



EQUALITY SCHEME FOR THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND

FOREWORD BY THE POLICE OMBUDSMAN AND CHIEF EXECUTIVE

Section 75 of the Northern Ireland Act 1998 has put on all public authorities the duty to promote equality of opportunity and to foster good relations. Equality issues have now become central to the full range of public policy making. Equality Schemes are the mode by which public authorities ensure proper treatment of these important matters.

The Office of the Police Ombudsman is fully committed to the statutory duties imposed by the Northern Ireland Act. This Equality Scheme sets out how the Office intends to fulfil those duties. Necessary resources will be committed to ensuring compliance with the statutory duties and the effective and timely implementation of this Scheme. Internal arrangements have been and will be, made to monitor and review progress and to ensure that the duties are complied with effectively. The Office is committed to the development and provision of a planned programme of communication and training on the Equality Scheme.

The Office is committed to working together with the police and the public to ensure not only an independent and impartial police complaints service, which has the confidence of the people and of the police, but also one, which has the principles of equality of opportunity and the fostering of good relations at its heart. We will consult with all those who have a legitimate interest in the service which the Office provides and we will carefully consider the comments received. We trust that you find this Scheme to be presented in an easy to understand format, which will afford you the opportunity to comment in the most constructive way.

Police Ombudsman

Nuala O'Loan

Chief Executive

Sam Pollock

OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND

EQUALITY SCHEME

1. **Introduction**

1.1 By virtue of section 75 of the Northern Ireland Act 1998 (the Act) the Office of the Police Ombudsman (the Office) in carrying out all its functions, powers and duties is required to have due regard to the need to promote equality of opportunity-

- (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- (b) between men and women generally
- (c) between persons with a disability and persons without
- (d) between persons with dependants and persons without

1.2 Without detracting from its obligations set out above, the Office shall in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. The Office shall include the promotion of good relations as part of the Corporate Planning Process.

1.3 The Office commits itself to the fulfilment of the duties imposed by section 75 of the Act and will allocate the necessary resources in terms of people, time and money to ensure that the statutory duties are complied with.

1.4 In this Equality Scheme the Office, as required by Schedule 9 of the Act, has set out how it proposes to fulfil its duties under section 75.

2. **Consultation**

2.1 The Office is committed to consulting with the Equality Commission, the Police Service of Northern Ireland, public authorities, trade unions and voluntary, community or other groups who have a legitimate interest in the Office's policies on equality of opportunity and good relations. These bodies are set out at Appendix 1 (this list is not exhaustive and may be amended in light of experience)

2.2 Consultation with groups will take place at an early a stage as possible, and the following methods may be used:

- (a) face to face meetings with individuals or groups
- (b) letters
- (c) standing or ad hoc consultative bodies
- (d) internet

- (e) discussion papers with opportunity to comment in writing
- (f) press release
- (g) advertisements

The Office will ensure training is provided for those engaged in the consultative exercise, and in choosing the method of consultation regard will be given to the most appropriate method in terms of cost and effectiveness.

2.3 The Office will ensure that there are no barriers to the consultation process. Information will be available on request in accessible formats such as Braille, large print, disc, audiocassette, and in minority languages to meet the needs of those people who are not fluent in English. The Office will ensure that systems are put in place to make information available in accessible formats in a timely fashion. Specific consideration will be given on how best to communicate to young people and those with learning disabilities.

2.4 The Office will commence consultation as soon as possible to enable groups to consult amongst themselves as part of the process of forming a view. The Office will aim to allow a consultation period of eight weeks. Where it has not been possible to comply with this requirement the Office will monitor and keep under review the circumstances and justify its actions in the annual review. The Office will also be sensitive to the needs of consultees, taking appropriate measures to ensure full participation in any meeting, which is held. In particular the Office will consider:

- (a) the time of day
- (b) the appropriateness of the venue, and its acceptability for those persons with disabilities
- (c) how the meeting is to be run
- (d) the use of appropriate language
- (e) whether it is necessary to meet particular groups separately
- (f) whether a signer is necessary
- (g) the provision of child care

Information will be made available to ensure meaningful consultation. Relevant quantitative and qualitative data and any commissioned consultant's reports will be included.

