



Equality Scheme for Ulster University

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

If you have any questions or comments on this scheme or if you require it in an alternative format/language, please contact the Section Leader for Equality, Diversity and Inclusion by any of the following methods:

Email: equality@ulster.ac.uk
Telephone: 028 9536 5177

Or if you prefer you can write to:

Angela Getty
Equality, Diversity and Inclusion
Ulster University
2-24 York Street
Belfast
BT15 1AP

Foreword

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

Whilst Ulster University is not a public authority, rather it is an educational charity, for the purposes of Section 75 it is treated as if it is a public authority and is designated under the statutory provisions.

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

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

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

We will continue to deliver our programme of communication and training to ensure that all staff and Council members are made fully aware of the University's equality scheme and understand the commitments and obligations within it.

We, the Chair of Council and the Vice-Chancellor of Ulster University, are fully committed to effectively fulfilling our Section 75 statutory duties across all our functions through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play to ensure the Section 75 statutory duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to have a positive influence on how we carry out our functions in line with our Section 75 statutory duties. It also offers the means for people directly affected by what they consider to be a failure, on our part, to comply with our equality scheme, to make complaints.

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

Professor Paul Bartholomew
Vice-Chancellor and President



Date: 29 November 2022

Ms. Jenny Pyper
Pro-Chancellor and Chair of
Council



Date: 29 November 2022

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Chapter 1

Introduction

Section 75 of the Northern Ireland Act 1998

1. Whilst Ulster University is not a public authority, rather it is an educational charity, for the purposes of Section 75 it is treated as if it is a public authority and is designated under the statutory provisions. Section 75 of the Northern Ireland Act 1998 (the Act) requires Ulster University to comply with two statutory duties:

Section 75 (1)

In carrying out its functions relating to Northern Ireland, the University is required to have due regard to the need to promote equality of opportunity between:

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

Section 75 (2)

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

2. “Functions” include the “powers and duties” of a public authority¹. Please see paragraphs 5 to 11 for further information on the University and its core functions and corporate goals.
3. Schedule 9.4 (1) of the Act requires Ulster University as a designated public authority to set out in an equality scheme how it proposes to fulfil the duties imposed by Section 75 in relation to its relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of the University’s arrangements for fulfilling the Section 75 statutory duties and its plan for their implementation.

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

4. Ulster University is committed to the discharge of its Section 75 obligations in all parts of its organisation and will commit the necessary resources, from those available, in terms of people, time and money to ensure that the Section 75 statutory duties are complied with and that its equality scheme can be implemented effectively.
5. Ulster University is Northern Ireland's largest university with campuses in Greater Belfast, Coleraine and Derry~Londonderry. It has a national and international reputation for excellence in higher education, innovation and regional engagement and makes a major contribution to the economic, social and cultural development of Northern Ireland playing a key role in attracting inward investment. Core functions include teaching and learning, research and innovation, technology and knowledge transfer and widening access.
6. With over 25,000 students across four campuses; 2000+ staff, an annual turnover of over £200m+ and over 145,000 alumni in over 80 countries worldwide, Ulster University is a modern, progressive University with links locally, nationally and internationally.
7. The Vice-Chancellor and President, Professor Paul Bartholomew, is the Chief Accountable Officer of the University. The Deputy Vice-Chancellor, the Chief Strategy and Finance Officer, the University Provost, the Chief People Officer and two Pro-Vice-Chancellors who are appointed by Council support the Vice-Chancellor. These staff, together with the University Secretary, Executive Deans of Faculties, the Director of the Vice-Chancellor's Office, and the Director of Marketing and Communications, are the Senior Leadership Team of the University (see Appendix 1).

People, Place and Partnership: Delivering Sustainable Futures for All (University Strategy document)

8. This equality scheme is linked to the University's [People, Place and Partnership: Delivering Sustainable Futures for All Strategy](#), which sets out the University's purpose, values, aims and commitments and provides the overarching framework within which the University will take forward the best interests of its staff

and students. The People, Place and Partnership: Delivering Sustainable Futures for All strategy was adopted in November 2022.

