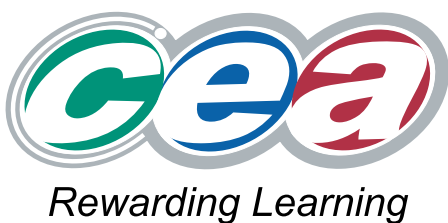


# equality scheme for ccea



**Approved June 2001**

# equality scheme for ccea

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## FOREWORD

As Chairman and Chief Executive of the Northern Ireland Council for the Curriculum, Examinations and Assessment we are pleased to present the Council's Equality Scheme ("the Scheme"). The Scheme has been drawn up in line with the requirements of Section 75 and Schedule 9 of the Northern Ireland Act 1998 which places new duties on public authorities to promote equality of opportunity and good relations.

This Scheme is important because as well as being a statement of compliance, it outlines a plan for the more effective mainstreaming of equality issues, thus ensuring that they are central to the whole range of policy decision-making within the Council.

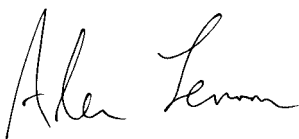
The Council is committed to:

- (i) allocating necessary resources in terms of people, time and money to ensure the implementation of the Scheme;
- (ii) putting in place internal arrangements to ensure that the duties are effectively complied with and for monitoring and reviewing progress;
- (iii) introducing a planned programme of communication and training on the Scheme.

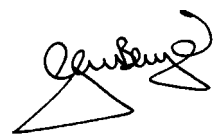
We will consult widely with all interested parties including education partners, schools, colleges, teachers, parents, students of all ages and CCEA staff.

We hope that you will find this Scheme presented in such a way that it affords you the maximum opportunity to have a constructive input into its context.

The Council will provide the Scheme in other formats if you require them. We look forward to hearing your views.



Dr Alan Lennon  
Chairman



Gavin Boyd  
Chief Executive



# 1 INTRODUCTION

1.1 The Northern Ireland Council for the Curriculum, Examinations and Assessment (CCEA) was established on 1 April 1994 under the Education and Libraries (Northern Ireland) Order 1993. Its duties and functions are as set out in Articles 73 to 80 and Schedule 3 of the Education (Northern Ireland) Order 1998.

1.2 The Council's broad purposes are (a) to advise the Department of Education on all matters relating to the curriculum, assessment and examinations for:

- children in nursery schools and nursery classes in Primary schools;
- those of school age in grant-aided schools;
- young people aged 16–19 in full-time education;

and (b) to conduct Northern Ireland GCSE and GCE A Level and AS Level examinations, pupil assessments at the end of Key Stages 1, 2 and 3 and other tests and examinations.

1.3 The Council consists of a Chairman and not fewer than 9 or more than 17 members appointed by the Department of Education and drawn from education, industry and commerce. The Council meet on a bi-monthly basis and on a regular basis as committees and sub-committees.

1.4 The organisational structure of the Council is given at Appendix 1.

1.5 The Chief Executive is responsible for ensuring that the decisions of the Council are implemented, for the day to day management of the organisation, and for ensuring the organisation works effectively in accordance with Government policy and public service values. The Chief Executive is also the Council's Accounting Officer and in that capacity is responsible for the effective and efficient use of resources and the maintenance of appropriate standards of financial accountability.

#### 1.6 **The Duties**

1.6.1 Section 75 of the Northern Ireland Act 1998 ("the Act") imposes two sets of duties upon the Council:

- a set of equality of opportunity promotional duties;
- a set of good relations promotional duties.

1.6.2 The equality of opportunity promotional duties require that the Council shall, in carrying out all its functions, powers and duties relating to Northern Ireland have due regard to the need to promote equality of opportunity:

- between persons of different religious belief;
- between persons of different political opinion;

- between person of different racial group;
- between persons of different age;
- between persons of different marital status;
- between persons of different sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

1.6.3 The good relations promotional duties require that the Council shall, without prejudice to its obligation at 1.6.2 above, have regard to the desirability of promoting good relations:

- between persons of different religious belief;
- between persons of different political opinion;
- between persons of different racial group.

## 1.7 **The Extent of the Duties**

1.7.1 None of the equality of opportunity promotional duties, and none of the good relations promotional duties are free-standing. Instead, each duty arises only in relation to the discharge of the Council's other

functions. In this context, “functions” includes:

- The Council’s legal duties.
- The Council’s legal powers and discretions.

1.8 The Council’s principal functions are:

- to keep under review all aspects of the curriculum, examinations and assessment;
- to advise the Department of Education on matters concerned with the curriculum, assessment, examinations and external qualifications;
- to publish and distribute, or secure or assist the publication and distribution of, information relating to the curriculum, examinations and assessment;
- to carry out statutory consultations;
- to develop and publish criteria for the accreditation of relevant external qualifications;
- to accredit appropriate qualifications;
- to conduct examinations and assessments, ensuring that standards are recognised as equivalent to the standards of examinations and assessments conducted by other bodies or

authorities exercising similar functions elsewhere in the United Kingdom;

- to produce, or secure or assist the production of, teaching materials in connection with the curriculum and assessment; and
- to carry out such other activities as the Department of Education may direct in connection with its other statutory functions.