3. **The Office - Its Functions**

3.1 The Office of the Police Ombudsman for Northern Ireland was established by virtue of s.51 of the Police (NI) Act 1998 and is a corporation sole. The Ombudsman's functions under this Act entail:

- the recording and consideration of all complaints made against the police

- referring matters to do with the direction and control of the police force to the Chief Constable
-
- the consideration of informal resolution of non-serious complaints
-
- the formal investigation of complaints of police misconduct or criminal behaviour
-
- the formal investigation of matters which may involve misconduct or criminal conduct which are not the subject of a complaint
-
- making recommendations to the DPP where a criminal offence may have been committed by a police officer
-
- making recommendations for any disciplinary procedures which may be required
-
- making agreements with police constabularies
-
- making reports to the Secretary of State, the Policing Board and the Chief Constable
-
- bringing statistical and other information to the attention of the Policing Board
-
- making statements as to the exercise of these functions

To give effect to these functions the Ombudsman is empowered by the Act to recruit staff, acquire and hold property and to procure services, goods and equipment. In keeping with the Equality Commission's Guidance, these activities are included within the concept of functions for the purposes of this scheme.

3.2 The functions of the Office were extended by the Police (NI) Act 2000. The new functions include:

- mediation in respect of complaints
-
- making reports to the Chief Constable and the Policing Board on the practices and policies of the police which come to the Ombudsman's attention
-
- carrying out research for the purposes of such reports
-
- supplying statistical information to the Policing Board
-
- receiving information and documents from the Chief Constable

3.3 The Office has set out in its Corporate Statement and Annual Business Plan its policy aims and objectives, and will be using these in succeeding statements/plans to additionally publicize the manner in which it intends to carry out its functions. (See Appendix 2)

4. **Compliance issues**

- 4.1 The Chief Executive, Sam Pollock, has the responsibility of ensuring that the Office fully complies with this scheme. A high-level policy unit has been set up chaired by the Director of Legal Services, Eunan McMullan, who is a member of the Senior Management Team. This unit has primary responsibility for the production of the Office's Equality Scheme and its subsequent monitoring and review. It is a cross functional unit consisting of management members from all the Directorates of the Office.
- 4.2 Each member of the Senior Management Team is responsible to the Chief Executive for ensuring that the Directorates which they head, fully comply with this Scheme.
- 4.3 The Office has in its published Corporate Statement and Annual Business Plan taken cognizance of its statutory duties. The Office includes within its mission statement the provision of an independent and impartial police complaints service, which is fully accessible and responsive to the community. It is commencing a system of staff performance appraisal and objectives relating to the statutory duties will be incorporated within these. A report to the Senior Management Team will be made on a quarterly basis, and a formal report of progress included in the Office's annual report.
- 4.4 The Office is committed to conducting an annual review of progress made in implementing the arrangements specified in this Scheme and in complying with the statutory duties. It will forward a report of this review to the Equality Commission and liaise with that body to ensure that progress is maintained.

5. **Assessment and consulting arrangements for policies on the promotion of Equality of Opportunity**

- 5.1 In order to fulfil its statutory obligation the Office would propose to follow the timetable set out at Section 11 of this Scheme. The Office would intend to screen its policies in order to determine which would be suitable for a fuller analysis in terms of impact assessment.
- 5.2 The Office will use the following questions in conducting the screening exercise:
- (a) Is there any evidence of higher or lower participation or intake by different groups?
 - (b) Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
 - (c) Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy, or working with others in government or in the larger community?

