



**Commission for
Victims and Survivors**

**Section 75
Audit of Inequalities and
Equality Action Plan**

August 2014

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Equality Commission Requirements and Guidance

In 2011 the Equality Commission requested the Commission for Victims and Survivors (“the Commission”) to develop a Section 75 Equality Scheme and Action Plan. The Commission’s Equality Scheme was developed in 2011-12 and approved by the Equality Commission in May 2012. The Commission is now developing an Equality Action Plan on the basis of an Audit of Inequalities.

Section 75 is part of the Northern Ireland Act 1998. It requires public authorities in carrying out their functions to have due regard to the need to promote equality of opportunity between the nine equality categories of persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependents and persons without. It also requires them to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

The Equality Commission recommends that public authorities consider their individual roles in the promotion of equality of opportunity and good relations and how, through the implementation of their Equality Schemes, they can meet their statutory obligations under Section 75.

The Equality Commission recommends that public authorities take a systematic approach to examining their functions and how these relate to the promotion of equality of opportunity and good relations. As part of this approach, the Equality Commission recommends that public authorities develop action measures/action plans to promote equality of opportunity and good relations which are based on the context of their functions and are implemented through the framework of equality schemes.

The Equality Commission recommends that public authorities undertake an ‘audit of inequalities’ to inform the development of their action plans. In preparing action measures/action plans, public authorities should:

- (i) Undertake an audit of inequalities to identify the range of key inequalities which the discharge of the public authority’s functions is intended to or is likely to address;
- (ii) Develop action measures based on functions and key inequalities identified;
- (iii) Prioritise those actions which have most impact on inequalities;
- (iv) Develop performance indicators for delivery of action measures;
- (v) Develop timescales for implementation of action measures;
- (vi) Develop an action plan and
- (vii) Consult on action plan.

Purpose and Nature of the Organisation

The Commission was established in June 2008 under the Victims and Survivors (Northern Ireland) Order 2006, as amended by the Commission for Victims and Survivors Act (Northern Ireland) 2008.

The Commission is a Non-departmental Public Body (NDPB) of the Office of the First Minister and deputy First Minister (OFMDFM).

The current Commissioner for Victims and Survivors is Kathryn Stone OBE, who was appointed by the First and deputy First Minister on 24 September 2012 for an initial period of four years.

The principal aim of the Commission is to promote the interests of victims and survivors of the conflict.

The functions of the Commission for the purposes of the Act include its powers and duties. In this Scheme the following are to be regarded as the functions:

The Commission has six statutory duties;

- (i) To promote awareness of matters relating to the interests of victims and survivors and the need to safeguard those interests
- (ii) To keep under review the adequacy and effectiveness of law and practice affecting the interests of victims and survivors
- (iii) To keep under review the adequacy and effectiveness of services provided for victims and survivors
- (iv) To provide advice to government on matters affecting victims and survivors
- (v) To ensure that the views of victims and survivors are sought by the Commission in carrying out its work
- (vi) To make arrangements for a forum for consultation with victims and survivors.

Secretary to the Commission

The Secretary to the Commission is responsible to the Commissioner for the management of the Commission as a corporate body.

Senior Management Team (SMT)

The Commission's Senior Management Team includes the following officers:

Head of Policy Development and Research
Head of Human Resources and Corporate Services

Audit of Inequalities

Introduction

As suggested in the Equality Commission Guide on Section 75, the Commission has taken a systematic look at its functions and how they relate to the promotion of equality of opportunity and of good relations. This has included an analysis of the people the Commission was set up to support, together with their needs and priorities. It has also involved assessing how effectively the Commission's policies and processes are operating to determine whether service provision reflects best practice.

The results of this analysis are set out below.

Victims and survivors

The 2006 Order defines a victim or survivor as someone appearing to the Commissioner to be any of the following:

- (a) someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict-related incident;
- (b) someone who provides a substantial amount of care on a regular basis for such an individual; or
- (c) someone who has been bereaved as a result of or in consequence of a conflict-related incident.