1.9 To give effect to its functions the Council engages in a range of corporate activities which include the recruitment of staff, the maintenance of the Council's property and fixed assets, the delivery and development of services and the procurement of services, goods and equipment. In keeping with the Equality Commission's Guidance, these activities are included in the concept of "functions" for the purposes of this Scheme.

#### 1.10 **The Equality Scheme**

1.10.1 The Act requires the Council to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75. This document is intended to fulfil that statutory requirement and is the Council's Equality Scheme.

1.10.2 The Act requires that the Scheme must show how the Council intends to implement both the equality of opportunity promotional duties and the good relations promotional duties. The Act, in particular, requires that the Scheme must include the Council's arrangements for:

- 1 Consulting on the draft Scheme (see Chapter 2).
- 2 Assessing the Council's compliance with the two sets of promotional duties (see Chapter 3).
- 3 Consulting on matters to which an equality of opportunity promotional duty or a good relations promotional duty is likely to be relevant (see Chapter 4).
- 4 Ensuring public access to (a) Council information and (b) Council services (see Chapter 5 below).
- 5 Assessing public access to (a) Council information and (b) Council services (see Chapter 6).
- 6 Monitoring any adverse impact (on the equality of opportunity promotional duties) of Council policies (see Chapter 6).
- 7 Assessing (and consulting on) the equality of opportunity impact of Council policies (see Chapter 7).
- 8 Training of Officers (see Chapter 8).
- 9 The publication of:
  - (a) This Scheme (see Chapter 5);
  - (b) Results of monitoring (see Chapter 6);
  - (c) Results of equality impact assessment (see Chapter 7).

10 Establishing a complaints procedure (see Chapter 9).

1.10.3 The Council is committed to the fulfilment of its Section 75 obligations.



## **2 CONSULTATION ON THE DRAFT SCHEME**

2.1 Paragraph 5 of Schedule 9 of the Act provides that, before submitting a draft Equality Scheme to the Commission, the Council shall consult, in accordance with any directions given by the Commission:

- representatives of persons likely to be affected by the Council scheme; and
- such other persons as may be specified in the directions.

2.2 The Council has widely publicised its willingness to consult on the draft scheme with a broad range of interested bodies.

- Public advertisement.
- Direct mail shot to the bodies listed at Appendix 2.

2.3 As a result of this consultation process the Council received comments from a considerable number of consultees. A summary of the submissions and the Council's responses are included in Appendix 3.



### **3 COMPLIANCE ISSUES**

- 3.1 This Chapter explains the Council's arrangements for assessing its compliance with each of the equality of opportunity promotional duties and each of the good relations promotional duties.
- 3.2 The Chief Executive, Mr Gavin Boyd has a responsibility to the Council to ensure that the Council fully complies with this Scheme. Operational responsibility rests with the Council's Head of Corporate Services, Mr Gerry Crossan, who is a member of the Council's Top Management Team. (Telephone: (028) 9026 1237, e-mail: [gcrossan@ccea.org.uk](mailto:gcrossan@ccea.org.uk)).
- 3.3 Each member of the Top Management Team is responsible to the Chief Executive for ensuring that his/her Business Units fully comply with this Scheme.
- 3.4 The Council will appoint an Equality Scheme Officer, reporting to the Head of Corporate Services. The role of the Equality Scheme Officer will be to assist the Head of Corporate Services in ensuring that the Council fulfils its obligations under this Scheme.
- 3.5 In particular, in the context of the equality of opportunity promotional duties, the Head of Corporate Services will have:
- an advisory role to the Top Management Team, ensuring priorities are identified;
  - a priority setting role; and

- a duty to keep the Chief Executive regularly informed of progress and problems in the implementing of the equality of opportunity promotional duties in the Council; that duty will be discharged by providing regular written reports.
- 3.6 The Council will screen all proposed policy proposals in accordance with Chapter 7 Paragraph 7.4
- 3.7 No policy proposal will be presented to the Council unless it has been screened and, if appropriate, impact assessed. This rule will be subject only to very limited exceptions, for example, an exception would be justified in circumstances of considerable urgency. However in these cases a subsequent screening and (if necessary) impact assessment will be carried out.
- 3.8 The Council will carry out a systematic review of all its existing policies to determine whether the equality of opportunity dimension and good relations are central to any of them. The process and timetable set out in Chapter 7 will be followed.
- 3.9 Objectives and targets relating to the statutory obligations will be integrated into the Council's Corporate and Operational Plans. The Council will monitor and review progress on Operational Plan objectives every six months. A review of past performance is an integral part of the annual business planning process.
- 3.10 The Council will conduct an annual review of progress made in implementing the Scheme and in complying with the Statutory Duty. This report will be sent to the Equality Commission to assist it in

compiling its own Annual Report as required by sub paragraph 5(i) (b) of Schedule 8 of the Act. The Council will liaise with the Equality Commission with a view to ensuring that progress is maintained.

- 3.11 The Council will communicate to, and train its staff on, the requirements of the statutory obligations and how they can be implemented. The Council will set and monitor individual objectives for staff with responsibility for policy development and training.
- 3.12 Details of progress each year will be contained in the Council's annual report.