- (d) Have consultations with relevant groups, organizations or individuals indicated that particular policies create problems, which are specific to them?
- 5.3 The Office will subject its policies to the above screening criteria within 3 months of submitting this Scheme to the Equality Commission. If the answer to any of the questions set out above are positive, consideration will be given whether to subject the policies to an equality impact assessment.
- 5.4 The Office will prioritise these policies for equality impact assessment taking into account such factors as social need, effect on people's daily lives and the effect on their human, social and economic rights.
- 5.5 The Office will then consult with the organizations listed at Appendix 1 on the results of the screening and prioritisation exercises. The consultation period will be two months, and the bodies consulted in line with the same principles as have been outlined in Section 2 of the Scheme.
- 5.6 The Office will produce a detailed report of the screening and consultation exercise in its annual report to the Equality Commission. The report will detail the policies proposed by those consulted as appropriate for impact assessment and those which have not been so included and why. The timetable arrived at following consultation will be included in the report of the screening exercise.
- 5.7 New policies may arise in the 5-year period set out in the timetable at Section 11. Any new policies will be screened for fuller impact assessment in line with those criteria set out at 5.2 above.
- 5.8 The Office will carry out equality impact assessments for assessing and consulting on the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity and for monitoring any adverse impact upon the promotion of equality of opportunity. In making a decision upon such policies the Office will take into account any equality impact assessment and consultation carried out in relation to the policies. Consultation on impact assessment will be made on the same basis as set out in Section 2, above.
6. **Monitoring**
- 6.1 Knowledge of the background of complainants and the impact of the Office's policies on the different groups within the section 75 categories will be of assistance in relation to assessing progress towards equality of opportunity. The Office will rely both on its own available data and research resources as well as those available from other sources. It will establish a system to monitor the impact of policies in order to identify their impacts on the relevant groups, and at the end of the first year of approval of this Scheme it will assess the extent of monitoring and the scope for extending it.
- 6.2 Where an equality impact assessment identifies an anticipated differential adverse impact on particular groups within the section 75 categories, consideration will be given to alternative policies which might better achieve the promotion of equality of opportunity. Where no alternative policy is feasible then steps will be taken, wherever possible, to mitigate the anticipated adverse impact.

6.3 The Office will liaise with other public bodies and collect and analyse existing quantitative data by relevant characteristics as a basis on which to judge outcomes. It will also use qualitative information from public, community, voluntary and other bodies, such as trade unions.

6.4 The Office will review on an annual basis the results of monitoring. If monitoring and evaluation show that a policy is resulting in greater adverse impact than predicted, or if opportunities arise to allow for greater equality of opportunity to be promoted, the Office will ensure that the policy is revised.

7. Publication of quality impact assessments and monitoring

7.1 The Office will make publicly available the outcome of any equality impact assessment and of any monitoring undertaken in relation to Sections 5 and 6 above. This material will be accessible on the Office's website at www.policeombudsman.org. It will also be available in printed form by writing to Elaine Vaughan, Administrative Officer (Equality), the Police Ombudsman for Northern Ireland, New Cathedral Buildings, St. Anne's Square, 11 Church Street, Belfast BT1 1PG, phoning on 028 90828662 or by email on elaine.vaughan@policeombudsman.org. The Office will inform the general public about the availability of this material through press releases and the display of public notices. It will also inform those bodies listed at Appendix 1 when the material is available. In particular, the Office will consider how best to communicate this information to young people and those with learning disabilities.

7.2 The published information on equality impact assessment will include:

- the aims of the policy to which the assessment relates
- details of any considerations given by the Office to measures which might mitigate any adverse impact of that policy on the promotion of equality of opportunity
- details of any consideration given by the Office to any alternative policies which might better achieve the promotion of equality of opportunity

7.3 Information will be made available on request in accessible formats such as Braille, large print, disc, audiocassette and in minority languages to meet the needs of those who are not fluent in English.

8. Account of equality impact assessment and consultation

8.1 The Office will ensure that in making any decision with respect to a policy adopted or proposed by it, it shall take into account any equality impact assessment and consultation carried out in relation to the policy.

9. Training

9.1 The Office, in conjunction with the Equality Commission, Mediation Network, the Training and Development Services of the NIO and /or other consultants

will provide extensive training to all employees, including those who are part-time, on secondment or temporary. Specifically, the training will:

- raise awareness of current anti-discrimination legislation in Northern Ireland, including the provisions of section 75, Schedule 9 and section 76 of the Northern Ireland Act 1998. This will include an explanation of the duties and their implications for all employees
- provide those employees involved in the screening of policies with the necessary skills and knowledge to do this work effectively
- provide those employees involved in the equality impact assessment of policies with the necessary skills and knowledge to carry out this work effectively
- provide those employees who deal with complaints in relation to the implementation of the Office's Scheme, with the necessary skills and knowledge to investigate and monitor complaints effectively
- provide those employees involved in the consultation process with the necessary skills and knowledge to do this work effectively
- provide those employees involved in the implementation and monitoring of the effective implementation of the Office's Scheme to do this work effectively
- evaluate the extent to which all participants in the training programme have acquired the necessary skills and knowledge to achieve each of the above

More focused training will be provided to research staff and legal staff.

