would have been strengthened by including the good relations activities supported by Peace III and the District Council's Good Relations Programme and further by considering the specific issue of sectarianism.

With regard to the assessment of the equality impacts of the RDP they felt that the links between the data gathered and the assessment conclusions drawn could be strengthened.

There was a positive response to the mitigation strategies identified although again it was felt that these could have been more specifically linked to the actions proposed in the RDP. There was a suggestion that further mitigation may be provided by the establishment of equality monitoring steering groups at LAG level.

Of more concern was the issue of gaps in the Section 75 monitoring information with the respondents keen to stress that actions should be taken to address this issue for the new RDP.

The issue of the ageing population gave rise to a few suggestions for the promotion of certain schemes such as Farm Family Key Skills in ICT and Farm Exchange Visits to older farmers as they would benefit more and also contribute more respectively to these schemes.

The EQIA was revised following the consultation responses.

## **PEACE IV Programme.**

### **Equal opportunities and non-discrimination**

*Description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the cooperation programme and, in particular, in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination, and in particular, the requirements of ensuring accessibility for persons with disabilities.*

In accordance with Section 75 of the Northern Ireland Act 1998, the Employment Equality Act (1998) and the Equal Status Act (2000), as amended by the Equality Act (2004) in Ireland, operations part-financed by the Programme shall comply with and, where appropriate, contribute to Community policy and legislation on equal opportunities and non discrimination.

Accordingly, the Programme will have due regard for the need to promote equality of opportunity:

- Between persons of different religious belief, political opinion, racial group, age,
- marital status or sexual orientation:
- Between men and women generally;
- Between persons with a disability and persons without;
- Between persons with dependants and persons without; and
- Without prejudice to the above, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Programme has been subject to equality screening in accordance with relevant national legislation and the SEUPB's equality policy. All relevant documentation is available on the website of the SEUPB.

This screening concluded that there were major positive impacts across four of the nine Section 75 grounds (religious belief; political opinion; race/ethnic origin; and age); neutral impacts upon sexual orientation and marital status; and minor impacts on three grounds (gender, disability and dependency). These were all regarded as impacts that would help to promote equality of opportunity and good relations, hence the programme should not be subject to a further Equality Impact Assessment (EQIA).

The determination of the screening exercise was presented during the Consultation Process for the Programme. A positive response was received from consultees, with most submissions agreeing with the Section 75 screening process and the decision reached by SEUPB for the PEACE programme.

The SEUPB is committed to ensuring that all reasonable steps are taken to facilitate engagement with PEACE, including the application process, and will continue to monitor the programme through to full implementation in order to identify and remedy any emerging adverse impacts.

Project applicants will be required to include a statement of the likely equality impact on their application and identify any differential impacts on the above mentioned categories.

Lessons learned from past programmes and the responses to the public consultation have informed the proposed process for incorporating the principle of equality into the programme. The approach taken in the previous programme was considered too heavily weighted towards compliance at the assessment and monitoring stage which

has not particularly added value to the overall design and implementation of operations.

Therefore, the intention is that the Joint Secretariat will:

- Provide specialised training to applicants and Lead Partners on issues regarding equality, with a particular emphasis on disability; including the provision of tool kits and advice, drawing upon resources as appropriate that have been funded and developed in previous programme periods;
- Provide equality training to members of the Monitoring Committee and Steering Committees, with a particular emphasis on raising awareness on disability issues;
- Involve bodies working in the area of equality at all stages (preparation, implementation, monitoring, evaluation) of operations, including the provision of advice on equality-related issues;
- Ensure that project selection criteria will assess projects on equality impact;
- Monitor and evaluate the application of the principle of equality.

### **8.3 Equality between men and women**

*Description of the contribution of the cooperation programme to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of the gender perspective at cooperation programme and operation level.*

The Programme shall pursue the objective of equality between men and women and take appropriate steps to prevent any discrimination during the preparation, implementation, and monitoring and evaluation stages of the programme.

Gender equality aims to ensure that men and women enjoy the same rights and opportunities; with equal value and weighting attributed to the different behaviour, aspirations and needs of women and men.

The programme development process has included participation of the relevant bodies responsible for promoting gender equality and non-discrimination, and these bodies have contributed to the development of the programme.

The Managing Authority in partnership with the Monitoring Committee will undertake general self-assessment exercises in relation to gender equality, and may commission specific evaluation studies or structured reflection focusing on the application of gender main streaming principles.

The Monitoring Committee and Steering Committee(s) for the programme will, as far as possible, be gender balanced and include an equality expertise / responsibility function.

As stated previously lessons learned from past programmes and the responses to the public consultation have informed the proposed process for incorporating the principle of equality into the programme. Therefore, the intention is that the Joint Secretariat will:

- Pursue the objective of equality between men and women and ensure its mainstreaming through the integration of a gender perspective at all stages of the implementation of the funds, including preparation, implementation, monitoring and evaluation;
- Take account of the potential contribution of the programme to gender equality with reference to the specific challenges in the priority investment areas chosen, where relevant;
- Make arrangements for training of relevant staff in the fields of gender equality law and policy as well as on gender mainstreaming related to the implementation of the funds;
- Monitor and evaluate the application of the principle and have regard to the results of such monitoring and evaluation actions.

These commitments are additional to legal obligations applying under Section 75 of the Northern Ireland Act 1998, the Employment Equality Act (1998) and the Equal Status Act (2000), as amended by the Equality Act (2004), in Ireland.

