



Equality Scheme for Probation Board for Northern Ireland

Date of revision: 1 December 2023

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

This document is available in a range of formats on request.

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.

In our Equality Scheme, we set out how the Probation Board for Northern Ireland (PBNI) proposes to fulfil the Section 75 statutory duties.

PBNI continues to commit to ensuring the necessary resources 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.

PBNI has effective internal arrangements in place for ensuring compliance with the Section 75 statutory duties and for monitoring and reviewing progress.

PBNI will develop and deliver a new programme of communication and training with the aim of ensuring that all staff and Board members are made fully aware of PBNI's Equality Scheme and understand the commitments and obligations within it. PBNI will develop a programme of awareness-raising for consultees on the Section 75 statutory duties and the commitments contained in the Equality Scheme .

The Chair of PBNI Board and the Chief Executive are fully committed to effectively fulfilling Section 75 statutory duties across all functions (including service provision, employment and procurement) through the effective implementation of the PBNI Equality Scheme .

PBNI's Equality Scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on PBNI's part, to comply with its Equality Scheme, can make complaints.

PBNI Equality Scheme has been drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998 and Equality Commission guidelines.

1 December 2023

Chapter 1 Introduction

1. Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Northern Ireland Act 1998 (the Act) requires the Probation Board for Northern Ireland to comply with two statutory duties:

Section 75 (1)

In carrying out its functions relating to Northern Ireland the PBNI are 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 dependents 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 PBNI are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

“Functions” include the “powers and duties” of a public authority. This includes employment and procurement functions. Please see below under “Who we are and what we do” for a detailed explanation of functions.

How we propose to fulfil the Section 75 duties in relation to the relevant functions of the Probation Board for Northern Ireland

1.2 Schedule 9 4. (1) of the Act requires the PBNI 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 PBNI’s arrangements for fulfilling the Section 75 statutory duties and a plan for their implementation.

- 1.3 The Probation Board for Northern Ireland is committed to the discharge of our Section 75 obligations in all parts of the organisation and we will commit the necessary available resources in terms of people, time, and money to ensure that the Section 75 statutory duties are complied with and that our Equality Scheme can be implemented effectively.

Example groups relevant to the Section 75 categories for Northern Ireland purposes are contained in Appendix 1.

Who we are and what we do

The Board – its role, functions, and policies

- 1.4 The Board's mandatory functions are set out in section 4(1) of the Probation Board (Northern Ireland) Order 1982:
- (a) secure the maintenance of an adequate and efficient probation service;
 - (b) secure that arrangements are made for persons to perform work under community service orders;
 - (c) provide such Probation Officers and other staff as the Department of Justice considers necessary to perform social welfare duties in prisons and young offender centres; and
 - (d) undertake such other duties as may be prescribed.
- 1.5 Further functions, which may be carried out with the approval of the Department of Justice , are set out in section 4(2) of the Order:
- (a) provide and maintain probation hostels and other establishments for use in connection with the supervision and assistance of offenders;
 - (b) provide and maintain bail hostels;
 - (c) make and give effect to schemes for the supervision and assistance of offenders and the prevention of crime;
 - (d) enter into arrangements with voluntary organisations or any other persons (including government departments and public bodies) whereby those organisations or persons undertake, on such terms (including terms as

to payment by the Board to those organisations or persons) as may be specified in the arrangements –

- (i) the provision and maintenance of such hostels and other establishments as are mentioned in sub-paragraphs (a) and (b);
- (ii) to give effect to such schemes for the supervision and assistance of offenders and the prevention of crime, whether made by those organisations or persons or made by the Board under sub-paragraph (c).

- 1.6 The PBNI provides services across Northern Ireland employing around 400 people and overseeing a budget of approximately £22m. PBNI's organisational structure is set out in Appendix 2.
- 1.7 Our staff and Probation Officers are based throughout Northern Ireland.
- 1.8 Probation Officers are qualified social workers but PBNI also employs people to work in other areas of the organisation such as administration, finance, information technology, human resources and operational support staff e.g. Probation Service Officers and Community Service Supervisors.
- 1.9 As an equal opportunities employer PBNI aims to recruit and develop the very best talent available across a wide range of disciplines.
- 1.10 The procurement of goods, works and services required by PBNI are conducted in a fair and transparent way and based upon the Northern Ireland Public Procurement Policy having due regard to propriety and regularity.

