

**DRAFT**  
**EQUALITY COMMISSION FOR NORTHERN IRELAND**  
**Public Authority Five Year Review Report**

**Name of public authority**

OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN  
IRELAND

**Equality Officer name and contact details**

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## Executive Summary

Please provide some main conclusions in terms of:

a) To what extent has your public authority's approved scheme provided a workable basis for mainstreaming the need to promote equality of opportunity and good relations into policy-making over the past five years?

Over the last 5 years the Office has worked very hard to place equality of opportunity and good relations at the centre of the corporate goals and values of the Office. Mainstreaming has been a primary objective of the development of the Equality Scheme and all Directorates of the Office have made significant contributions to achieving progress in this area. A range of initiatives have been launched by our Media Directorate to improve public awareness about the functions of the Office and in particular have targeted Section 75 represented groups.

In our Policy and Practice Directorate we have established robust monitoring procedures with complainants in order to identify trends to assist in the delivery of the business. We have also been proactive in initiating a number of research projects into the impact of policing in some Section 75 represented groups, for example "Policing, Accountability and Young people" 2003 and "Policing, Accountability and the Lesbian, Gay and Bisexual Community in Northern Ireland" and "Policing, Accountability and the Black and Minority Ethnic Community in Northern Ireland" in 2006.

We have also published a series of Equality Monitoring reports. Our Complainant Satisfaction reports provide commentary where there are significant differences in findings within Section 75 groups. Our Public Attitudes Survey also provides analysis of questions based on respondents' age, gender, religion, marital status, disability status and whether or not they have dependants. Again these are reported on if a significant difference in findings exists.

In our Investigations Directorate Senior Officers regularly visit District Policing Partnerships and engage with local communities as well as initiating visits directly with community organisations right across the community divide.

Our Corporate Services Directorate continue to champion equality of opportunity by coordinating the work of the Office in relation to its statutory obligations and organising all training required by staff to fulfil their equality obligations, as well as acting as a contact point with the Equality Commission.

b) What key lessons have been learnt over the past five years in terms of effectively implementing the approved equality scheme?

The Office has learnt that Equality must continue to be an active issue which will impact on future policies adopted by the Office and to this degree Equality remains an agenda item on Senior Management Team meetings and continues to have high level support and commitment. Due to the small size of the Office in comparison to larger public authorities (with dedicated equality units) and with some staff departures, it has been difficult to maintain the required level of expertise on how the Equality Scheme operates. Arrangements need to be put in place for knowledge transfer prior to any future departures and or additional training provided to designated responsible persons.

The Office has tended to display an over reliance on particular individuals for the operation of the Equality Scheme, there is a need to have other designated responsible persons identified for particular aspects of the operation of the scheme, for example the policy screening process.

The Office has benefited from the existence of an Equality Working Group within the Office to assist in the exercise of its Section 75 responsibilities and needs to maintain this group and refresh the membership of the group to contribute to its mainstreaming objective.

The Office has learnt that quite a number of consultees are suffering from “consultation fatigue” and many do not respond to consultation exercises. This was evident in the consultation exercise relating to the review of the powers of the Office, when attendance at public meetings was very low. In the light of this experience, the Office has set up a standing arrangement with the Northern Ireland Tenants Association to ensure more effective community consultation.

c) What more needs to be done to achieve outcomes for individuals from the nine equality categories?

The Office must continue to train all key staff in the practicalities of operating an equality scheme, equality and diversity training is soon to become a mandatory training requirement for all staff during their probation year.

A considerable amount of data is gathered from monitoring information collected from complainants and whilst credit must be given for proactive additions to section 75 categories (e.g. Civil Partnerships under the marital status category) we must remain alert to trends in the data to identify areas of concern, which may require further investigation and or action.

It may be beneficial for public sector bodies within the Criminal Justice System to meet and share information and ideas, which may have a common application across the sector.