The Programme notes the UN Security Council Resolution 1325, adopted in October 2000 that recognises the distinct and diverse issues concerning women affected by conflict. The resolution focuses on the different effects that war has on men and women; it also recognises that women can and should be active participants in rebuilding their communities and countries following conflict. The central demands of UNSCR 1325 are for the full and equal participation of women in decision-making processes relating to peace and security; the inclusion of gender perspectives in all peacemaking and peacebuilding strategies and initiatives that are undertaken by the UN and by Member States; and for the protection of women and girls in conflict and post-conflict settings.

The National Action Plan for Ireland, references the importance of supporting crossborder, and cross-community initiatives to strengthen women's political participation in Ireland and Northern Ireland, and in particular the exchange of best practice and cross-learning in relation to participation and decision making. Ireland also commits itself to engaging with relevant authorities in Northern Ireland to encourage development of policies and measures in relation to UN SCR 1325.

The UK Government has not included Northern Ireland in its National Action Plan on UN SCR 1325.

## **INTERREG VA Programme**

### **8.2 Equal opportunities and non-discrimination**

*Description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the cooperation programme and, in particular, in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination, and in particular, the requirements of ensuring accessibility for persons with disabilities.*

In accordance with Section 75 of the Northern Ireland Act 1998, the Employment Equality Act (1998) and the Equal Status Act (2000), as amended by the Equality Act



(2004) in Ireland and the Equality Act (2006) in Scotland, operations part-financed by the Programme shall comply with and, where appropriate, contribute to Community policy and legislation on equal opportunities and non discrimination.

Accordingly, the Programme will have due regard for the need to promote equality of opportunity:

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Between men and women generally;
- Between persons with a disability and persons without;
- Between persons with dependants and persons without; and
- Without prejudice to the above, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Programme has been subject to equality screening in accordance with relevant national legislation and the SEUPB's equality policy. All relevant documentation is available on the website of the SEUPB.

Project applicants will be required to include a statement of the likely equality impact on their application and identify any differential impacts on the above mentioned categories.

Lessons learned from past programmes and the responses to the public consultation have informed the proposed process for incorporating the principle of equality into the programme. The approach taken in the previous programme was considered too heavily weighted towards compliance at the assessment and monitoring stage which has not particularly added value to the overall design and implementation of operations.

Therefore, the intention is that the Joint Secretariat will:

- Provide specialised training to applicants and lead partners on issues regarding equality, with a particular emphasis on disability; including the provision of tool kits and advice, drawing upon resources as appropriate that have been funded and developed in previous programme periods;
- Provide equality training to members of the Monitoring Committee and Steering Committees, with a particular emphasis on raising awareness on disability issues;
- Involve bodies working in the area of equality at all stages (preparation, implementation, monitoring, evaluation) of operations, including the provision of advice on equality-related issues;
- Ensure that project selection criteria will assess projects on equality impact;
- Monitor and evaluate the application of the principle of equality.

### **Equality between men and women**

*Description of the contribution of the cooperation programme to the promotion of equality between men and women and, where appropriate, the arrangements to*

*ensure the integration of the gender perspective at cooperation programme and operation level.*

The Programme shall pursue the objective of equality between men and women and take appropriate steps to prevent any discrimination during the preparation, implementation, and monitoring and evaluation stages of the programme.

Gender equality aims to ensure that men and women enjoy the same rights and opportunities; with equal value and weighting attributed to the different behaviour, aspirations and needs of women and men.

The programme development process has included participation of the relevant bodies responsible for promoting gender equality and non-discrimination, and these bodies have contributed to the development of the programme.

The Managing Authority in partnership with the Monitoring Committee will undertake general self-assessment exercises in relation to gender equality, and may commission specific evaluation studies or structured reflection focusing on the application of gender main streaming principles.

The Monitoring Committee and Steering Committee for the programme will be, as far as possible, gender balanced and include an equality expertise/ responsibility function.

Lessons learned from past programmes and the responses to the public consultation have informed the proposed process for incorporating the principle of equality into the programme. The approach taken in the previous programme was considered too heavily weighted towards compliance at the assessment and monitoring stage which has not particularly added value to the overall design and implementation of operations.

Therefore, the intention is that the Joint Secretariat will:

- Pursue the objective of equality between men and women and ensure its mainstreaming through the integration of a gender perspective at all stages of the implementation of the funds, including preparation, implementation, monitoring and evaluation;
- Take account of the potential contribution of the programme to gender equality with reference to the specific challenges in the priority investment areas chosen, where relevant;
- Make arrangements for training of relevant staff in the fields of gender equality law and policy as well as on gender mainstreaming related to the implementation of the funds;
- Monitor and evaluate the application of the principle and have regard to the results of such monitoring and evaluation actions.

These commitments are additional to legal obligations applying under Section 75 of the Northern Ireland Act 1998, the Employment Equality Act (1998) and the Equal Status Act (2000), as amended by the Equality Act (2004), in Ireland and the Equality Act (2006) in Scotland.

The SEUPB has undertaken an Equality screening of the proposed INTERREG Programme.

This screening concluded that there were minor, positive impacts across four of the nine Section 75 grounds (race/ethnic origin; age; disability; dependency). It found that there were neutral impacts on sexual orientation, marital status, men and women generally, political opinion and religious belief, and hence the programme should not be subject to a further EQIA.

The determination of the screening exercise was presented during the Consultation Process for the Programme. Overall, a positive response was received from consultees, with most submissions agreeing with the Section 75 screening process and the decision reached by SEUPB for the INTERREG Programme.

The SEUPB is committed to ensuring that all reasonable steps will be taken to facilitate engagement with the programme, including the application process, and will continue to monitor the programme through to full implementation in order to identify and remedy any emerging adverse impacts.