9.2 Typically, the contents of the general awareness training will be as follows:

- origins of the section 75 duty
- contents of section 75 and schedule 9 and their implications for public authorities
- content of Equality Schemes
- policy and procedure audit
- screening
- impact assessments
- complaints

9.3 The Office will provide copies of the Scheme to all its employees which will include the Police Ombudsman's and the Chief Executive's covering message concerning their personal commitment to promoting section 75.

10. **Public access to information and services**

10.1 The Office is committed to effective communication with the public. It recognises, however, that there is a risk that some sections of the public will not enjoy equality of opportunity in accessing information provided by the Office. Three particular risk areas have been identified:

- people with sensory and learning disabilities may have particular difficulties with information in print
- members of ethnic minority groups, whose first language is not English may have difficulties with information provided only in English
- some local newspapers are read predominantly by members of only one community

10.2 In disseminating information through the local press, the Office will ensure that press statements and public advertisements are accessible to both main communities. It will also take steps to provide easier access to information for other groups.

10.3 The Office will, within the first year following commencement of this Scheme, undertake an assessment of its arrangements for providing information in Braille, large print, disc, audiocassette and in minority languages to meet the needs of those who are not fluent in English. In particular, the Office will consider young people and those with learning disabilities.

10.4 The Office intends that all its services are fully accessible to all parts of the community. Equality impact assessments will highlight any factors that create differential impact by making a service linked to a particular function, policy or duty less accessible to particular groups. The Office will regularly monitor access by each of the nine groups named in section 75 to information about its policies, functions, duties and services.

10.5 The Office will aim to ensure that no section of the community is deterred from visiting its premises, for whatever reason. The Office will aim to provide a welcoming and harmonious environment.

10.6 The Office will adhere to the relevant provisions of the Disability Discrimination Act 1995.

11. **Timetable**

11.1 The following timetable summarises the measures which the Office proposes to take during the five years following the commencement of the Scheme.

Year 1 June 2002 – May 2003

Screening of policies (Stage 1) (June 2002 – August 2002)

Consultation on the screening exercise (Stage 2) (September 2002 – October 2002)

Report on the screening exercise (Stage 3) (November 2002)

Refining of methodology for carrying out equality impact assessments.

Equality impact assessments of those policies which have come first in the prioritisation exercise. (A prioritised schedule will be prepared for the 5-year period).

Review of monitoring arrangements.

Implement ongoing training plan as detailed in Section 9.

Complete first annual review and submit to the Equality Commission.

Screen and where necessary carry out equality impact assessments on all new policies, functions and duties.

Year 2 June 2003 – May 2004

Equality impact assessment of those policies identified for year 2 in the prioritisation schedule.

Finalisation of any ongoing specialist staff training.

Complete second annual review and submit to the Equality Commission.

Screen and where necessary carry out equality impact assessments on all new policies, functions and duties.

Year 3 June 2004 – May 2005

Equality impact assessment of those policies identified for year 3 in the prioritisation schedule.

Complete third annual review and submit to the Equality Commission.

Screen and where necessary carry out equality impact assessments on all new policies, functions and duties.

Provide training for all new staff.

Year 4 June 2005 – May 2006

Equality impact assessment of those policies identified for year 4 in the prioritisation schedule.

Complete fourth annual review and submit to the Equality Commission.

Screen and where necessary carry out equality impact assessments on all new policies, functions and duties.

Provide training for all new staff.

Year 5 June 2006 – May 2007

Equality impact assessment of those policies identified for year 5 in the prioritisation schedule.

Conduct a comprehensive review of the working of the Office's Equality Scheme over the five years.

Screen and where necessary carry out equality impact assessments on all new policies, functions and duties.

Provide training for all new staff.