## **4 CONSULTATION ON GENERAL ISSUES**

- 4.1 Paragraph 4(2)(a) and (b) of Schedule 9 to the Act requires the Council to state, in its Scheme, the Council's arrangements for consulting on matters to which an equality of opportunity promotional duty, or a good relations promotional duty, is likely to be relevant (including details of the persons to be consulted). That statement is set out in this Chapter.
- 4.2 The Council will consult with the Equality Commission and the Community Relations Council, as appropriate, on any issue which it believes to be relevant to the fulfilment of its statutory obligations and it will take account of any proposals from those bodies arising from such consultation.
- 4.3 As an integral part of the detailed equality impact assessment the Council will consult with relevant public sector organisations and representative groups of the Section 75 categories. For each consultation, the public sector bodies and representative groups will be identified from the list included at Appendix 2 of this Scheme. This list is not exhaustive and may be amended in the light of experience. The Council will work with representative groups and individuals of the Section 75 categories in order to identify how best to obtain their views.
- 4.4 In addition to consultation on equality impact assessments, the Council may also from time to time have a need to consult on matters to which an equality of opportunity promotional duty or a good relations promotional duty is likely to be relevant. For such

consultation the public sector bodies and representative groups will be identified from the list included at Appendix 2.

4.5 Consultation will commence as soon as possible to allow adequate time for groups to consult among themselves. The Council will aim to provide a period of response of at least two months. However, there may be circumstances when this time scale is not feasible, for example, in circumstances of considerable urgency. Such circumstances will be monitored, kept under review, justified very clearly and detailed in the Council's Annual Review to the Equality Commission. The Council will also be sensitive to the different needs and customs of consultees.

4.6 Normally, consultations will be initiated through the publication of written proposals. In consulting on any matter to which this scheme relates, the Council may also use any of the following methods:

- Letter;
- Attitude surveys of service users and potential service users;
- Press releases and advertisements;
- Internet;
- Public Meetings;
- Standing or ad hoc consultative fora;

- Consultative panels;
- Direct invitation to groups;
- Questionnaires.

4.7 The Council acknowledges the importance of full participation in any meetings that are held as part of the consultation process. In organising such meetings the Council will give specific consideration to the following:

- time of day when meeting is held;
- the appropriateness of the venue and in particular whether it can be accessed by those with disabilities;
- accessibility of the language and the format of information, and whether a signer is necessary;
- the provision of childcare;
- how the meeting is to be run.

4.8 The Council will provide relevant quantitative and qualitative data, where available, in order to facilitate meaningful consultation. The Council will make available any specially commissioned research for impact assessments.

4.9 The Council will ensure that there are no barriers to the consultation process. Information will be available on request in accessible formats such as Braille, disk and audio cassette and in minority languages to meet the needs of those who are not fluent in English. The Council will review arrangements for providing information in alternative formats. The Council will ensure that systems are put in place to make information available in accessible formats and in a timely fashion.

## **5 ENSURING PUBLIC ACCESS TO INFORMATION AND SERVICES PROVIDED BY THE COUNCIL**

5.1 Paragraph 4(2)(f) of Schedule 9 of the Act requires the Council to state, in its Scheme, its arrangements for ensuring public access to information and to services provided by the Council. That statement is contained in this Chapter.

5.2 The Council is committed to effective communication with the public. It recognises, however, that there is a risk that some sections of the public will not enjoy equality of opportunity in accessing information provided by the Council. There are four particular risk areas:

- people with sensory and learning disabilities;
- members of ethnic minority groups, who are not fluent in English;
- people who read newspapers predominantly associated with one section of the community;
- children and young people.

5.3 The Council will, within the first year following commencement of this Scheme, undertake an assessment of its arrangements for providing information in Braille, large print, audio cassette, text phones and minority ethnic language formats for those who are not fluent in English. The assessment will take account of the likely demand for information in such formats across its direct services and key policies together with resource implications and make recommendations on

how public access to information might be improved. Consideration will also be given to how best to communicate information to young people and those with learning difficulties.

- 5.4 With a view to ensuring public access to the Council's accommodation which is open to the public, the Council will maintain a welcoming and harmonious environment. Due regard will be given to the relevant provisions of the Disability Discrimination Act 1995.
- 5.5 In disseminating information through the local press, the Council will ensure that press statements and public advertisements are accessible to both main communities.
- 5.6 The Council will publish the approved Scheme in a manner which will ensure equality of access to the information which it contains. The Council will publish its Scheme in hard copy, on a floppy disk, on audio tape, in Braille and on the Council's website at <http://www.ccea.org.uk>. Copies of the Scheme will be forwarded to the bodies listed in Appendix 2 and a prominent press advertisement will be issued at the time of the Scheme's official publication. The Council will give specific consideration to how best to communicate the Scheme to young people and those with learning disabilities.
- 5.7 If the Council becomes aware that individuals or groups have difficulty in accessing the Scheme, the Council will, in consultation with those affected, endeavour to address such difficulties.

## **6 MONITORING**

6.1 Paragraph 4(2)(c) of Schedule 9 of the Act provides that the Council's Scheme must state the Council's arrangements for monitoring any adverse impact, in relation to the promotion of equality of opportunity, of policies adopted by the Council. That statement is set out in this Chapter.

6.2 Paragraph 4(2)(f) of Schedule 9 of the Act provides that the Council's Scheme must state the Council's arrangements for assessing public access to information and to services provided by the Council. That statement is also set out in this Chapter.