9. The University's purpose is "As a multi-campus university, we are transformative, unlocking the potential of people, place and partnership to build sustainable futures for all".
10. Ulster University's community is characterised by its values which define its ethos and underpin the delivery of its People, Place and Partnership strategy and everything it does. These are:
 - **Integrity**, which means that we are open and honest with each other;
 - **Collaboration**, which means that people and relationships are central to everything we do;
 - **Enhancing potential**, which means that we strive to be the best that we can be; and
 - **Inclusion**, which means that we promote a place to work and study where everyone is accepted.
11. The University's three overarching aims are to:
 - Enhance the learning and social experiences of students through the creation and dissemination of knowledge;
 - Enhance outcomes for students, society and cultural life and the economy; and
 - Enhance the working lives and development opportunities of our staff.
12. The University has agreed eight commitments which support the strategy:
 - Placing sustainability at the centre of what we do;
 - Providing vibrant campus-based higher education;
 - Enhancing the social life of our campuses;
 - Maintaining a multi-campus model for our region-wide delivery;
 - Investing in a broad-based research-led higher education offering;
 - Being a key partner for industry;

- Taking proactive stances on equality, diversity and inclusion; and
- Helping our staff achieve a work-life balance that allows them to flourish in both.

Our strategy sets out commitments which are delivered through a focus on people, place and partnership. In the case of people, the strategy considers staff, students and society. The focus on our staff sets out six areas of focus:

- Work-life balance;
- Wellbeing;
- Equality, Diversity and Inclusion;
- Living our values – and modelling them;
- Investing in our people; and
- Environment to support academic and operational excellence.

Chapter 2

Arrangements for assessing compliance with the Section 75 duties

13. Responsibility for the effective implementation of the equality scheme lies with the Council of the University. The Vice-Chancellor is accountable to the Council for the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998. The Chief People Officer oversees and reviews the implementation of the Scheme.
14. All questions or comments regarding the equality scheme should be directed to Angela Getty, Section Leader for [Equality, Diversity and Inclusion](#). The Equality, Diversity and Inclusion section will respond as soon as possible.
15. Employees' job descriptions include the requirement for all staff to comply with the [University's Equal Opportunities Policy](#). Additionally, Line Managers have specific responsibility for ensuring compliance within their own area.
16. The University prepares an annual report on the progress it has made on implementing the arrangements set out in this equality scheme to discharge its Section 75 statutory duties (that is, Section 75 annual progress report).
17. The Section 75 annual progress report is sent to the Equality Commission by 31 August each year and follows guidance on annual reporting issued by the Equality Commission.
18. Progress on the delivery of Section 75 statutory duties is reported to the University's Council and will also be included in the University's annual report.
19. The latest Section 75 annual progress report is available from the [Equality, Diversity and Inclusion](#) section. It is also available on our [Equality of Opportunity and Good Relations](#) web page.
20. The University liaises with the Equality Commission to review progress on the implementation of its equality scheme, for example by submitting annual progress reports.

21. The University is currently developing an action plan to promote equality of opportunity and good relations.
22. The action plan is being developed and prioritised on the basis of an audit of inequalities. The audit of inequalities gathered and analysed information across the Section 75 categories² to identify any inequalities that may exist for service users and those affected by University policies.
23. The action plan will last for five years in order to align with the University's corporate planning cycle. Implementation of the action measures will be incorporated into the University's business planning process. The Chief People Officer will oversee and review the implementation of the Action Plan.
24. The University will consult on its action plan before it is sent to the Equality Commission (the Commission).
25. The University will monitor progress on the delivery of the action measures annually and update the action plan if considered appropriate, to ensure that it remains effective and relevant to its functions and activities.
26. The University will inform the Commission of any changes or amendments to its action plan and will also include this information in its Section 75 annual progress report to the Equality Commission. Its Section 75 annual progress report will incorporate information on progress the University made in implementing its action plans or action measures.
27. Once finalised, the action plan will be available from the [Equality, Diversity and Inclusion](#) section. It will also be available on our [web page](#).

² See paragraph 1 and Appendix 2 of this equality scheme for a list of these categories.