12. Publication of the Scheme

12.1 Following submission to the Equality Commission, this scheme will be available from the Police Ombudsman's Offices at New Cathedral Buildings, St. Anne's Square, 11 Church Street, Belfast BT1 1PG, by phoning on 028 90828662 or by email on elaine.vaughan@policeombudsman.org. It will be accessible on the Office's website at www.policeombudsman.org. The Office will place a prominent press advertisement and will send a copy of the scheme to those bodies listed at Appendix 1.

12.2 Following approval of the scheme by the Equality Commission, a further version (revised if necessary) will be available at the same location and website address. Again, the Office will place a prominent press advertisement when the Equality Commission approves the scheme. The scheme will be made available on request in accessible formats such as Braille, large print, disc, audiocassette and in minority languages to meet the needs of those who are not fluent in English. In particular, the Office will consider how best to communicate this information to young people and those with learning disabilities.

12.3 A copy of the Scheme will be provided to all employees with an accompanying summary.

13. Complaints

13.1 The Office will respond to any complaints that it has not fulfilled its statutory obligations and will seek to resolve such complaints at the initial stage. When a complainant claims to have been directly affected by a failure of this Office to comply with this Scheme, he/she should, in the first instance, bring their complaint to the attention of Mr Eunan McMullan, Director of Legal Services, the Police Ombudsman for Northern Ireland, New Cathedral Buildings, St. Anne's Square, 11 Church Street, Belfast BT1 1PG, phoning on 028 90 828670. The Office will carry out an internal, initial investigation of the complaint and will respond to the complainant within one month. In

responding to the complainant, the Office will inform him/her of the procedures for pursuing the complaint further with the Equality Commission, as set out in paragraph 10 of Schedule 9 to the Northern Ireland Act 1998. The Office will co-operate fully with the Equality Commission, providing access to any relevant documentation that the Commission may require. It will also co-operate fully with any investigation by the Equality Commission under sub-paragraph 11(1)(b) of Schedule 9 of the Northern Ireland Act 1998.

14. **Review of the scheme**

- 14.1 Within 5 years of submitting this Scheme to the Equality Commission, the Office will conduct a formal review of the Scheme to evaluate its effectiveness in meeting the statutory duties. This review will include an assessment of how the Office has complied with its section 75 obligations and how equality of opportunity and good relations have been advanced in relation to the direct services and key policies. The Office will consult with those bodies listed at Appendix 1 before submission of the review to the Equality Commission.

APPENDIX ONE

LIST OF CONSULTEES

N.B, this list is not exhaustive and may be amended in the light of circumstances.

RELIGION AND POLITICS

CHURCHES

Baptist Union of Ireland
Church of Ireland
Congregational Union of Ireland
Elim Pentecostal
Free Presbyterian Church of Ulster
Methodist Church in Ireland
Presbyterian Church in Ireland
Roman Catholic Church

POLITICAL PARTIES

Alliance Party
Democratic Unionist Party
Northern Ireland Unionist Party
Northern Ireland Women's Coalition
Progressive Unionist Party
Sinn Fein
Social Democratic Labour Party
Ulster Democratic Party
Ulster Unionist Assembly Party
Ulster Unionist Party
United Kingdom Unionist Party

TRADE UNIONS AND STAFF ASSOCIATIONS

Counteract
Northern Ireland Public Service Alliance (NIPSA)
UNISON
Association of Professional, Executive, Clerical and Computer Staff (APEX)
Police Federation
National Union of Students (NUS)
Union of Students of Ireland (USI)

RACE

Bahai Community of Belfast
Italian Society
Northern Ireland Council for Ethnic Minorities (NICEM)
North West Chinese Community Association
Oi Kwan Chinese Women Group (Belfast Base)

Oi Yin Chinese Women Group (Bangor Base)
Multi- Cultural Resource Centre
Barnardos Tuar Ceatha Project
Belfast Islamic Centre
Belfast Travellers Education and Development Group
Belfast Traveller's Site Project
Chinese Welfare Association
Chinese Chamber of Commerce
Craigavon Asian Association
Indian Community Centre
Multicultural Group
Muslim Culture and Traditions
Northern Ireland African Cultural Centre
Traveller Movement Northern Ireland
Belfast Hebrew Congregation
Northern Ireland Filipino Association
Northern Ireland Filipino Community in Action
Southern Travellers Early Years Partnership
Traveller Movement (NI)
Wah Hip Chinese Community Association