6.3 Knowledge of the uptake of services provided by the Council and the impact of its policies on the different groups within the Section 75 categories will be of assistance in assessing progress towards equality of opportunity. Within one year of approval of this Scheme, the Council will assess the extent of existing monitoring and the scope for extending it to meet the new obligations imposed by the Act. In addition to the value of any further information required for assessing progress towards equality of opportunity and public access to Council information and services, this review will also take into account the following factors:

- resource implications;
- readiness of the public to supply information;
- availability of proxy measures, eg postcode analysis.

6.4 In some cases an equality impact assessment may identify an anticipated adverse impact on particular groups within the categories listed in Section 75. Assuming that no alternative policy is feasible, steps will be taken, wherever possible, to mitigate such anticipated adverse impact. The Council may, in these circumstances, commission special monitoring to confirm the extent of the differential adverse impact and/or the success of any mitigating measures. Information collected in this special monitoring will be taken into account in any future review of the policy.

6.5 In conducting monitoring the Council may use the following data sources:

- Information from the Department of Education, Department of Culture Arts and Leisure, Department of Further and Higher Education Training and Employment;
- Comparable information from Great Britain or Europe;
- Census;
- Labour Force Survey;
- Continuous Household Survey;
- Internet group data;
- Statutory Agencies;

- Deprivation studies and other appropriate indices;
- Published research reports;
- Community views.

6.6 The Council will make publicly available the outcome of any monitoring undertaken in relation to paragraphs 6.3 and 6.4. This material will be accessible on the Council's Internet website. It will also be available in printed form and in alternative formats from the Council's Headquarters through a request in writing to the Council's Chief Executive. The availability of such reports will be publicised through press releases and on the Council's website.



## **7 EQUALITY IMPACT ASSESSMENTS**

7.1 For the purposes of this Scheme, the Council has defined a “policy” as being any “decision” taken as to how the Council should fulfil its functions both statutory and non-statutory (other than individualised decision taking) and includes unwritten as well as written policies. In conducting its business, the Council has a statutory duty to implement policies from the Department of Education. It is the Council’s view that where it is required to implement a policy by another public authority that the implications of that policy on equality of opportunity and good relations should be addressed by the source through a process of partnership with the Council.

### **7.2 The Equality Impact Assessment Duty**

7.2.1 The equality impact assessment duty is contained in paragraph 4(2)(c) of Schedule 9 of the Act. This requires the Council to state, in this Scheme, its arrangements for assessing and consulting on the likely impact, (on the promotion of equality of opportunity), of existing or proposed Council policies. That statement is set out in this Chapter.

### **7.3 Screening**

7.3.1 The Council is committed to carrying out a systematic review of all its existing and proposed policies.

7.3.2 In fulfilling its statutory obligations the Council intends to adopt a four stage approach:

Stage 1 – Screening of Policies;

Stage 2 – Timetable for setting priorities;

Stage 3 – Consultation;

Stage 4 – Detailed report in the annual Report to the  
Equality Commission.

#### **7.4 Stage 1 Screening of Policies**

7.4.1 The purpose of screening, in relation to a particular policy, is to consider whether or not the policy, in practice, has the potential to significantly affect the prospects for success or failure in relation to one or more of the equality of opportunity promotional duties. That issue should be separately considered in the context of each of the equality of opportunity promotional duties. In considering the issue, in relation to any such duty, due regard should be paid to the following questions:

- 1 Is there any evidence of higher or lower participation or uptake by different groups?
- 2 Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy issue?
- 3 Is there an opportunity to promote equality of opportunity between the relevant different groups, either by altering the policy, or by

working with others, in Government, or in the larger community, in the context of the policy?

- 4 Have consultations with relevant groups, organisations or individuals indicated that policies of that type create problems specific to any relevant group?

7.4.2 If the answer to any of these questions is yes, the Council will consider whether to subject the policy to an equality impact assessment. The Council considers that not all its policies require a detailed equality impact assessment to be undertaken and believes that only those policies which may present a significant risk to the statutory duty in Section 75 (1) of the Act to “have due regard to the need to promote equality of opportunity” should be subject to such detailed assessment.

## 7.5 **Stage 2 Timetable for setting priorities**

7.5.1 When the Council has screened its policies as outlined in Stage 1 and identified which policies it believes should be subjected to full impact assessment (taking into consideration the comments contained in paragraph 7.1 above), the Council will prioritise these impact assessments.

In determining priority the Council will consider the following factors:

- social need;
- effect on people’s daily lives;

- effect on economic, social and human rights;
- its own best value, risk and quality management frameworks;
- the timetable established by other relevant statutory agencies;
- scale of expenditure incurred by the policy.

## 7.6 **Stage 3 Consultation**

7.6.1 The Council will carry out stages 1 and 2 within 6 months of submitting its Scheme to the Equality Commission. It will then consult with the organisations listed at Appendix 2 on the results of the screening and its timetabling prioritisation exercise.

## 7.7 **Stage 4 Report of the Screening Exercise**

7.7.1 The Council will prepare a detailed report of the screening and consultation exercise in its annual report to the Equality Commission. The report will detail the policies proposed by those consulted as appropriate for impact assessment and also those which have not been so included and why. The timetable arrived at for equality impact assessment following consultation will be included in the report of the screening exercise.

## 7.8 **Proposed Policies**

7.8.1 During the period of 12 months following the commencement of this Scheme the Council currently anticipates that the following proposed

policy will require equality impact assessment:

The Review of the Northern Ireland Curriculum.

- 7.8.2 Other proposed policies may be developed during the five year period which cannot yet be specified. Any proposed policies will be screened for impact assessment using the criteria identified at paragraph 7.4.