Chapter 3

Arrangements for consulting

28. The University recognises the importance of consultation in all aspects of the implementation of its statutory equality duties. Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.
29. The University will consult on matters to which the duty is likely to be relevant, including its equality scheme, action measures, and the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (that is, screening reports and equality impact assessments) in accordance with the principles contained in the [Equality Commission's guidance](#).
30. Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter or policy³ being consulted upon to ensure they are aware of all consultations. Where appropriate, the University will take a targeted approach to consultation for those consultees who may have a particular interest in the matter or policy being consulted upon and to whom the matter or policy is of particular relevance.
31. The University will engage with affected individuals and representative groups to identify what their preferred consultation methods are and will give consideration to these. Consultation with all stakeholders will begin as early as possible.
32. The University will consider the accessibility and format of every method of consultation used in order to remove barriers to the consultation process and ensure meaningful consultation. The University will give particular consideration as to how best to communicate with young people, children, those with disabilities and minority ethnic communities.
33. All relevant information⁴ will be made available to consultees in appropriate formats to ensure meaningful consultation.

³ See glossary for definition of 'policy'

⁴ This will include detailed information on the policy/proposal being consulted upon and any relevant quantitative and qualitative data.

Information will be made available, on request, in alternative formats⁵, in a timely manner (that is, usually within one month of the request being received, unless the timescales of third-party providers dictate otherwise, for example, translation providers). Consultees requiring alternative formats will have adequate time to respond.

34. Consultation periods will normally last for a minimum of twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example, implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), the consultation period may be shortened to eight weeks or less before the policy is implemented. Consultation thereafter may continue to inform the review of the policy as part of our monitoring commitments⁶.
35. However, if the policy must be implemented immediately or the consultation period shortened to eight weeks or less it will be reviewed as part of the monitoring commitment, and comments received will be taken into consideration.
36. In making any decision with respect to a policy adopted or proposed to be adopted, the University will take into account any assessment and consultation carried out in relation to the policy together with any feedback received during consultation.
37. The University will provide feedback to consultees in a timely manner. A feedback report will be prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of the University's consideration of and response to consultees' input. The feedback will normally be provided electronically, for example by email or by placing it on the University's website.
38. A list of consultees is included in this equality scheme at Appendix 3. It is also available on our [consultation web page](#).

⁵ See Chapter 6 of the equality scheme for further information on alternative formats of information we provide.

⁶ Please see Chapter 4 for details on monitoring.

39. This consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to the University's functions and policies.
40. The University welcomes [enquiries](#) from any individual or organisation wishing to be added to or removed from the list of consultees.

Chapter 4

Arrangements for assessing, monitoring and publishing the impact of policies

41. The University uses the screening and equality impact assessment (EQIA) tools to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments it relates them to the intended outcomes of the policy in question and follows Equality Commission guidance.
42. The purpose of screening is to identify those policies which are likely to have an impact on equality of opportunity and/or good relations. Screening is completed at the earliest opportunity in the policy development or review process and normally before implementation. More detailed strategies or policies that are to be put in place through a series of stages will be screened at various stages during implementation.
43. The lead role in the screening of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, screening normally involves other relevant staff, for example, staff from the Equality, Diversity and Inclusion section, those who implement the policy and staff members from other relevant departments.
44. The following questions are applied to all University policies as part of the screening process:
 - What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (The options are minor, major, or none)
 - Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
 - To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (The options are minor, major, or none)

- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?
45. In order to answer the screening questions, relevant information and data is gathered. In taking this evidence into account the University considers the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.
46. The screening process leads to one of the following three outcomes:
- the policy is ‘screened in’ for equality impact assessment;
 - the policy is ‘screened out’ with mitigation or an alternative policy proposed to be adopted; or
 - the policy is ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
47. If screening concludes that the likely impact of a policy is ‘minor’ in respect of one, or more, of the equality of opportunity and/or good relations categories, the University may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an EQIA is not to be conducted the University will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.
48. Where mitigation is required, the reasons to support this decision, together with the proposed changes, amendments or alternative policy, will be outlined in the screening template.
49. If screening concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity and/or good relations categories, this will normally result in an equality impact assessment being carried out.
50. If screening concludes that the likely impact of a policy is ‘none’, in respect of all of the equality of opportunity and/or good relations categories, the policy will be screened out.
51. As soon as possible following the completion of the screening process, the screening template will be available on request from

the [Equality, Diversity and Inclusion](#) section and on our [consultation web page](#). Consultees will also be informed of the screening decisions on a regular basis (that is, at least twice a year). All screening decisions, and the reasons to support these, will be set out in the screening template.