**1. A general introductory statement specifying the purpose of the scheme and the public authority's commitment to the statutory duties.**

**1a) To what extent were senior management involved in ensuring scheme compliance over the 5 year period and what further steps could be undertaken to ensure effective internal arrangements? Prompts – Identify any changes to arrangements for managing scheme implementation, and what were the lessons learnt in terms of enablers and impediments to monitoring scheme implementation?**

The Office of the Police Ombudsman is fully committed to the fulfillment of its obligations under section 75 of the Northern Ireland Act 1998. The Equality Scheme of the Office sets out how the Office intends to meet those obligations.

Initially in the early years a small high level policy unit was established under the leadership of the Director of Legal Services to establish the Equality Scheme and conduct a review of policies and procedures within the Office carrying out Equality Impact Assessments as necessary. This unit was also responsible for preparing the annual progress reports to the Equality Commission on the operation of the scheme. Over time this responsibility was delegated to the HR Manager as a coordinator for equality activities within the Office.

The operation of the Equality Scheme has had the full support of the Senior Management Team and this has been very actively led by the Chief Executive of the Office. Directors have been involved in the operation of the scheme at various levels from the setting up of the scheme (in particular the policy screening process) to mainstreaming equality issues into their own Directorate Plans (see Executive summary above). Senior Managers have also been actively involved in the Equality Working Group within the Office and the preparation of the Annual Progress reports.

The Office regularly includes Equality objectives in its Corporate Plan and is a regular participant in stakeholder initiatives organized by the Equality Commission.

The Office has never received any complaint in relation to the fulfillment of its section 75 responsibilities.

1b) Outline annual direct expenditure of resources to ensure that the statutory duties were complied with, in terms of staff and money over the past 5 years, and comment on the extent that all necessary resources were allocated.

Prompts – Identify costs related to equality unit staff, use of consultants, allocation of budgets to training/publications/ research, extent of in-year bids and/or reallocation of resources. What were the lessons learnt in terms of enablers and impediments to monitoring resourcing? What could the public authority do in future to ensure effective allocation and monitoring of necessary resources?

<u>Year</u>	<u>Full Time Equivalent Staff</u>	<u>£'s</u>
<u>2001/02</u>	.2	8000
<u>2002/03</u>	.2	8000
<u>2003/04</u>	.1	4000
<u>2004/05</u>	.1	4000
<u>2005/06</u>	.1	4000

The Office has always been prepared to allocate the necessary resources to ensure its statutory duties are met. However, due to the small size of the Office and the absence of dedicated cost centre for equality, tracking the costs has been difficult to maintain. The table above gives an estimate of the resources used for the maintenance of the equality scheme of the Office.

Office has provided considerable training to staff in the initial 5 years of the operation of the scheme. Initially training was provided to all staff as part of the staff consultation process for the establishment of the scheme, targeted training was supplied to staff engaged in the screening and consultative process.

Staff regularly attended conferences on Equality related issues sometimes promoted by the Equality Commission but in other cases proactively by the Office.

Intensive training took place in 2006, which delivered a comprehensive diversity awareness programme to 86 staff in total at a cost of £27,000.

Over the five-year period of the review it is estimated that the Office has allocated in the region of £35,000 of its resources to Equality related training.

In the course of the period of the review the Office has initiated a number of research projects into the impact of policing in some Section 75 represented

groups, for example “Policing, Accountability and Young people” 2003 and “Policing, Accountability and the Lesbian, Gay and Bisexual Community in Northern Ireland” and “Policing, Accountability and the Black and Minority Ethnic Community in Northern Ireland” in 2006. The financial cost to the Office of producing these reports was in the region of £40,000.

**2. An outline of how the public authority intends to assess its compliance with the Section 75 duties and for consulting on matters to which a duty under that section is likely to be relevant.**

2a) Outline impacts and outcomes (for the public authority and/or individuals from the nine equality categories) over the past five years and what further steps could be undertaken to build on these or address underreporting?

Prompt – Were outcomes delivered for all of the nine equality categories? Were annual progress reports critically reviewed before or after submission to the Commission? What examples of good practice from other public authorities could be adopted?