The methodology which will be used for an equality impact assessment is set out below.

## 7.9 **Overview of The Impact Assessment Process**

- 7.9.1 The impact assessment process will normally include each of the following stages:

- 1 Consideration of available data and research;
- 2 Consultation in the context of the assessment;
- 3 Consideration of methods to mitigate any adverse impacts of the policy proposals;
- 4 Consideration of alternatives to the relevant policy (or proposed policy).

- 7.9.2 CCEA will carry out impact assessments in accordance with the procedure set out in Annex 1 of the Equality Commission's Guidelines.

## 7.10 **Considering Available Data and Research**

7.10.1 At this stage of the impact assessment process, due account will be taken of each of the following:

- 1 The outcome of any relevant monitoring;
- 2 Any available data and/or research which is likely to be helpful in assessing any impact of the proposed policy in the context of any of the equality of opportunity promotional duties.

7.10.2 In some circumstances, it may be thought appropriate to commission new data and/or new research, for the purpose of facilitating impact assessment.

## 7.11 **Consultation – Impact Assessments**

7.11.1 Impact assessment consultation will be carried out in accordance with good practice, any relevant legal requirements and the general principles set out in Chapter 4, paragraphs 4.7 and 4.8.

7.11.2 The Council will use such methods of consultation as it considers to be best suited to facilitating effective consultation, in all the circumstances of the particular policy. In some circumstances, it may be thought appropriate to facilitate consultation through:

- represented press releases;
- direct invitation to groups which are likely to be interested in and

able to represent interests and views which would otherwise be inadequately represented;

- prominent advertisements in the press; and/or
- standing or ad hoc consultative fora.

7.11.3 For each policy the public sector and representative groups to be consulted will be drawn from Appendix 2. In addition any other bodies, groups or individuals who in the opinion of the Council are directly interested in the policy will be consulted.

7.11.4 The outcome of any impact assessment consultation will be brought to the attention, in writing, of the relevant decision maker(s).

## 7.12 **Assessment of Impacts**

7.12.1 The Council acknowledges that relevant, reliable and up-to-date information is essential but that this alone does not provide reasons or explanations for differences. Consequently, the Council will use the data from its information gathering process outlined above, to determine whether there is or is likely to be an adverse impact, whether direct or indirect, upon the relevant group(s).

7.12.2 If an adverse effect on the relevant categories can be identified, the Council will take legal advice on whether the policy is unlawfully discriminatory, taking into account that some policies are intended to increase equality of opportunity by requiring or permitting affirmative or positive action, or action to redress disadvantage.

7.12.3 Acting on legal advice, the Council will decide how it can ensure that it is acting within the law.

7.12.4 In keeping with the Equality Commission's guidance, where a policy is found not to be unlawful, the Council will consider how to respond in light of the adverse impact identified. The guidance suggests that if the policy is intended specifically to address the needs of a particular group, it may well be justifiable, indeed necessary, in order to promote the equality of opportunity of that group. If this is not the case, the Council will consider whether there are any alternative measures which would achieve the desired aim without the adverse impact identified.

### 7.13 **Mitigation**

7.13.1 If the policy (or proposed policy) seems likely to have the effect of creating or broadening any relevant inequality of opportunity, the Council is under a duty, as part of the impact assessment process, to consider measures to mitigate any such adverse impacts.

7.13.2 In considering mitigation, the following two questions will be addressed:

- 1 Is it possible to lessen the severity of the relevant adverse impact within the policy (or proposed policy) as originally formulated?
- 2 If it is not possible to do so, or if it is decided not to do so, consideration will be given to whether there is any other remedy which can be provided to the relevant group.

7.13.3 The consideration of mitigation, and the conclusions arrived at in the course of that consideration, will be documented.

#### 7.14 **Alternative policies**

7.14.1 As part of the process of assessing the impact of any particular policy (or proposed policy), consideration will be given to any alternative policies which might be a better means of carrying out any of the relevant equality of opportunity promotional duties.

7.14.2 Such alternative policy options will be considered separately in relation to each of the equality of opportunity promotional duties only if either of the conditions below exist:

- There is currently a significant inequality of opportunity between people within the relevant groups; or
- There is reason to believe that the policy (or proposed policy), if left unaltered, may lead to significant inequalities of opportunity.

7.14.3 The Council will document its identification and consideration of other policy options, and the conclusions it reaches about them.

#### 7.15 **Consideration**

7.15.1 In making any decision on an existing or proposed policy, the Council will take into account any relevant impact assessment and the outcome of the associated consultation. This is a statutory requirement under paragraph 9(2) of Schedule 9.

## 7.16 **Publicity**

7.16.1 The results of every Impact Assessment will be published and the availability of such reports will be publicised in local print media and the Council's website <http://www.ccea.org.uk>. Each such report will contain the following information:

- 1 The aims of the relevant policy (or proposed policy);
- 2 Details of any consideration given by the Council to mitigation;
- 3 Details of any consideration given by the Council to alternative policies.

7.16.2 The information detailed above will also be available by request in alternative formats.

## 7.17 **Monitoring**

7.17.1 The Council is committed to monitoring the impact of all proposed and existing policies in order to find out the effects on the relevant group(s). The availability of this monitoring information will be publicised. If the monitoring and evaluation shows that the policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the Council will ensure that the policy is subsequently revised.