52. If a consultee raises a concern about a screening decision based on supporting evidence, the screening decision will be reviewed.
53. Once a policy is screened and screening has identified that an equality impact assessment is necessary, an EQIA will be carried out in accordance with Equality Commission guidance, normally before implementation.
54. An equality impact assessment (EQIA) is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of an EQIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.
55. Any EQIA will be subject to consultation at the appropriate stage(s).

Arrangements for publishing the results of the assessments of the likely impact of policies (which have been adopted or it is proposed to adopt) on the promotion of equality of opportunity

56. Screening reports are published regularly on the University's website. They detail:
- all policies screened by the University in the intervening period;
 - a statement of the aim(s) of the policy or policies to which the assessment relates;
 - consideration given to measures which might mitigate any adverse impact;
 - consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
 - screening decisions; and
 - a link to the completed screening template(s).
57. EQIA reports are published once the impact assessment has been completed. These include:
- a statement of the aim of the policy assessed;
 - information and data collected;
 - details of the assessment of impact(s);
 - consideration given to measures which might mitigate any adverse impact;
 - consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
 - consultation responses;
 - the decision taken; and
 - future monitoring plans.
58. All published information is accessible and can be made available in alternative formats [on request](#). Results of assessments (screening reports and completed templates, the results of equality impact assessments) are available from the [Equality, Diversity and Inclusion](#) section and on our [consultation web page](#).
59. The University recognises that monitoring can assist it to deliver its services better. Monitoring Section 75 information involves the processing of sensitive personal data (that is, data relating to the racial or ethnic origin of individuals, sexual orientation, political

opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, the University follows guidance from the Office of the Information Commissioner and the Equality Commission.

60. The University monitors any adverse impact on the promotion of equality of opportunity of policies which it has adopted through policy screening, EQIA and policy or EQIA review⁷. It also recognises that monitoring can identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.
61. Qualitative and quantitative data are collected, collated and analysed across the equality categories on an ongoing basis. Equality monitoring systems are reviewed on an ongoing basis. Where necessary, new data are commissioned. EQIA monitoring information is reviewed on an annual basis, together with other monitoring information.
62. In addition, the University reports on its equality profile on an annual basis to its Council. This information will continue to inform screening and EQIAs.
63. If over a two-year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the University will ensure that the policy is revised to achieve better outcomes for relevant equality groups.
64. Monitoring information, including on EQIAs, is published within the University's Section 75 Progress Report, on the University's website, and is made available to consultees (listed at Appendix 3).

⁷ Within the University's policy review process, all new and revised policies and EQIAs are normally reviewed after 2 years.

Chapter 5

Staff training

65. The University recognises that raising awareness and training play a crucial role in the effective implementation of the Section 75 duties. Therefore, it has introduced an effective training and communication programme for all staff, which aims to achieve the following objectives:
- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, the University's equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that staff fully understand their role in implementing the scheme;
 - to provide those staff involved in the assessment of policies (screening and EQIA) with the necessary skills and knowledge to do this work effectively;
 - to provide those staff who deal with complaints in relation to compliance with the University's equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively;
 - to provide those staff involved in consultation processes with the necessary skills and knowledge to do this work effectively; and
 - to provide those staff involved in the implementation and monitoring of the University's equality scheme with the necessary skills and knowledge to do this work effectively.
66. Furthermore, it will ensure that the University's commitment to the Section 75 statutory duties is made clear in all relevant publications.
67. The following arrangements are in place to ensure all staff and Council members are aware of and understand their equality obligations:
- a summary of this equality scheme will be developed and made available to all staff;