The mainstreaming of Equality within the Office has enabled the Office to meet its obligations under section 75. The Office has built equality awareness into all functions of the Office. Public awareness is championed by a very close relationship with Citizens Advice Bureau (CAB), the offices of CAB are regularly used by Police Ombudsman staff to reach widely into the community in the exercise of its duties.

Minority sections of the community are obtaining increasing access to information and advice about services in languages and formats which best meet their own needs. The Office operates an Outreach Programme which brings information and advice about the role of the Office into the heart of our community.

A recent review of the Office website has delivered improved services for those groups who may have accessibility difficulties, such as those with literacy limitations, visual impairments and use of English as a first language.

The Office has published research papers in relation to Police Accountability with particular reference to Young People, Black and Minority Ethnic Communities and the Lesbian, Gay and Bisexual Community. The research (published in 2003 and 2006) was detailed and involved a range of methodologies to determine the attitudes towards and experiences of the new policing arrangements in Northern Ireland. As a consequence of the research a number of recommendations were made to a variety of stakeholders in the Policing system, primarily the Police Service of Northern Ireland, The Northern Ireland Policing Board, District Policing Partnerships and The Office of the Police Ombudsman for Northern Ireland.

The Office has positively contributed to a report by the Criminal Justice Inspectorate on the impact of Section 75 on the Criminal Justice System in Northern Ireland. The report commended the Office on its approach to monitoring

and held it up as best practice for other agencies within the sector to follow. Particular reference was made to where monitoring led to additional research and action to improve outcomes for section 75 groups.

The Office submits draft and final Annual Progress Reports to the internal Equality Working Group and the Senior Management Team for review and consideration prior to submission to the Equality Commission. The Equality Commission has acknowledged the commitment of the Office to the reporting process and the work carried out by the Office in the promotion of Equality of Opportunity.

2b) Outline the number of equality scheme related consultation exercises undertaken by your authority over the past five years. Set out the number and percentage related to screening exercises and to EQIAs and indicate the extent that your scheme helped you to engage with external stakeholders.

Prompt – Identify your authority’s most and least successful means of consultation in relation to s75 categories. Why were some means of consultation more or less successful in relation to particular equality categories?

The Office carried out a major consultation exercise on the setting up of the Equality Scheme in 2002 when 54 policies were consulted upon through a variety of media.

A further 6 consultation exercises were carried out in relation to EQIA’s during the 5 year period.

The consultation process has in general had a low response rate, and is an area that the Office would wish to improve upon. There is a need to engage more directly with minority group representatives, although progress has been made with establishment of improved links with representative interest groups such as Northern Ireland Tenants Association, An Munia Tober, RNID and NICEM.

2c) Indicate if your list of consultees was amended during the 5 year period and what further steps could be taken to develop your level of engagement and consultation?

Prompt - Outline the extent your authority did or did not move away from formal consultation and on what criteria was any such consultation targeted? To what extent were requests to be included and/or objections from those not included in the consultation process received and how were these addressed?

The list of consultees has been amended and updated as the life of the scheme has progressed.

The consultation process has enabled the Office to engage more directly with representative groups and in particular research commissioned by the Office in partnership with other stakeholders such as the Northern Ireland Policing Board has improved links with such groups.

The Office hopes to continue improvement in this way and is currently considering the viability of research work on the subject of Police Accountability relating to people with disabilities.

2d) To what extent did your authority consult directly with directly affected individuals as well as with representative groups, particularly in relation to young people and those with learning disabilities, and was this sufficient?

Prompt – How effective was your authority at providing feedback to consultees as a result of consultation exercises? What were the lessons learnt in terms of enablers and impediments to consulting directly with affected individuals? What could your authority do in future to provide effective consultee feedback?

The Office has consulted with a range of representative groups and with directly affected individuals. In particular valuable feedback has been received from Disability Action and NICEM. In the consultation exercise in relation to our Trainee Investigation Officer Programme, feedback from NICEM on the matter of Institutional Racism, contributed to our thoughts on a training module, particularly looking at the case of the Stephen Lawrence enquiry and the issue of miscarriages of justice.

The Office has worked with the Children’s Law centre in the production of a leaflet titled “Young People and the police”. In addition the Office has been an active participant in the production of the key stage 4 school text book “Citizenship and Safety”.