## **8 TRAINING**

8.1 Paragraph 4(2)(e) of Schedule 9 of the Act requires the Council to state in its Scheme its arrangements for training. That statement is contained in this Chapter.

8.2 Training will play a major part in the implementation of this Scheme. In particular:

- 1 such training will emphasise the Council's commitment to the effective implementation of the Scheme;
- 2 such training will help the Council's employees understand their personal responsibility (in the context of the carrying out of the duties of their particular post) to assist in the effective implementation of this Scheme;
- 3 the Council will develop training for those engaged in consultation exercises in consultation with the affected groups.

8.3 Training will be provided both for Council Members and for employees.

8.4 The Council will integrate training in support of this Scheme into its annual training programme of the Council.

8.5 Although the contents and methods of each course will obviously vary in the light of the particular roles and functions of each set of course participants, the over-riding objective will be the same. That objective

is to ensure that the Council fully and effectively implements this Scheme and that Council employees are fully aware of their responsibilities in that context.

8.6 The Council will draw up a planned programme of training delivery and effectiveness monitoring in line with the Equality Commission's published Guidelines and advice. The key objectives for the Council in drawing up this training plan will be:

- 1 To prepare a detailed training plan for all of the Council's staff over the five year period to which the Equality Scheme refers to achieve the objectives outlined below:
  - (i) To raise awareness of current anti-discrimination legislation in Northern Ireland, including the provisions of Section 75, Schedule 9 and Section 76 of the Northern Ireland Act 1998. This should include an explanation of the duties and their implications for all employees;
  - (ii) To provide those employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively;
  - (iii) To provide those employees involved in the equality impact assessment of policies with the necessary skills and knowledge to do this work effectively;
  - (iv) To provide those employees who deal with complaints in relation to the implementation of the Council's Scheme, with

the necessary skills and knowledge to investigate and monitor complaints effectively;

(v) To provide those employees involved in the consultation processes with the necessary skills and knowledge to do this work effectively;

(vi) To provide those employees involved in the implementation and monitoring of the effective implementation of the Council's Equality Scheme to do this work effectively.

2 To provide more focused training for staff in management roles, and other specialist staff, such as trainers, lawyers and staff involved in research and data collection, policy development, service design, monitoring and evaluation.

3 To evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.

8.7 A copy of this Scheme will be provided to all staff.



## **9 COMPLAINTS**

- 9.1 Paragraph 10 of Schedule 9 of the Act provides that the Council's Scheme must state the Council's arrangements for dealing with complaints arising from a failure to comply with the scheme. That statement is contained in this chapter.
- 9.2 When a person believes that he/she has been directly affected by a failure of the Council to comply with this Scheme, he/she should in the first instance bring his/her complaint to the attention of the Council's Chief Executive, Mr Gavin Boyd, The Council for the Curriculum, Examinations and Assessment, Clarendon Dock, 29 Clarendon Road, Belfast, BT1 3BG. (Telephone: (028) 9026 1201, fax: (028) 9026 1234, e-mail: [info@ccea.org.uk](mailto:info@ccea.org.uk)).
- 9.3 The Council will investigate the complaint or give the complainant reasons for not investigating it. Where the Council investigates the complaint it will seek to provide a substantive response to a complaint normally within one month from the date of receipt of the complaint.
- 9.4 Where a complainant claims to have been directly affected by the failure of the Council to comply with this Scheme, the complainant will be informed of his/her right to refer the matter to the Equality Commission.
- 9.5 The Council will monitor complaints that it has not complied with this Scheme.



## **10 SUMMARY ACTION PLAN AND TIMETABLE**

Paragraph 4(3)(b) of Schedule 9 of the Act provides that the Council's Scheme must state the Council's timetable for measures proposed in the Scheme. That timetable is set out in this Chapter. The following timetable summarises the measures which the Council proposes to take during the five years following the commencement of the Equality Scheme. The timetable will be reviewed following screening and consultation and a revised version agreed.

### **Year 1 May 2001–April 2002**

- Preliminary discussions with representative groups completed by end of September.
- Development of training programme for staff and Council members.
- Delivery of first phase of focused training to management before screening commences.
- Delivery of awareness training to all staff after discussions with representative groups and before end of December 2001.
- Screening of policies (complete by June 2001).
- Discussion with Department of Education and the Equality Commission, and consultation to prioritise impact assessment programme (June 2001–February 2002).

- Development of equality objectives for planning year 2002–03 by end of January 2002.
- Equality impact assessments of policies in relation to priority policies including new policies (March 2002–June 2003).
- Review of monitoring arrangements.
- Review of arrangements for providing information to the public.
- Quarterly reports from management to the Business Development Committee.
- Preparation of annual report on the steps taken to promote equality of opportunity for the Equality Commission.

### **Year 2 May 2002–April 2003**

- Monitoring programme.
- Equality impact assessments of policies (second group and new policies).
- Training for all staff completed.
- Development of equality objectives for planning year 2003–04 by end of January 2003.
- Quarterly reports from management to the Business Development Committee.

- Preparation of annual report to the Equality Commission.

### **Year 3 May 2003–April 2004**

- Monitoring programme.
- Equality impact assessments of policies (third group and new policies).
- Review training needs.
- Development of equality objectives for planning year 2004–05 by end of January 2004.
- Quarterly reports from management to the Business Development Committee.
- Preparation of annual report to the Equality Commission.