- access to the full equality scheme will be provided for all staff. Any queries will be addressed by the Equality, Diversity and Inclusion section;
- staff will receive a briefing on the new equality scheme within 6 months of its approval;
- information on the Section 75 statutory duties will continue to be included in induction training for new staff;
- the mandatory online and face-to-face equality awareness training will continue to be rolled out to all staff;
- focused training will continue to be provided for key staff who are directly engaged in taking forward the implementation of the equality scheme;
- where appropriate, training will be provided to ensure staff are aware of the issues experienced by the range of Section 75 groups;
- when appropriate and on an ongoing basis, arrangements will be made to ensure staff are kept up to date with Section 75 developments;
- training on Section 75 and the new equality scheme and action plan will be provided for University Council members;
- where requested training will be provided for students going on work placements;
- where relevant, training and awareness raising programmes may be developed and delivered in association with the appropriate Section 75 groups and staff;
- where appropriate, participants' learning will be assessed. This will also indicate the effectiveness of the training provision;
- the extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission; and
- the University will continue to maintain a database of staff who have completed the training. This will assist in targeting future training activity.

Chapter 6

Arrangements for ensuring and assessing public access to information and services the University provides

68. The University strives to ensure that its information and services are accessible. In line with the general monitoring arrangements the University monitors across all its functions in relation to access to information and services, to ensure that equality of opportunity and good relations are promoted. In support of this, it has also developed an action within the equality action plan.
69. The University is aware that some groups will not have the same access to information and where practicable will seek to address this. To ensure equality of opportunity in accessing information, the University provides information in alternative formats on request, where reasonably practicable. This may include Braille, audio formats, large print or minority languages to meet the needs of those for whom English is not their first language. The list of alternative formats is not exhaustive.
70. The University will continue to liaise with the Equality Commission and representative organisations with regard to good practice in this area.
71. The University will respond to requests for information in alternative formats usually within one month of the request being received, unless the timescale of the third-party providers dictate otherwise.
72. The University will continue to use its website as the primary means of disseminating information.
73. The University endeavours to ensure that all of its services are fully accessible to everyone in the community through its Strategy for Learning and Teaching Enhancement, Research and Impact and Widening Access and Participation Strategies, and its Student Recruitment and Admissions and Physical Access and Egress for Disabled People policies. The University also has a dedicated '[Student Wellbeing](#)' department, which offers support for all aspects of a student's personal and academic life while they are studying at the University and a '[Global Engagement](#)' department for international students.

Chapter 7

Timetable for measures proposed in this equality scheme

74. Appendix 4 outlines the timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into the University's business planning processes.
75. This timetable is different from and in addition to the University's commitment to developing action plans or action measures to specifically address inequalities and further promote equality of opportunity and good relations (as described in Chapter 2).

Chapter 8

Complaints procedure

76. The University is responsive to the views of members of the public and will endeavour to resolve all complaints made regarding this Scheme.
77. Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes they may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme.
78. If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.
79. A person wishing to make a complaint that the University has failed to comply with its approved equality scheme should contact, Angela Getty, Section Leader for [Equality, Diversity and Inclusion](#). (Please see front cover for contact details).
80. Complaints will be acknowledged within 5 working days of their receipt.
81. The University will carry out an internal investigation of the complaint and will respond substantively to the complainant within one month of the date of receiving the letter of complaint. Under certain circumstances, if the complexity of the matter requires a longer period, the period for response to the complainant may be extended to two months. In those circumstances, the complainant will be advised of the extended period within one month of making the complaint.
82. During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.
83. In any subsequent investigation by the Equality Commission, the University will co-operate fully, providing access in a timely manner to any relevant documentation that the Commission may require.

84. Similarly, the University will co-operate fully with any investigation by the Equality Commission under sub-paragraph 11 (1) (b) of Schedule 9 to the Northern Ireland Act 1998.
85. The University will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

Chapter 9

Publication of the equality scheme

86. The University's equality scheme is available free of charge in print form and alternative formats from the [Equality, Diversity and Inclusion](#) section. It is also available on our [Equality of Opportunity and Good Relations web page](#).
87. The following arrangements are in place for the publication of the equality scheme:
- The University will make every effort to communicate widely the existence and content of its equality scheme; and
 - It will email a link to its approved equality scheme to its consultees on its consultation lists. Other consultees without e-mail will be notified by letter that the scheme is available on request. It will respond to requests for the equality scheme in alternative formats in a timely manner, as described in paragraph 30.
88. A list of the University's consultees is provided at Appendix 3 of the equality scheme. It is also available from the [Equality, Diversity and Inclusion](#) section and on our [consultation web page](#).