Chapter 2

2. Our arrangements for assessing our compliance with the Section 75 duties (Schedule 9 4. (2) (a))

2.1 PBNI's arrangements for assessing compliance with the Section 75 statutory duties are outlined throughout relevant parts of this Equality Scheme. Specifically, PBNI have the following arrangements in place for assessing our compliance.

Responsibilities and Reporting

2.2 PBNI is committed to the fulfilment of Section 75 obligations in all parts of its work.

2.3 Responsibility for the effective implementation of PBNI's Equality Scheme lies with the Chief Executive.

The Head of Human Resources and Organisational Development is the lead for Equality and Good Relations and is accountable to the Probation Board 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, including any good practice or guidance that has been or may be issued by the Equality Commission. The HR Manager (Equality Officer) has responsibility for a range of tasks associated with promoting equality, screening and co-ordination of S75 reports.

2.4 If you have any questions or comments regarding PBNI's Equality Scheme, please contact:

People / HR Manager (the Equality Officer)
PBNI Headquarters
80-90 North Street
Belfast
BT1 1LD

Email equality@probation-ni.gov.uk
Telephone 02890522522

- 2.5 Objectives relating to the statutory duties will be integrated into the strategic and operational business planning process.
- 2.6 Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 statutory duties and implementation of the Equality Scheme, where relevant. Personal performance plans are subject to appraisal in the annual performance review.
- 2.7 The PBNI 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 (Section 75 annual progress report). Progress will continue to be reflected in organisational annual reports.
- 2.8 The Section 75 annual progress report will be sent to the Equality Commission by **31 August** each year and will follow guidance on annual reporting issued by the Equality Commission.
- 2.9 Section 75 annual progress reports are available on our website www.probation-ni.gov.uk or by contacting PBNI's Equality Officer.
- 2.10 PBNI liaises closely with the Equality Commission to ensure that progress on the implementation of its Equality Scheme is maintained.

Action plan/action measures

- 2.11 The PBNI has developed an action plan to promote equality of opportunity and good relations. This action plan is available on PBNI's Internet and is updated on quarterly basis.
- 2.12 The action measures that make up this action plan are relevant to PBNI functions. They have been developed and prioritised on the basis of business need. This business need addresses equality issues across many Section 75 categories to address inequalities that exist for service users and those affected by PBNI policies.

- 2.13 Action measures will be specific, measurable, linked to achievable outcomes, which are realistic and time bound. Action measures will include where possible performance indicators and timescales for their achievement.
- 2.14 PBNI's Equality and Good Relations Action Plan is designed to last for 5 years. Implementation of the action measures will be incorporated into the business planning process.
- 2.15 PBNI commits to publicly consulting on the contents of its Equality Scheme, where there are significant changes to the Scheme. PBNI will publicly consult on its Equality and Good Relations Action plan. The action plans are not subject to ECNI approval.
- 2.16 PBNI will monitor its progress on the delivery of action measures annually and update the action plans as necessary to ensure that they remain effective and relevant to its functions and work.
- 2.17 The PBNI will inform the ECNI of any changes or amendments to its action plans and will also include this information in its Section 75 annual progress report to the ECNI. The Section 75 annual progress report will incorporate information on progress PBNI have made in implementing action plans/action measures.
- 2.18 Once finalised, action plans will be publicly available on the PBNI website www.probation-ni.gov.uk

If you require them in an alternative format, please contact PBNI's Equality Officer as per details supplied in Para 2.6.

Chapter 3

3. Our arrangements for consulting

Our arrangements for consulting (Schedule 9 4. (2) (a)) - on matters to which a duty (S75 (1) or (2)) is likely to be relevant (including details of the persons to be consulted).

(Schedule 9 4. (2) (b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.

- 3.1 We recognise the importance of consultation in all aspects of the implementation of our statutory equality duties. We will consult on our Equality Scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.
- 3.2 We are committed to carrying out consultation in accordance with the following principles (as contained in the Equality Commission's guidance 'Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)').
- 3.3 All consultations will seek the views of those directly affected by the matter / policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.
- 3.4 Initially consultees as a matter of course, will be notified of the matter / policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our and our consultees' resources, we will take a targeted approach to consultation for those consultees who may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance.

This may include for example regional or local consultations, sectoral or thematic consultation etc.

- 3.5 Consultation with all stakeholders will begin as early as possible. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these.
- 3.6 Methods of consultation could include:
 - (a) Face-to-face meetings.
 - (b) Focus groups.