### **Year 4 May 2004–April 2005**

- Monitoring programme.
- Equality impact assessments of policies (fourth group and new policies).
- Review training needs.
- Quarterly reports from management to the Business Development Committee.

- Development of equality objectives for planning year 2004–05 by end of March 2004.
- Preparation of annual report to the Equality Commission.

#### **Year 5 May 2005–June 2006**

- Monitoring programme.
- Equality impact assessments of policies (fifth group and new policies).
- Review training needs.
- Development of equality objectives for planning year 2005–06 by end of March 2005.
- Quarterly reports from management to the Business Development Committee.
- Preparation of annual report to the Equality Commission.
- Preparation of Five-Yearly Review of the Equality Scheme.

## **11 FIVE YEARLY REVIEW**

The Council is committed to conducting a formal review of the Scheme within five years of its approval by the Equality Commission. A report of the review will be forwarded to the Equality Commission.



**Council**

**Chief Executive**

**CEO Support Team**

**Head of Education Services**

**Head of Corporate Services**

**Process Manager**

**Examinations Manager**

**Assessment Manager**

**Development Manager  
4–14**

**Development Manager  
14–19**

**Qualifications  
Development Manager**

**Principal Officer  
Research and Statistics**

**Finance Manager**

**Purchasing and  
Contract Manager**

**ICT Manager**

**Learning Resources  
Manager**

**Quality and Audit  
Manager**

**Human Resources  
Manager**

**Development Manager**

**Marketing and Events  
Manager**

**Communications  
Manager**

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## **APPENDIX 2 – LIST OF CONSULTEES**

The following is a list of those public authorities, voluntary, community, trade union and other groups which the Council considers may have an interest in its work. The Council has sought to identify as many groups as possible but recognises that the list is not exhaustive and may be amended in the light of experience.

CCEA – Council members and staff

Equality Commission

The Equality Unit (Office of the First and Deputy First Minister)

Department of Education

Department of Further and Higher Education, Training and Employment

Primary schools

Special schools

Post-primary schools

Colleges of Further and Higher Education

University of Ulster

The Queen's University of Belfast

Northern Ireland Public Service Alliance

Teachers' Unions/Associations

Association of Teachers and Lecturers,

Irish National Teachers Organisation

National Association of Headteachers

National Association of Schoolmasters Union of Women Teachers

National Association of Teachers in Further and Higher Education

Professional Association of Teachers

Ulster Teachers Union

Teacher training colleges

Education and Library Boards  
Staff Commission for Education and Library Boards  
Council for Catholic Maintained Schools  
Northern Ireland Council for Integrated Education  
Northern Ireland Governing Bodies Association  
RSA (Belfast office)  
City and Guilds (Belfast office)  
QCA (Belfast office)  
Putting Children First  
Age Concern  
Help the Aged  
Royal Institute for the Blind (Northern Ireland)  
British Deaf Association  
Community Relations Council  
Women's Forum for Northern Ireland  
Disability Action  
Northern Ireland Human Rights Commission  
Northern Ireland Council for Ethnic Minorities  
Northern Ireland Gay Rights Association  
Mencap  
Northern Ireland Council for Voluntary Action  
Youth Council

**List of consultees (not on original list)**

Northern Ireland Assembly Education Committee  
West Belfast Economic Forum  
The Family Planning Association  
CARE

Regeneration of Mourne Area

The Ulster-Scotch Leid Societie

SDLP

Save The Children

Committee on the Administration of Justice

Women's Aid Federation

Coalition on Sexual Orientation

Northern Ireland Association for the Care and Resettlement of Offenders

Black and Ethnic Minority Voluntary and Community Sector

Plus three individuals

The list is not exhaustive and may be amended or augmented in light of experience.



## **APPENDIX 3 – CONSULTATION: SUMMARY OF COMMENTS RECEIVED**

### **Community Relations Council**

A general response encouraging the promotion of good relations. The CRC provided guidance on the development of a Community Relations Strategy and made the offer of support and guidance in the later stages of the development of schemes.

### **CCMS**

A general response suggesting that a forum for sharing and developing best practice could usefully be established.

### **Youth Council**

A general response advocating the general use of Youthproofing which is an approach to consulting and involving young people which is being developed by the Youth Council.

### **Equality Commission**

A general response indicating that specific comments would be forthcoming and outlining the procedures for approval. A “self assessment” check-list was provided and the importance of focused consultation stressed.

## **British Deaf Association**

A general response providing helpful guidance on the problems faced by Deaf people and how these can be addressed. CCEA does provide substantial assistance for Deaf people taking examinations which was not highlighted in the draft scheme.

## **Women's Forum**

The Forum congratulates the Council on its draft and welcomes the specific references to equality of opportunity and access in the curriculum review.

## **Department of Education**

The Department has indicated that it is the responsibility of the Council when offering advice to give an assessment of the impact of that advice in relation to equality of opportunity. Therefore in the interests of clarity the Department suggests that the first paragraph of Appendix 1 (original draft scheme) should be amended to read:

“One of the principal functions of the Council is to advise the Department of Education in respect of curriculum, assessment, examinations (including the transfer tests) and qualification matters. When tendering advice to the Department, the primary policy maker in these matters, the Council will include with its advice its assessment of the impact of that advice in relation to equality of opportunity.”