The Order also states that an individual may be psychologically injured as a result of or in consequence of:

- (a) witnessing a conflict-related incident or the consequences of such an incident; or
- (b) providing medical or other emergency assistance to an individual in connection with a conflict-related incident.

Although statutory service providers collect statistics in relation to service users, victims and survivors are not differentiated in any way from other mainstream users. Therefore, it is not possible to collect numbers in relation to victims and survivors accessing mainstream services.

However, in 2010 the Commission arranged for the NI Omnibus Survey to incorporate a module relating to victims and survivors. The module sought to obtain population based estimates of the proportion of people in Northern Ireland who were affected in some direct way by the Conflict. The survey also proposed details of a range of services that could be delivered in the future and sought to obtain estimates of the proportions of people who may be interested in taking up such services.

The results showed that 30 per cent of the Northern Ireland population had been directly affected by the conflict, either through bereavement, physical injury or experience of trauma (directly or as a carer). The experience of trauma or caring for someone affected by a traumatic experience was reported the most, with 24 per cent of respondents indicating that they had been affected by such experiences. 11 per cent have been bereaved as a result of the Troubles and 6 per cent have suffered physical injury themselves. As illustrated by these proportions, a number of people have been affected by the Troubles in more than one way.

The overall rates were similar for men and women, with 32 per cent of males and 29 per cent of females answering 'yes' to one or more of the three questions. However, a higher proportion of males indicated that they suffered physical injury, at 9 per cent compared with 3 per cent of females.

The results for other Section 75 equality categories are not available.

Needs of victims and survivors

Over the period 2010 to 2012, the Commission conducted a comprehensive needs assessment to identify the principal areas of need and to estimate the potential demand for services from the new Victims and Survivors Service.

The assessment identified seven principal areas of need:

- support for improved health and wellbeing (both physical and mental health);
- support for personal and professional development (in the areas of education, training and employment);
- action to deliver justice, truth and acknowledgement;
- social support and respite services;
- support to address trans-generational issues particularly through promoting reconciliation and improving community relations (research showed that children and young people living in areas most affected by the Conflict experience multiple deprivation which impacts on childhood opportunities, self-esteem and relationships);
- individual financial support to address financial hardship created as a result of the Conflict; and
- welfare support.

Needs of people in different equality categories

As there is no uniform monitoring system for victims and survivors across the public sector, there is very little data available on the specific needs of people in individual equality categories. However, it is clear from the comprehensive needs assessment that people in certain categories have specific needs in relation to the effects of the Conflict, including:

- people from both main communities;
- people in different age groups, with young people having different needs;
- people who are widowed;
- people with disabilities and long term limiting illnesses (including both physical and mental difficulties);
- carers.

In addition, there is Northern Ireland wide research that shows that people in certain equality categories have particular needs in relation to health and well-being, education and training, employment and financial hardship. Although there is currently no breakdown of victims and survivors by these equality categories, it is likely that there will be significant representation of victims and survivors within each group listed below.

Children and young people

Education and training - The proportion of young people not in employment, education or training has been rising in NI. While many of these young people have qualifications, around one quarter have no qualifications. In terms of looked after children, children in the care of the state in Northern Ireland are 10 times more likely than school leavers in general to leave without gaining any qualifications at all and are 6 times more likely to be unemployed.

Employment - Younger people face distinctive barriers to employment given their limited range of employment experience and skills. In 2013, over half (55%) of unemployed persons were aged 16 - 29.

Financial hardship - Younger households are most likely to experience poverty. The youngest group of households are twice as likely to be in poverty as the oldest.

Older people

Employment - Evidence suggests that age may still act as a barrier to those trying to gain employment and older people may be more likely to face discrimination with regard to training and development within the workplace.

Financial hardship - Those aged 55-64 are more likely to be workless, tend to have lower incomes and are more benefit dependent.