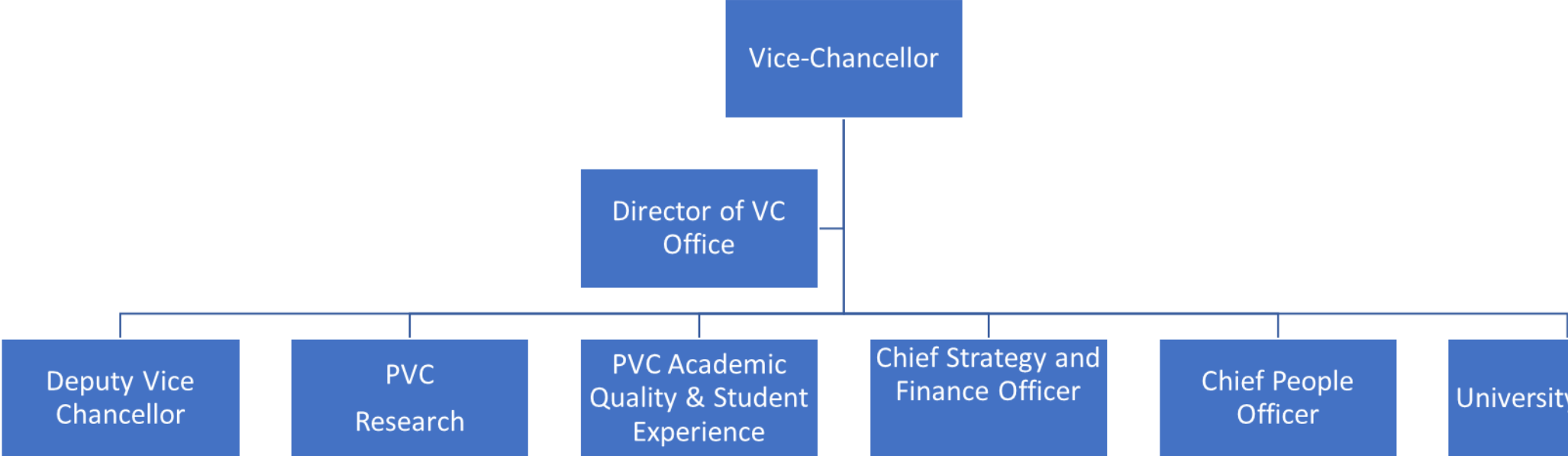
Chapter 10

Review of the equality scheme

89. As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 the University will conduct a thorough review of this equality scheme, either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.
90. The review will evaluate the effectiveness of the scheme in relation to the implementation of the Section 75 statutory duties relevant to the University's functions in Northern Ireland.
91. In undertaking this review the University will consider, as may be appropriate, any guidance issued by the Equality Commission. A report of this review will be made public via the University's website and sent to the Commission.

Appendix 1

Senior Structure 2023



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

Please note, this list is for illustration purposes only, it is not exhaustive.

Category	Example Groups
Religious Belief	<p>Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.</p> <p>For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment & Treatment (NI) Order</i>⁸. Therefore, “religious belief” also includes any <i>perceived</i> religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “<i>similar philosophical belief</i>”.</p>
Political opinion ⁹	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.

⁸ See Section 98 of the Northern Ireland Act 1998, which states: “*In this Act “political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.*”

⁹ *ibid*

Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.
Sexual orientation	Bisexual people; heterosexual people; gay or lesbian people.