## **NASUWT**

The Association has presented some preliminary comments and expressed a desire to take wider soundings on some issues in the scheme. Some of the points of detail (related to the preface, composition of the senior management team, complaints procedure and consultation) have already been addressed in the revised scheme.

The Association suggests that:

- (i) in the interests of transparency the Council's objectives should be included in Section 3.2;
- (ii) the six recognised teachers' unions should be specified in, and the political parties represented in the Northern Ireland Assembly should be added to, the list of consultees in Appendix 2;
- (iii) Section 3.7 should indicate annual review of the scheme with the outcome notified to the Equality Commission;
- (iv) in Section 7.1 in cases of adverse impact might should be replaced by will.

## **Family Planning Association (Northern Ireland)**

fpaNI has asked to be added to the list of consultees. It is concerned that a new set of curriculum guidelines on Relationships and Sexuality Education (RSE) is imminent and hopes that these will meet Section 75 obligations, and if not will be reviewed as a matter of urgency. fpaNI suggests that:

- (i) in screening proactive consultation would be assisted by the dissemination of detailed policies;
- (ii) impact assessment would be assisted by discussing with representatives of consultees how best to monitor;
- (iii) the consultation list should be widened considerably and thought given to the approach used for different groups. Concern is expressed that on some issues eight weeks may not be long enough for proper consultations;
- (iv) the issue of how best to communicate with young people should be addressed specifically by the Council.

### **Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO)**

A general response indicating concern that the Act fails to promote equality of opportunity to people with a criminal conviction. In respect of education NIACRO is concerned about the disparity in Northern Ireland between the two ends of the spectrum, ie the impressive numbers achieving high levels of qualifications and the alarming numbers with none.

### **West Belfast Economic Forum**

A general very detailed response containing extensive guidance to organisations on the content of schemes and arrangements needed to ensure equality of opportunity. The Forum highlights the need to promote linguistic equality of opportunity and stresses the importance of effective consultation. It

suggests that the Council should state its acceptance of the concept of employment and equality covering the definition of worker in the EU part-time workers directive, and require employees to disclose membership of oath-bound organisations.

### **Age Concern**

A general response stressing the importance of promoting equality of opportunity on the basis of age. Age Concern provided helpful guidance on achieving meaningful and effective consultation with older people. In addition a number of specific comments relating to the “age” issue were made about the CCEA text.

### **Save the Children**

A detailed specific response in which Save the Children express concern that the draft scheme does not comply with the guidelines in several major respects and notably on the issue of appropriate communication and consultation with children and young people at the various stages throughout the process. More clarity would be welcomed in respect of the functions and policies and how these relate to the Department, the ELBs and CCMS. There is some disappointment expressed about the limited reference to promoting good relations and the absence of a specific dedicated equality officer. Save the Children offers to work in partnership with the Council to help us meet the new statutory requirements.

### **Northern Ireland Council for Ethnic Minorities (NICEM)**

A response made on behalf of twenty-three black and ethnic minority

voluntary and community sector organisations. NICEM recognises the limited time public bodies were given to prepare schemes and indicates that it hopes this is the start of the process of consultation. The response is in three sections providing general recommendations, specific recommendations and a race quality checklist for use by organisations revising their schemes. NICEM hopes to see specific anti-racism training, meaningful consultation with ethnic minorities and translation/interpretation services provided.

### **Disability Action**

A specific response stressing the need for effective and meaningful consultation at all stages. Clarity was sought in respect of setting clear responsibilities, quarterly monitoring and reporting. It commented on the brevity of the introductory information, impact assessment and mitigation detail and an unambitious timetable. The importance of accessibility in general and meeting the communication needs of young people and those with learning disabilities in particular was stressed. It suggested working in partnership as the way forward.

### **Coalition on Sexual Orientation**

A very detailed response making a number of general points under each of the main scheme headings. CoSO stress the need for dialogue with them in this new area of equality promotion. It highlights the need for meaningful consultation at all stages and effective provision of information. The deferral of screening until after submission of the scheme is welcomed. Attention is drawn to the lack of data in this area and the need for sensitive handling.

## **South Eastern and Southern Education and Library Boards**

No specific comments.

## **Irish National Teachers' Organisation**

A specific response requests a clear commitment in respect of consultation and stresses the need for comprehensive consultation. It refers to the importance of building-in equality objectives to the corporate planning process and following Commission guidelines in respect of the process.

## **Northern Ireland Council for Integrated Education**

A specific response supporting the promotion of equality and welcoming the Council's approach. It stresses the need for effective staff training but would like to see greater detail in this area. It stresses the importance of public access to information and services.

## **Mencap**

A specific response which suggests that CCEA should state a commitment to actively promote equality of opportunity for children and adults with a learning disability and their carers, as employees and as beneficiaries of its services. The response expresses disappointment with the detail on consultation and provision of information and publication of results. It refers to the possible use of an outreach approach. It identifies an opportunity for CCEA to be proactive in bridging data gaps.

## **Committee on the Administration of Justice**

A general response providing detailed comments under each of the headings of the guidance. The response stresses the importance of effective consultation, training and provision of information. It stresses the need for specificity in the scheme and welcomes the deferral of screening until after the submission of the scheme. It highlights the issue of resources and the need to include employment and procurement policies.

## **Women's Aid Federation**

A specific response welcoming the scheme and drawing attention to the training opportunities that NIWAF can provide with particular reference to youth, school and ethnic minority environments.

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