The Office is currently engaging with the Orchardville Society to identify work placement opportunities for people with learning difficulties.

The Office manual for dealing with complaints against the police gives guidance on dealing with complainants and witnesses who are juveniles and or vulnerable adults. The Office provides training to investigation officers in professional techniques for interviewing juveniles and vulnerable adults according to ABE (Achieving Best Evidence) standards.

### **3. The authority’s arrangements for assessing and consulting on the impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity.**

3a) Outline and discuss the number of policies your authority subject to screening over the past five years, setting out the number and percentage of ‘policies screened in’ on the basis of equality considerations and the percentage ‘screened in’ on the basis of the good relations duty.

Prompt - What were the lessons learnt in terms of enablers and impediments to screening in terms of, screening criteria and priority factors? Are there any other criteria which could usefully be included? What lessons are there regarding responsibility for screening at regional level and subsequent screening of local policy? What could your authority do in future to ensure effective screening arrangements? Set out in an appendix a list of all policies screened out during scheme implementation.

During the years covering the 5-year review 56 policies have been screened for Equality Impact with 49 being screened out and the other 6 being screened in for Equality Impact Assessment.

The Office has not had any significantly adverse outcomes as a consequence of its screening process.

3b) To what extent did your authority's consideration of the screening criteria not identify equal opportunity implications on any of s75 categories, but for which consultees then highlighted problems? Prompt – Identify the extent the collection of quantitative and qualitative data informed screening processes. Outline the extent consultations with representative groups produced data to inform the screening process which was not otherwise available to your authority. Outline any difficulties in identifying policies and equality implications using the definition of policy set out in the Guide to the Statutory Duties.

There were no occasions when quantitative and qualitative data was made available to the Office subsequent to the screening process, which was not otherwise available to the Office.

3c) Outline over the past five years how many EQIAs your authority commenced as a result of i) initial screening and ii) as a result of screening new/revised policies subsequently, and discuss the extent that your authority has become more effective at identifying equality of opportunity dimensions in its policies. Prompt – Were changes made to the screening process? Outline any examples of any changes made to policies to better promote equality of opportunity and/or good relations, rather than to address any

perceived differential impact, as a result of screening policies that were 'screened out'?

During the period of the 5-year review the Office commenced 6 EQIA's as a result of initial screening and 1 EQIA from the introduction of a new policy. As a result of the process no significant issues arose which would have altered the adoption of the policies, which ultimately has led to the determination that all policies were incorrectly screened in for EQIA, thus they have now been reclassified as screened out.

3d) Outline over the past five year period the percentage of your authority's initial EQIA timetable that reached i) stage 6 of the EQIA process i.e. decision making, and ii) stage 7 of the EQIA process i.e. annual monitoring & publication of results, and indicate the extent that your authority has become more effective at progressing EQIAs. Prompt – Explain any slippage that occurred and what was done to rectify it. To what extent did you notify representative groups of this slippage and what was their reaction? What were the lessons learnt in terms of enablers and impediments to monitoring EQIAs?

During the period of the 5-year review, no EQIA's have reached stage 6 of the process, see above.

4. The authority's arrangements for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.

4a) To what extent were sufficient arrangements put in place to collect data relating to the nine equality categories to monitor the impact of policies and what could your authority do in future to develop monitoring arrangements?  
Prompt - What were the lessons learnt in terms of enablers and impediments to monitoring and developing new/additional quantitative data over the past five years? Did your authority consult its own employees or collaborate with other authorities to collect data? Did

*your authority engage with representative groups to develop monitoring arrangements?*

The Office collects a considerable amount of data relating to the equality categories, in particular monitoring data from questionnaires supplied to every person making a complaint and additionally monitoring data relating to all applicants for employment with the office.

The issuing of questionnaires to all complainants commenced when the Office opened in November 2000 and is considered by the Office to represent a fundamental aspect of its responsibilities under Section 75. Up until 2004 the questionnaire included categories of age, gender, marital status, religious belief, race, disability, sexual orientation and employment status. In August 2004 the categories of dependants and political opinion were added. Following Police Ombudsman commissioned research in 2005 into the experiences of Black and Ethnic Minority communities in Northern Ireland, we added a further question on country of birth.