Gender

Health and well-being - Women make more use of health and social care services than men and premature mortality (deaths of those aged under 65) rates in NI are higher for men than for women. Research has shown that there are particular groups who are vulnerable in terms of health and well-being, including older women, women from minority ethnic communities, women living in rural areas, men who have experienced sexual abuse, men who have experienced domestic violence and men in their role as fathers.

Education and training - Males leaving school tend to be less qualified than females and a higher percentage of females go on to higher and further education. There is a low take up rate by females on most training programmes.

Employment - Employment rates are higher for men (62%) than women (52%) but the current economic recession has resulted in the greatest negative impact on young people, particularly young men, mainly because of job losses in construction and manufacturing. There are significant differences in average earnings by gender leading to a gender pay gap. The pay gap between men and women is narrowing but women working full time still have median annual earnings 11% lower than men. In part time jobs, particularly in the retail sector, the gender pay gap is about 30%.

Financial hardship - Gender differences in the labour market have a particular impact on women's situations in later life and restricts their access to pensions, savings and benefits.

Disabled people

Employment – The latest figures show that just over a third (37.6%) of disabled persons are in employment compared to 74.7% of non-disabled persons. Only about one fifth of people with mental ill-health or learning disability are in employment, despite the fact that research in the USA suggests that up to 58% of adults in this category are able to work.

Education and training – Disabled people have greater difficulties in accessing further and higher education and there is a very low take up across all training programmes. Overall, persons with a disability are less qualified than those without; in particular, only 9% of those with a disability hold a degree or equivalent qualification, compared with 24% of non-disabled persons. In 2013, 32% of those with a disability had no qualifications, over twice the proportion of those without a disability (13.2%).

Financial hardship - The disabled are nearly twice as likely to be in poverty as the non-disabled. Sick or disabled persons represent the majority of those who are on out of work benefits.

Carers

Health and well-being - Carers tend to suffer higher levels of ill health. According to the Census, 19% of those providing substantial care (50+ hours per week) feel they are in poor health compared with 14% of the non-carer population.

Employment – people with dependants face additional barriers to employment including access to affordable child care and continuation of benefits once in employment.

Financial hardship - Providing care can result in multiple disadvantages in later life; it can impact on income, pension accumulation and the development of social networks. These impacts of care giving on pensions, earnings, savings and career

all multiply over time and impact substantially on middle aged women. Households caring for children or dependent adults (including those suffering from disability) have higher poverty rates and are at greater risk of multiple deprivation than those without dependents.

Lone parents

Employment – the proportion of lone parents in employment is particularly low and there is evidence of higher job exit levels among this group.

Financial hardship – Female lone parents are at the highest risk of poverty.

Audit of Equality Policies and Practice in the Commission

The Commission has adopted the equality policies and procedures operating within the Northern Ireland Civil Service. It receives advice and guidance on its Section 75 statutory obligations through the Officer of the First Minister and deputy First Minister. The Secretary to the Commission takes responsibility for ensuring that equality considerations are built into all policies and decision making processes within the organisation.

The Commission's working methods put into practice its equality policies.

As part of the development of the Audit of Inequalities, the Commission identified operational areas and individual sub-functions and considered the equality implications for the work carried out within each functional area. This was achieved by using an audit template which mapped functions against each of the nine Section 75 grounds.

A key element of the audit was evidence based research with the collation and analysis of existing information. This included;

- (i) Recommendations from relevant reviews and reports
- (ii) Feedback/complaints information
- (iii) Section 75 Research
- (iv) Departmental strategies, reviews, annual reports
- (v) Section 75 Screening exercises, EQIA and monitoring information
- (vi) Work Programme of the Commission
- (vii) Risk register.

Equality Action Plan

The work to develop the Audit and Action Plan have helped strengthen the Commission's focus on equality and good relations practice. The Commission's draft Action Plan highlights the main areas where we may be able to improve the incorporation of equality considerations.