- (c) Written documents with the opportunity to comment in writing.
- (d) Questionnaires.
- (e) Information/notification by email with an opportunity opt in/opt out of the consultation.
- (f) Online Media

This list is not exhaustive, and we may develop other additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

We will also use feedback from our consultation opportunities to help determine the most appropriate way(s) to further communicate with these specific groups.

3.7 Information will be made available, on request, in alternative formats, in a timely manner. We will ensure that such consultees have sufficient time to respond.

3.8 Specific training and support will be provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.

3.9 To ensure effective consultation with consultees on Section 75 matters, PBNI will develop a programme of awareness raising on the Section 75 statutory duties and the commitments in its Equality Scheme by undertaking the following:

- Policy writing staff will receive assistance from Communications Department in relation to identifying the most appropriate consultation methodology.
- PBNI will regularly review its list of consultees to ensure that it is up to date.

3.10 Screening Timeframes

Internal policies and procedures – for example HR or H&S policies

The consultation period lasts for a minimum of six weeks to allow adequate time for employees, including Trade Unions to provide feedback as part of the consultation.

Policies with a potential external impact or focus

The consultation period lasts for a minimum of twelve weeks to allow adequate time for representative groups to provide feedback as part of the consultation process.

However, in exceptional circumstances (for example, implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements) when this timescale is not feasible, the PBNI may shorten timescales to eight weeks or less before the policy is implemented.

The PBNI may continue consultation thereafter and will review the policy as part of its monitoring commitments¹. If a consultation exercise is to take place over a period when consultees are less able to respond, for example, over the summer or Christmas break, or if the policy under consideration is particularly complex, the PBNI will give consideration to the feasibility of allowing a longer period for the consultation.

- 3.11 Where, under these exceptional circumstances, the PBNI must implement a policy immediately, as it is beyond its authority's control, it may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.
- 3.12 The PBNI are conscious of the fact that affected individuals and representative groups may have different needs. PBNI will take appropriate measures to ensure full participation in any meetings that are held. The PBNI will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.
- 3.13 The PBNI will make all relevant information available to consultees in appropriate formats to ensure meaningful

consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.

3.14 In making any decision with respect to a policy adopted or proposed to be adopted, the PBNI will take into account any assessment and consultation carried out in relation to the policy.

3.15 The PBNI will provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of consideration of and response to consultees' input. The feedback is provided in formats suitable to consultees. (Please see also 6.3).

3.16 A list of PBNI consultees be viewed on obtained PBNI website and on request from the PBNI Equality Officer; contact details are as recorded in Para 2.4. PBNI's website is:

www.probation-ni.gov.uk

3.17 The PBNI consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to its functions and policies.

3.18 The PBNI welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact the PBNI Equality Officer to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

Chapter 4

4. Our arrangements for assessing, monitoring and publishing the impact of policies (Schedule 9 4. (2) (b); Schedule 9 4. (2) (c); Schedule 9 4. (2) (d); Schedule 9 9. (1); Schedule 9 9. (2))

Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity (Schedule 9 4. (2) (b))

- 4.1 In the context of Section 75, 'policy' is very broadly defined, and it covers all the ways in which the PBNI carry out or propose to carry out its functions in relation to Northern Ireland. In respect of this Equality Scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, e.g., 'draft', 'pilot', 'high level' or 'sectoral'.
- 4.2 In making any decision with respect to a policy adopted or proposed to be adopted, the PBNI take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9 9. (2) of the Northern Ireland Act 1998.
- 4.3 PBNI uses the tools of **screening** and **equality impact assessment** to assess the likely impact of a policy on the promotion of equality of opportunity and good relations. In carrying out these assessments we will relate them to the intended outcomes of the policy in question and will also follow Equality Commission guidance:
- the guidance on screening, including the screening template, as detailed in the Commission's guidance '*Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)*' and
 - on undertaking an equality impact assessment as detailed in the Commission's guidance '*Practical guidance on equality impact assessment (February 2005)*'.

Screening

- 4.4 The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.
- 4.5 Screening is completed at the earliest opportunity in the policy development / review process. Policies which the PBNI propose to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will screen at various stages during implementation.
- 4.6 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 will also involve other relevant staff members, for example, equality specialists, those who implement the policy and staff members from other relevant work areas. Where possible PBNI will include key stakeholders in the screening process.
- 4.7 The following questions are applied to all our policies as part of the screening process:
- (1) What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
 - (2) Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
 - (3) To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)
 - (4) Are there opportunities to better promote good relations between people of a different religious belief, political opinion, or racial group?