The Policy and Practice Directorate of the Office, controls the issuing of questionnaires, analyses the results of the survey and reports on the findings in Equality Monitoring reports, as well as the Annual Report and Accounts for the Office.

The office regularly shares the findings of its analysis with key stakeholders, the Northern Ireland Policing Board and the PSNI. At the time of carrying out this review the Office had published a report on Equality Monitoring covering the period 2000 – 2007 a copy of which was submitted with the Annual Progress report of August 2008.

The Office consulted with all employees on the screening of all policies and discussed equality issues as an agenda item on the Joint Negotiating Consultative Committee set up with the trade unions NIPSA and Unision.

All employees have completed equality questionnaires before commencing employment and the Office is prompt in making its statutory monitoring return to the Equality Commission each May.

The Office collects data relating to all applicants for employment and carries out Article 55 reviews to consider trends and where necessary take affirmative action.

**5. The authority's arrangements for publishing the results of equality impact assessments and of monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.**

5a) Indicate the number of reports published outlining the results of EQIAs and monitoring over the past five years, and outline what your authority could do in future in relation to improving the publication of EQIA results and monitoring.

Prompt – Identify the number of reports that were provided in alternative formats. What were the lessons learnt in terms of enablers and impediments to publishing the results of EQIAs and monitoring?

No reports have been issued.

6. A commitment that in making any decision with respect to a policy adopted or proposed to be adopted by it, that the public authority shall take into account any equality impact assessment and consultation carried out in relation to the policy.

6a) In terms of the number of EQIAs that reached stage 6 i.e. decision making to what extent were mitigation measures and alternative policies adopted?

Prompt - Outline the extent to which your authority produced EQIAs that did not identify adverse impact on any of s75 categories, but which consultees then gave an indication of adverse impact of s75 category and/or proposed mitigation measures or alternative policies.

No EQIA's have reached stage 6

6b) To what extent did consideration of EQIAs and consultations contribute to a change in policy, as opposed to policy decisions which would probably have been made in any event by your authority?

Prompt - Set out any key examples. What were the lessons learnt in terms of enablers and impediments to making a decision and taking into account an EQIA and consultation? What could your authority do in future to ensure decision making effectively takes these issues into account?

## 7. The authority's arrangements for training staff on issues relevant to the duties.

7a) To what extent were sufficient arrangements put in place to develop and deliver a training programme in accordance with scheme commitments?

Prompt - Was the training programme focused on the initial period of scheme implementation or did it effectively cover all five years? To what extent were outside trainers from representative groups used in designing or delivering training? Was focused training for staff in management and roles associated with aspects of scheme implementation provided on an ongoing basis?

Significant arrangements have been put in place over the period of the 5-year review to ensure adequate training has been provided to support the operation of the Equality Scheme.

General awareness training was issued to all staff at the outset of the Scheme by an external specialist training provider, while training in consultation processes and Equality Impact Assessments was provided by Disability Action.

Particular emphasis in training was given to those in a management role with a Section 75 responsibility and to those members of the internal Equality Working Group.

7b) Have all staff received awareness training and what could your authority do in future to deliver an effective training programme?

Prompt – Does the authority have evidence that over the past five years staff understood their role in implementing the scheme? What were the lessons learnt in terms of enablers and impediments to communication and training?

All staff received awareness training at the outset of the Equality Scheme and all new staff receive Equality Scheme awareness training during the induction process. In addition, towards the end of the 5 year review period (2005/6), all staff again received further awareness training through a comprehensive programme which addressed Bullying Harassment and Diversity issues.

In the course of the review period the Office has taken the opportunity to involve section 75 represented groups in staff training sessions, for example an anti

racism awareness session was facilitated by NICEM and a Diversity Cultural Awareness session was facilitated by An Munia Tober (traveling community).