The purpose of the actions in the draft Action Plan is to deliver outcomes that are achievable and realistic.

The draft Action Plan has classified the key inequalities in the audit as they relate to the work of the Commission. The inequalities and the type of measurement used to assess progress in tackling them, have been identified for each action. In addition, the associated research and the timescale for delivery have been set out.

Conclusions from the Audit

The Audit of Inequalities concluded that people in certain S75 categories have specific needs in relation to the effects of the Conflict, including:

- people from both main communities;
- people in different age groups, with young people having different needs;
- people who are widowed;
- people with disabilities and long term limiting illnesses (including both physical and mental difficulties);
- carers.

The Audit also highlighted the information gaps on some of the nine Section 75 categories e.g. political opinion, sexual orientation, persons with dependants. The Commission will, where possible, seek to address the gaps during its consultation processes.

Throughout its work the Commission is mindful of the needs and experiences of the particular groups highlighted by the Audit while taking into account the interests of all Section 75 groups.

Internal services

The main internal services of the Commission are recruitment, personnel management and public procurement of services, venues or goods. NICS equal opportunities recruitment, personnel and procurement procedures are strictly adhered to. This ensures the Commission takes full account of equal opportunities and statutory obligations.

All staff, and Forum members, are provided with up to date equal opportunity training.

The Commission takes full account of equal opportunities and statutory obligations with regards to procurement and follows rigorous guidelines and procedures.

Responses to public consultation

The Commission consulted on the draft equality action plan over a twelve week period from April to July 2014. Consultation information was distributed to 295 consultees, all receiving information via email. The consultation information was also uploaded to the organisational website. Written responses were received from five organisations and the substantive comments are set out in Appendix A below, together with the Commission's response indicating how they have been taken into account in the preparation of this final version of the action plan.

1. Communication and Accessibility

INEQUALITY IDENTIFIED	EVIDENCE / RESEARCH	SECTION 75 CATEGORIES	ACTION MEASURES	OUTCOME	TIMESCALE
Need for relevant information to be provided in accessible formats for people with sensory impairment or learning disability.	Experience at public meetings and through engagement with the sector indicates people with sensory impairment or learning disabilities require access to Commission work and information	Disabled people	<p>Provide information in accessible formats – website and hard copy</p> <p>Consider using tv or radio as a communication tool when working with people with limited or restricted literacy</p> <p>Review CVSNI corporate communications to provide Easy read versions in print and on website</p>	Improved access to information and awareness of the Commission and it's work	Review communications strategy by Sep 2014, evidenced by evaluation and monitored annually.
Need for relevant information to be provided in accessible formats for children and young people		Children and young people	<p>Review CVSNI corporate communications to provide relevant Easy read versions in print and on website</p> <p>Engage with appropriate external</p>	Improved access to information and awareness of the Commission and it's work	Review communications strategy by Sep 2014, evidenced by evaluation and monitored annually.

			agencies (e.g. NICCY /PlayBoard) to develop and promulgate information in formats appropriate to children and young people		
Possible inequality of physical access to CVSNI office or external venues as arranged by CVSNI		Disabled people	<p>Engage with disabled stakeholders to develop guidance for the management of disabled access.</p> <p>Provide details of public transport and car parking on website and in appropriate literature and forms of communication</p> <p>Increased presence of relevant Commission staff at relevant events, conferences, information days throughout Northern Ireland.</p>	<p>Improved accessibility and arrangements for visitors.</p> <p>Improved outreach of Commission and staff in local or regional areas.</p>	Develop guidance by Sep 2014, evidenced by evaluation and monitored annually

			<p>Use venues which are fully compliant with DDA.</p> <p>Provide details of public transport and car parking.</p>		
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2. Human Resources

