



Department for

Communities

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Commonities

www.communities-ni.gov.uk

Draft Section 75 Equality Action Plan 2022-2025 Public Consultation

March 2023

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1. What are we consulting on?

- a. This consultation seeks your views on the Department for Communities' Draft Section 75 Action Plan. The Department's Equality Scheme includes a commitment to develop a Section 75 Action Plan. **The Draft plan can be found on the Department's website.**
- b. The Plan covers the period 1 April 2022 – 31 March 2025 and will be updated or amended during its lifetime when required. The Plan relates to the Department's specific functions and aims to promote equality of opportunity and good relations by taking actions to address identified inequalities.
- c. The Department will work towards the delivery of the targets specified in the Plan and within the limits of the financial and other resources allocated to the Department. In addition, the Plan will be updated as new priorities and targets are approved by a new Minister and Executive.

2. How to respond

- a. This consultation seeks your views on the Section 75 Action Plan. The public consultation is open for the 12 weeks, until 31 May 2023, and we would welcome your comments on the Plan. **A ‘Consultation Response Template is available on our website** and responses should be emailed to: **equality.unit@communities-ni.gov.uk**, or posted to:
- b. A hard copy of the consultation document, or a copy in a different format, can be provided on request. You can either email, write to us or phone us on **028 9082 9000**.
- c. The consultation will close on **31 May 2023**. Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.

Equality Unit
Department for Communities
9 Lanyon Place
Lanyon Quay
Belfast
BT1 3LZ

3. Privacy, Confidentiality and Access to Consultation Responses

- a. For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice **(Annex A)**.
- b. Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679.
- c. If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

4. Background

a. Section 75 of the Northern Ireland Act 1998 requires public authorities, in carrying out their functions as they relate 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 as outlined below:

Section 75 (1):

there is a requirement 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 their functions, there is a requirement to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

b. The Equality Commission published guidance “Section 75 of the Northern Ireland Act 1998: A Guide for Public Authorities” recommending that public authorities should undertake an Audit of Inequalities by examining their functions and how these relate to the promotion of equality and good relations.

- c. Specific actions to address the inequalities identified should then be set out in an action plan, and these actions should be linked to the corporate planning cycle.
- d. The Department carried out an Audit of Inequalities in preparation for the development of the Section 75 Action Plan.
- e. The Audit was conducted across the Department, involving business areas who collated and analysed both qualitative and quantitative information from a number of internal and external sources. This analysis produced a strategic picture of societal inequalities upon which the work of the Department may impact.

5. Audit of Inequalities

- a. **The Audit of Inequalities can be found on the Department’s website.**
- b. The draft Section 75 Action Plan has been developed to address these inequalities as far as possible within the Department’s functions, budget and approved programmes of work. We will regularly review the Plan, updating it with new measures as required throughout its lifetime.

Privacy Notice – Consultations (DfC)

Data Controller Name: Department for Communities (DfC)

Address: 9 Lanyon Place, Lanyon Quay, Belfast, BT1 3LZ

Email: equality.unit@communities-ni.gov.uk

Telephone: **028 90829 443**

Data Protection Officer Name:
Karen McMullan

Telephone: **028 9082 9200**

Email: DPO@Communities-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the **Data Protection Act (DPA)** and the **EU General Data Protection Regulation (GDPR)**. The Department for Communities (DfC) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Purpose for processing

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but

these will not contain any personal data. We will not publish the names or contact details of respondents, but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1) (e) of the GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/ orientation when it is necessary for

reasons of substantial public interest under Article 9(2)(g) of the GDPR, in the exercise of the function of the department, and to monitor equality.

How will your information be used and shared

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

How long we will keep your information

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule (which can be accessed through: <https://www.communities-ni.gov.uk/dfc-privacy-notice>

What are your rights?

- You have the right to obtain confirmation that your data is being **processed, and access to your personal data**
- You are entitled to have personal data **rectified if it is inaccurate or incomplete**
- You have a right to have personal data **erased and to prevent processing,** in specific circumstances

- You have the right to **'block' or suppress processing** of personal data, in specific circumstances
- You have the right to **data portability,** in specific circumstances
- You have the right to **object to the processing,** in specific circumstances
- You have rights in relation to **automated decision making and profiling.**

How to complain if you are not happy with how we process your personal information

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
casework@ico.org.uk

Available in alternative formats.

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