The Office has been successful in meeting its obligations under Section 75 and has had no complaints about the operation of the Equality Scheme, nor has the Office received any complaints about the behaviour of staff members in relation to equality issues in the course of their duties, this would lead to a conclusion that staff training has been effective.

8. The authority's arrangements for ensuring and assessing public access to information and to services provided by the authority.

8a) To what extent were sufficient arrangements put in place to ensure and assess public access to information and to services provided by the authority?

Prompt - Was an audit of information provision undertaken? To what extent did you provide accessible formats without specific requests? What were the lessons learnt in terms of enablers and impediments to ensuring and assessing public access to information and to services? What could your authority do in future to ensure equality of opportunity in public access to information and to services?

During the period of the 5-year review the Office has made a number of improvements in relation to accessibility. The Office has details of the Equality Scheme available on its website which has been the subject of upgrades to improve accessibility for people with visual impairments and ethnic minority groups. The Office produces leaflets, with information on how to make a complaint, in a number of minority languages and also makes these available on the website.

In addition, computer software has been made available to the website to enhance accessibility for those with mild visual impairments, literacy difficulties and English as a Second Language. A dedicated text phone facility is available in the complaints registration office to improve accessibility to the complaints process. An Induction Loop is provided at

the Customer Reception area to facilitate those with hearing impairments and portable Induction Loops are now available to improve accessibility during customer visits and public presentations.

The Office makes information available on request in alternative formats such as Braille, Audio Disc and Minority languages.

## 9. The authority's timetable for measures proposed in the scheme.

9a) Outline the extent to which measures set out in the original timetable have been implemented. Any detailed information should be included as an **appendix to the report.**

*Prompt – Update any progress previously reported as underway or delayed. Has a mechanism been developed to report by exception i.e. on specific issues that have not been progressed?*

The Office of the Police Ombudsman has largely achieved its timetable set out in the Equality Scheme. The screening of policies at the outset was achieved and the provision of training has also proved successful. The Office has achieved its target of submitting its Annual Report to the Equality Commission on each occasion during the life of the Scheme. In addition a Disability Action Plan has been completed in accordance with section 49B of the Disability Discrimination Act 1995.

9b) *If your authority was to be reconstituted in the next five years what would be the main scheme actions/equality considerations that an incoming authority should address? Any detailed information should be included as an appendix to the report.*

*Prompt – Outline what arrangements could be put in place to transfer equality scheme knowledge.*

There are no known plans for the reconstitution of the Office; however should such a reconstitution happen detailed discussions would take place with the Equality Unit of our funding Department the Northern Ireland Office to ensure that Section 75 issues were a prominent element of the reconstitution process.

## 10. Details of how the scheme will be published.

### 10a) Were scheme commitments in this section delivered and what evidence supports this view?

Following both the submission to and approval of the scheme by the Equality Commission, the Office placed press advertisements announcing the existence of the scheme and sent copies of the scheme to every organisation on our consultee list.

## 11. The authority's arrangements for dealing with complaints arising from a failure to comply with the scheme.

### 11a) Outline the number and nature of complaints received by your authority, and what your authority could do in future to develop its complaints handling process and learn from complaints.

Prompt – Outline the nature of complaints and scheme element e.g. screening, consultation. What effect did complaints have on the operation of your scheme?

The Office of the Police Ombudsman has received no complaints in relation to the discharging of its responsibilities under section 75.

## 12. A commitment to conducting a review of the scheme within five years of its submission to the Equality Commission and to forwarding a report of this review to the Equality Commission.

### 12a) What has been your authority's experience of conducting this review? To what extent has the Commission's guidance been useful in undertaking the review?

The Office has found the completion of the 5-year review useful in considering the effectiveness of the existing scheme. As a consequence of

the review the Office is satisfied that it is currently meeting its obligations under Section 75. The Office has found the experience of completing this review a useful tool in considering what further actions it may be able to take in the promotion of Equality of Opportunity and Good Relations. The exercise of completing the review has also proved useful as it comes at a pertinent time, when the Equality Commission is consulting on a revised guide to Section 75 and is proposing that new Equality Schemes may need to be developed in 2009.

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