INEQUALITY IDENTIFIED	EVIDENCE / RESEARCH	SECTION 75 CATEGORIES	ACTION MEASURES	OUTCOME	TIMESCALE
Need for continued delivery of equality, diversity and disability equality training amongst staff			<p>All staff to receive equality, good relations and disability equality training as part of induction process</p> <p>Programme of refresher training to be incorporated into training programme</p> <p>Summary of Equality Scheme produced for staff</p>	Increased awareness of equality, good relations and disability equality amongst staff	<p>Lifetime of the Equality Scheme</p> <p>Annual refresher training</p> <p>Monitored annually</p>
Support for Board and Forum Members in demonstrating full commitment to the strategic direction for promoting equality, including access to learning and development opportunities			Programme of planned Section 75 training and evaluation for Board and Forum Members	Mainstreaming of Section 75 cascading from the strategic lead of the organisation	<p>Lifetime of the Equality Scheme</p> <p>Monitored annually</p>

3. Effective Governance

INEQUALITY IDENTIFIED	EVIDENCE / RESEARCH	SECTION 75 CATEGORIES	ACTION MEASURES	OUTCOME	TIMESCALE
Data gaps for measuring equality impacts in Commission work	During research Commission has become aware of the gaps in data of equality groups in the victims sector	Political opinion Sexual orientation people with dependants	Assess gaps and report to OFMDFM Review equality data available in own Annual Report Positively support best practice in other organisations whose data the Commissions uses.	Improved compliance by external contractors with Section 75 duties	Review by Dec 2014 Monitored annually
Need to update the audit of inequalities and equality action plan on a regular basis	As above	All categories	Review audit of inequalities and equality action plan on an annual basis Consult on any significant changes to the action plan	Better information on the needs of victims and survivors	Review annually
Need to reference equality legislation in the risk management register			Senior Management Team and Audit and Risk Committee should be made aware of equality aspects of risk management	Improved compliance with Section 75 duties and legislation included in policy and procedures	Action by Dec 2014 Monitored annually

4. Engagement

INEQUALITY IDENTIFIED	EVIDENCE / RESEARCH	SECTION 75 CATEGORIES	ACTION MEASURES	OUTCOME	TIMESCALE
Need to engage with victims and survivors across all equality categories to enhance information on their needs and priorities		All categories	<p>Introduce equality monitoring of Forum members to ensure that key categories are represented</p> <p>Communicate the role of the Commission in engaging with victims and survivors in relation to major public consultations initiated by other public authorities</p>	Improved information on needs of victims and survivors will enhance the advice given by the Commission	On appointment of new Forum Members (every 2 years)
Need for sensitivity in terms of language used to describe the Conflict/Troubles	Experience at public meetings and through engagement with the sector indicates that language can be divisive	Religious belief/political opinion	Develop guidance on the use of language and make it available to all relevant public authorities	Consistency of approach and sensitivity to language issues will better promote good relations and increase support for the Commission's work	Develop guidance by Mar 2015

Appendix A

Summary of consultation responses

No.	Consultee	Comment	Commission Response
1.	Victims and Survivors Trust	1.1. When working with people with limited or restricted literacy the possibility of using tv or radio as a communication tool should be considered as these individuals are less likely to be in a position to access information online or from papers/leaflets/ letters.	An additional action has been include in the action plan under “Communication and Accessibility” to reflect this comment.
		1.2. In terms of ensuring representation of victim and survivor views and this is achieved through the Forum – it is clear from feedback from our users that people did not feel there was enough transparency around the appointment of the pilot forum and the first working forum. To bring this back in terms of equality – some felt that there was a hierarchy approach used and that a public ad should have been placed allowing people the opportunity to put themselves forward for representation on the forum. If this is not feasible more clarity on why individuals have been chosen for forum should be considered in actions under equality action plan.	The Victims and Survivors (Northern Ireland) Order 2006 states it is a statutory duty of the Commissioner to “make arrangements for a forum for consultation and discussion with victims and survivors”. The new Commissioner is expected to be appointed by March 2015 and new appointments to the Forum will be deferred until then. The equality considerations raised will be brought to the attention of the new Commissioner.