Appendix 3 List of consultees

Action Deaf Youth
Action on Hearing Loss
Age NI
Agriculture Food & Rural Enterprise (CAFRE)
Agri-Food and Biosciences Institute
Alliance Party of Northern Ireland
Antrim & Newtownabbey Borough Council
Archbishop of Armagh & Primate of All Ireland
Armagh, Banbridge & Craigavon District Council
Arthritis Care in Northern Ireland
Arts Council for Northern Ireland
Ards and North Down Borough Council
Autism NI
Barnardos
Belfast City Council
Belfast Health & Social Care Trust
Belfast Hebrew Congregation
Belfast Interface Project
Belfast Islamic Centre
Belfast Metropolitan College
Belfast Unemployed Resource Centre
Bryson Charitable Group
Business in the Community
Business Services Organisation
Cara Friend
Careers Service Support Unit
Carers NI
Catholic Maintained Schools
Causeway Coast & Glens Council
CCEA
Cedar Foundation
Chartered Society of Physiotherapists
Chief Executives Forum
Children in Northern Ireland (CiNI)
Childrens' Law Centre
Chinese Welfare Association
Church of Ireland
Committee on the Administration of Justice (CAJ)
Community Relations Council
Confederation of British Industry NI
Co-operation Ireland

Craigavon Traveller Support Committee
Democratic Unionist Party
Department for Communities
Department for the Economy
Department of Agriculture, Environment & Rural Affairs
Department of Education
Department of Finance
Department of Infrastructure
Department of Health
Department of Justice
Derry City & Strabane District Council
Disability Action
Down's Syndrome Association
Early Years – The Organisation for Younger Children
East Belfast Community Development Agency
Education Authority
Employers for Disability NI (EFDNI)
Equality 2000
Equality Commission for Northern Ireland (ECNI)
Extern
Falls Women's Centre
Falls Community Council
Federation of Small Businesses
Fermanagh & Omagh District Council
Fibromyalgia NI
Foyle Women's Information Network
Generation Women
Green Party NI
Guide Dogs for the Blind
INCORE
Inspire
Institute of Directors
Irish National Teachers' Organisation
Labour Relations Agency
Law Centre NI
Libraries NI
Lisburn and Castlereagh City Council
Londonderry Methodist City Mission
Marie Curie Centre
MENCAP
Men's Action Network
Methodist Church in Ireland
Methodist Church in Ireland – Board of Education

Mid and East Antrim District Council
Mid Ulster Council
Mindwise
MS Society NI
NASUWT
National Association for Head Teachers
National Education Union
Newry, Mourne & Down District Council
NIACRO
NI Chamber of Commerce & Industry
NI Chest, Heart & Stroke Association
NI Commissioner for Children & Young People
NI Commissioner for Older People
NI Committee – Irish Congress of Trade Unions
NI Community Relations Council
NI Council for Integrated Education
NICVA
NI Guardian Ad Litem Agency
NI Human Rights Commission
NIPEC
NIPSA
NI Social Care Council
NI Women's Aid Federation
North West Regional College
Northern Regional College
NSPCC
NUS-USI
Oasis NI
Opportunity Now
Orchardville Society
People Before Profit
POBAL Community
Police Service for Northern Ireland
Presbyterian Church in Ireland
Progressive Unionist Party
Queer Space
Rainbow
Relate NI
Royal College of Nursing
RNIB
Rural Action
Sai Pak Chinese Community Association
SDLP

Sense NI
Simon Community
Sinn Féin
Society of St Vincent de Paul
South Eastern Health & Social Care Trust
South Eastern Regional College
South West College
Southern Health & Social Services
Southern Regional College
Spina Bifida & Hydrocephalus Association
The Executive Office
Through the Roof
Training for Women Network
U3A Foyle
UCU
UCU Ulster University branch
Ulster Scots Agency
Ulster Teachers' Union
Ulster Unionist Party
Ulster University Students' Union
UNESCO Centre
Unison
Unite the Union
West Belfast Partnership
Western Health & Social Care Trust
Women's Resource & Development Agency
Women's Support Network
Worker's Party

Appendix 4 Timetable for measures proposed

Section A: Reporting on Progress

Measure 1: Section 75 Annual Progress Report
Lead Responsibility: Chief People Officer
Timetable: 31 August (annually)

Section B: Equality Action Plan

Measure 2: Develop an action plan to promote equality of opportunity and good relations
Lead Responsibility: Chief People Officer, All Senior Officers, and Section Leader for Equality, Diversity and Inclusion
Timetable: March 2024

Measure 3: Consultation on draft action plan
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: April to June 2024

Measure 4: Implement and deliver an action plan
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: 2023/24 to 2026/27

Section C: Equality Scheme

Measure 5: Submit equality scheme to ECNI for approval
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: November 2022