**AGE
OLDER PEOPLE**

Help the Aged, Northern Ireland
Age Concern Northern Ireland

**AGE
CHILDREN**

Children's Law Centre
NSPCC
Save the Children
Barnardos
Child Care Northern Ireland
NIPPA
Putting Children First
Northern Ireland Council for Integrated Education
Northern Ireland Governing Bodies Association
National Association of Educational Inspectors, Advisers & Consultants
Association of Educational Psychologists
Library Association
National Association of Social Workers in Education

YOUTH

Contact Youth
Girls Brigade
The Princes Trust
Boys Brigade

City of Belfast YMCA
Youth Action Training Youth line
Youth Exchange Centre
Youth Link Northern Ireland
Youth Action Northern Ireland
Youthnet
Northern Ireland Youth Forum
Northern Ireland Association of Youth Service Officers
Youth Council for Northern Ireland

DISABILITY

ABAH (NI Region)
Disability Action
IPSEA
MENCAP (Royal Society for Mentally Handicapped Children and Adults)
PHAB (NI) Ltd
Royal National Institute for Deaf People (NI)
Royal National Institute for the Blind (NI)
The Cedar Foundation (formerly NICOD)

MARITAL STATUS AND DEPENDANTS

Parents Advice Centre
Relate
Gingerbread Northern Ireland
Northern Ireland Mediation Service

SEXUAL ORIENTATION

Carafriend
Coalition on Sexual Orientation (COSO)
NIGRA (Northern Ireland Gay Rights Association)

GENDER

Falls Women's Centre
Women's Support Network
Women's Resource and Development Agency (WRDA)
Northern Ireland Women's Aid Federation
Northern Ireland Women's European Platform (NIWEP)
Shankill Women's Centre
Windsor Women's Centre
Women's Forum Northern Ireland
Northern Ireland Women's Federation
Men to Men

GOVERNMENT AND PUBLIC SECTOR BODIES

ACPO

Belfast City Council
Council for Catholic Maintained Schools
Courts System
Coroners
Department of Culture Arts and Leisure
DPP
Equality Commission
Forensic Science Support
Health Service
Lancaster Police
Law Society
Metropolitan Police
Military
Northern Ireland Human Rights Commission (NIHRC)
Superintendents Association
Police Federation
Police Service Northern Ireland (PSNI)
The Community Relations Council
Probation Board for NI
Juvenile Justice Board
Board of Visitors of Prisons
Civil Service Commissioners for NI
The Parades Commission
Council of HM County Court Judges
Resident Magistrates Association
NI Juvenile Courts Association
NI Courts Service
Bar Council

WELFARE/COMMUNITY/MISCELLANEOUS

Citizens Advice Bureau
Committee on the Administration of Justice
Lower North Belfast Community Council
National Schizophrenia Fellowship
Newry Welfare Rights Centre
Northlands
Omagh Independent Advice Services
Rosemount Resource Centre
South West Belfast Advice Partnership
Mind Yourself
Neighbourhood Development Association
Northern Ireland Council for Ethnic Minorities (NICEM)
Prisonlink (NIACRO)
Associations of Independent Advice Centres
Springfield Charitable Association
Tar Anall
Upper Andersonstown Welfare and Advice Group
WAVE Trauma Centre
Foyle Homeless Action and Advice Service

Greater Turf Lodge Residents Association
Tar Isteach
Vine Advice Centre
Gingerbread
Hillcrest House
LIAISE
Corpus Christi Services
Creggan Community Care
East Belfast Independent Advice Centre
Falls Community Council
Ardoyne Association
Ballysillan Advice Service
Colin Community Groups Association
Ballysally Community Association
Belfast Unemployed Resource Centre
Alessie Centre
Travellers Association
NI Council for the Homeless
Community Relations Council
NI Council for Voluntary Action
General Consumer Council
Victim Support NI
Plain English Campaign
Ulster Scots Heritage Council
University of Ulster
Centre for Applied Specialist Technology
Community Relations Council
Justice
Liberty
Amnesty International
Ulster Prisoners Aid
West Belfast Economic Forum
Prison Reform Trust