

Title of Report: Review of Equality Scheme and Disability Scheme for Derry City and Strabane District Council	Officer Presenting: Lead Democratic Services and Improvement Officer Author: Policy officer (Equality)
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1 Purpose of Report/Recommendations

- 1.1** To present for Elected Members' consideration a draft Equality Scheme 2020-2023 (Appendix 1) and a draft Disability Scheme 2020-2023 (Appendix 2)
- 1.2** To seek approval for the Equality Scheme 2020-23
- 1.3** To seek approval for the Disability Scheme 2020-23

2 Background

- 2.1** The Council's existing Equality Scheme covered the period 2017-2019 whilst its Disability Equality Scheme was valid for the period 2015-2019. In accordance with its duties under Section 75 of the Northern Ireland Act and Section 49 of the Disability Discrimination Order respectively, the Council is required to submit an Equality Scheme (Appendix 1) and Disability Scheme (Appendix 2) to the Equality Commission for the period 2020 onwards.
- 2.2** The Equality Scheme is a statement of Council's commitment to fulfil the statutory obligations in compliance with Section 75 and Schedule 9 of the Northern Ireland Act 1998. Section 75 of the Northern Ireland Act 1998 (the Act) requires Derry City and Strabane District Council to comply with two statutory duties, namely:
 - Section 75 (1)
 - In carrying out its functions, the Council 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

- persons with dependants and persons without.
- Section 75 (2)
- In addition, without prejudice to the obligations above, in carrying out its functions, the Council is required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

2.3 The Council's Equality Scheme also sets out its arrangements for:

- Assessing its compliance with the duties under section 75
- Assessing and consulting on the likely impact of policies on the promotion of equality of opportunity
- Monitoring any adverse impact of policies on the promotion of equality of opportunity
- Publishing the results of such assessments
- Training staff
- Ensuring and assessing public access to information and services provided by the public authority.

2.4 The Disability Scheme sets out Council's commitment in compliance with Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006). This Act had placed new duties on public authorities, when carrying out their functions to have regard to the need:

- To promote positive attitudes towards disabled people; and
- To encourage participation by disabled people in public life.

2.5 Council will commit necessary resources (in terms of people, time and money) to make sure that the statutory duties are complied with and that the Equality Scheme can be implemented effectively, and on time.

3 Key Issues

- 3.1 Both the draft Equality Scheme 2020-2023 (Appendix 1), and the draft Disability Scheme (Appendix 2) contain a reaffirmation of Council's existing commitments which were previously approved by the Equality Commission and subsequently ratified by Council (GSP72/17 & C84/17).
- 3.2 These draft documents have been prepared in accordance with advice given by the Equality Commission, i.e. if there have been no substantive changes to these key documents then Council are not required to subject these two documents to a public consultation process.
- 3.3 Administrative and operational updates have been included within the draft Schemes which either reflect or enhance the Council's stated commitments.
- 3.4 Once approved by Council, both the Equality Scheme and the Disability Scheme are submitted to the Equality Commission for its approval. Failure to have an approved Equality Scheme and/or approved Disability Scheme may result in the Equality Commission referring the matter to the Secretary of State, in which case it will notify the NI Assembly that it has done so.

4 Financial, Equality, Legal, HR, Improvement, Rural Needs and other Implications

- 4.1 The Equality Scheme is fundamental to meeting Council's statutory duties under Section 75 and Schedule 9 of the Northern Ireland Act 1998.
- 4.2 The Disability Scheme is a requirement under Section 49 of the Disability Discrimination Order.
- 4.3 Section 75 duties have been integrated into job descriptions of all employees within Council not just senior positions with responsibility for policy and service development. All job descriptions have the following duty included – **“comply with and actively promote the Council's policies and procedures on all aspect of equality”**. This will facilitate Council's delivery of its equality and disability duty commitments.

5 Recommendations

- 5.1 That subject to Members' comments that approval is given to:

- The Equality Scheme 2020-23;
- The Disability Scheme 2020-23

Background Papers

- Draft Equality Scheme (Appendix 1)
- Draft Disability Scheme (Appendix 2.)