Measure 6: Final equality scheme published
Lead Responsibility: Vice-Chancellor
Timetable: Post approval of Equality Scheme by ECNI

Measure 7: Development of summary scheme
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Within 3 months of approval of Scheme by ECNI

Measure 8: Communication of equality scheme and notification to consultees
Lead Responsibility: Vice-Chancellor and Section Leader for Equality, Diversity and Inclusion
Timetable: Within 3 months of approval of Scheme by ECNI

Measure 9: Arrangements for review of the Scheme
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Five years from approval

Section D: Consultation

Measure 10: Consultation list reviewed and updated
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Annually

Section E: Equality Screening

Measure 11: Screening timetable
Lead Responsibility: Chief People Officer and Section Leader for Equality, Diversity and Inclusion
Timetable: In accordance with the business plan and the development or review of new and existing policies of the University

Section F: Communication

Measure 12: Publication of Screening Reports
Lead Responsibility: Chief People Officer and Section Leader for Equality, Diversity and Inclusion
Timetable: Normally within 6 months

Section G: EQIA

Measure 13: EQIA timetable
Lead Responsibility: Chief People Officer and Section Leader for Equality, Diversity and Inclusion
Timetable: Based on outcome of screening activity

Section H: Monitoring

Measure 14: Monitoring of EQIAs
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion and Chief People Officer
Timetable: Ongoing

Measure 15: Review of equality monitoring data
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Annually

Measure 16: Publication of monitoring information
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Annually in Section 75 Progress Report

Section I: Training

Measure 17: Develop staff and student briefing on new Scheme
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Within 3 months of approval of Scheme by ECNI

Measure 18: Monitor completion of mandatory online and face-to-face equality awareness training
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Annually

Measure 19: Focussed training – Equality Screening
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: As required (for each new and revised policy)

Measure 20: Focussed training – EQIAs
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: As required (for each EQIA)

Measure 21: Training for University Council Members
Lead Responsibility: Chief People Officer and Section Leader for Equality, Diversity and Inclusion
Timetable: Within 3 months of approval of Scheme by ECNI

Section J: Accessibility

Measure 22: Assess access to information and services
Lead Responsibility: Section Leader for Equality, Diversity and Inclusion
Timetable: Annually within Section 75 Progress Report

Appendix 5 Glossary of Terms

Action plan

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

Action measures and outcomes

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

Adverse impact

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

Affirmative action

In general terms, affirmative action can be defined as being anything consistent with the legislation which is necessary to bring about positive change. It is a phrase used in the Fair Employment and Treatment Order (NI) 1998 to describe lawful action that is aimed at promoting equality of opportunity and fair participation in employment between members of the Protestant and Roman Catholic communities in Northern Ireland.

Audit of inequalities

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

Consultation

In the context of Section 75, consultation is the process of asking those affected by a policy (that is, service users, staff, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

Differential impact

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

Discrimination

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

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

Direct discrimination

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will normally be unlawful unless:

- a) in an age discrimination case, the decision can be objectively justified, or
- b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take

other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

Indirect discrimination

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (for example, the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless:

- a) it can be objectively justified, or
- b) the public authority can rely on a statutory exception that permits it.

Disability discrimination

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

- a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person's disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.
- b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

Victimisation

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised their rights under the anti-discrimination laws, or has assisted

another person to do so. Victimisation cannot be justified and is always unlawful.

Harassment

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

Equality impact assessment

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

Equality of opportunity

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

Equality scheme

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

Good relations

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

Mitigation of adverse impact

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

Monitoring

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems.

Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

Northern Ireland Act

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

Policy

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

Positive action

This phrase is not defined in any statute, but the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve

adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.

Positive discrimination differs from positive action in that *positive action* involves the taking of lawful actions whereas *positive discrimination* involves the taking of unlawful actions. Consequently, *positive action* is by definition lawful whereas *positive discrimination* is unlawful.

Qualitative data

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

Quantitative data

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

Screening

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

Schedule 9

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

Section 75

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

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

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

Section 75 investigation

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme.

There are two types of Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved equality scheme;
2. An investigation initiated by the Commission, where it believes that a public authority may have failed to comply with its approved equality scheme.