2.	Carrickfergus Borough Council	2.1. Suggestion – To engage with appropriate external agencies (e.g. NICCY /PlayBoard) to develop and promulgate information in formats appropriate to children and young people.	This suggestion has been incorporated into the action plan under “Communication and Accessibility”.
3.	Disability Action	3.1. Disability Action would advise for ease of reference that the offer of accessible format provision should be included in the cover letter. (Cover Letter).	Noted for future consultations.
		3.2. Action 1 – should already be in place. Regarding website Disability Action would advise that disabled and older people and other low income families do not have the economic power to purchase computers and internet services.	The Commission’s corporate communications were published before the Equality Scheme was adopted and so it is appropriate to include a review of the accessibility of these documents in the action plan.
		3.3. Physical access is a DDA obligation and should not be duplicated here.	We acknowledge the point but consider that it is useful to include the action in order to ensure that the annual review of DDA obligations becomes part of the annual review of the equality action plan.
		3.4. Action 2 – Disability Action advocates Disability Equality Training rather than Disability Awareness Training.	The references have been amended accordingly.
		3.5. Disability Action believes that the Audit of Inequalities should have accompanied this Action Plan.	The audit of inequalities and the action plan were published as one document.

		<p>3.6. In relation to the Commission for Victims and Survivors Audit of Inequalities, Disability Action would make the following comments</p> <ul style="list-style-type: none"> • The audit must provide a clear link to the Commission’s actual functions, policy areas and strategies. • The Commission must clearly show how it has utilised the consultation responses provided by Section 75 representative groups and affected individuals over the past 10 years on equality schemes/ screening and EQIAs. • The Commission must clearly show how it used qualitative and quantitative data held by other public authorities. • All the relevant qualitative and quantitative data that was used as well as findings for each Section 75 category, must be provided to consultees. • Data, research, evidence and publications must be set out under each of the 9 categories listed under Section 75. • The Commission must provide a clear audit trail not a literature review with no findings. • A gap analysis should have been undertaken. 	<p>The Commission appreciates that Disability Action does not have the time and resources to respond individually to every public authority consultation and that a generic response in relation to audits of inequalities has therefore been developed. However, this response fails to take account of the particular context in which the Commission is working. The Commission is a young organisation and the first Equality Scheme was approved in November 2012.</p> <p>The Commission does not therefore have the benefit of 10 years’ experience of consultation and monitoring.</p> <p>The focus of the audit of inequalities is the needs of victims and survivors and the analysis takes account of all available data and research. The action plan builds on this information and contains a commitment to engaging with victims and survivors across all equality categories to enhance information on their needs and priorities.</p> <p>We acknowledge the importance of updating and expanding the audit of inequalities on a regular basis and will incorporate this into the action plan.</p>
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| | <ul style="list-style-type: none">• The Audit of Inequalities should clearly outline any gaps in its knowledge and detail how these gaps will be filled e.g. provide details of the specific commissioned research necessary to fill these gaps.• Audit findings must be cross-referenced to each measure within the Action Plan.• The Commission should clearly show how the Audit of Inequalities will be used to inform the screening process.• Data collected must be used to inform future screening and EQIA's.• The Commission should include a clear statement that the audit of inequalities is a living document that will be updated and amended.• There should be information on how the Audit of Inequalities informs the Commission necessary resource allocation in terms of people, time and money.• Absence of evidence must not mean that acknowledged inequalities are ignored. There is an opportunity to tackle entrenched and persistent inequalities faced by disabled people.• Data on inequalities must be collected across both Duties1 and 2 of Section 75 of the Northern Ireland Act 1998. | |
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		<p>Disability Action expects an audit of inequalities to be a robust analysis of all 9 Section 75 categories, in particular for disabled people, across all functions and policy areas. Failure to do so will render the Action Plan fundamentally flawed.</p>	
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