- 4.8 In order to answer the screening questions, PBNI gathers all relevant information and data, both qualitative and quantitative. In taking this evidence into account it considers the different needs, experiences and priorities for each of the Section 75 equality categories. Any screening decision will be informed by this evidence.
- 4.9 Completion of screening, taking into account consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:
- (1)the policy has been 'screened in' for equality impact assessment
 - (2)the policy has been 'screened out' with mitigation or an alternative policy proposed to be adopted
 - (3)the policy has been 'screened out' without mitigation or an alternative policy proposed to be adopted.
- 4.10 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, PBNI may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an equality impact assessment (EQIA) is not to be conducted, we 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. Where PBNI mitigate, we will outline in the screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy. This screening decision will be 'signed off' by the appropriate policy owner within PBNI.
- 4.11 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, PBNI will normally subject the policy to an equality impact assessment. This screening decision will be 'signed off' by the appropriate policy owner within PBNI.
- 4.12 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, PBNI may decide to screen the

policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, we will give details of the reasons for the decision taken. This screening decision will be 'signed off' by the appropriate policy owner within PBNI.

- 4.13 As soon as possible following the completion of the screening process, the screening template, signed off and approved by the senior manager responsible for the policy, will be made available on the Equality & Diversity pages of the PBNI website www.probation-ni.gov.uk

Hard copies will be made available on request to the PBNI Equality Officer, whose contact details are set out in Section 2.4.

- 4.14 If a consultee, including the ECNI, raises a concern about a screening decision based on supporting evidence, PBNI will review the screening decision.

- 4.15 PBNI screening reports are published regularly.

Equality impact assessment

- 4.16 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 promote equality of opportunity and good relations more effectively.

- 4.17 Once a policy is screened and screening has identified that an equality impact assessment is necessary, PBNI will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process before the policy is implemented.

4.18 Any equality impact assessment will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 “Our Arrangements for Consulting”).

Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity (Schedule 9 4. (2) (d); Schedule 9 9. (1))

4.19 PBNI make publicly available the results of assessments (screening and EQIA) of the likely impact of policies on the promotion of equality of opportunity and good relations.

What we publish

4.20 Screening reports

These are detailed annually in the Annual Report to the Equality Commission and in an annual Equality Screening Report. All Equality Screening are published on PBNI’s internet. Screening reports detail:

- All policies screened by PBNI over the period
- A statement of the aim(s) of the policy/policies to which the assessment relates
- PBNI equality screening decisions
- Where applicable, a timetable for conducting equality impact assessments
- Also the completed policy screening is published on the PBNI website so that consultees can see clearly how PBNI have considered the equality issues

4.21 Screening templates

For details on the availability of PBNI screening templates please refer to 4.13.

4.22 Equality impact assessments

EQIA reports are published once the impact assessment has been completed. These reports 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
- Future monitoring plans.

How we publish the information

4.23 All information PBNI publish is accessible and can be made available in alternative formats on request.

Where we publish the information

4.24 The results of PBNI assessments (screening reports and completed templates, the results of equality impact assessments) are available on the PBNI website www.probation-ni.gov.uk and on request from the PBNI Equality Officer details as recorded at Para 2.4.

4.25 PBNI will inform the general public about the availability of this material through public communications including press releases and public notices where appropriate.

Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity (Schedule 9 4. (2) (c))

4.26 Monitoring can assist PBNI to deliver better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (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 PBNI follows guidance from the Office of the Information Commissioner and the Equality Commission.

4.27 PBNI monitor any adverse impact on the promotion of equality of opportunity of policies it has adopted. PBNI are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.

4.28 PBNI has in place systems to gather both qualitative and quantitative data to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations these are:

- The collection, collation and analysis of equality monitoring data for people currently under the supervision of PBNI across all nine equality categories as part of the Service Users Monitoring Form.
- The collection, collation and analysis of equality monitoring data on people using the Victim Information Scheme across all nine equality categories on an on-going basis.
- The collection, collation and analysis of equality monitoring data on application for Community / Voluntary Grants Funding.
- The collection, collation and analysis of equality monitoring data for the recruitment of staff across all nine equality categories on an on-going basis. This information can also provide analysis of leavers, internal promotions and grade analysis etc.
- Undertaking or commissioning new data if necessary

4.29 If over a two-year period monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arose which would allow for greater equality of opportunity to be promoted, PBNI will ensure that the policy is revised to achieve better outcomes for relevant equality groups.

4.30 PBNI reviews its monitoring information on an annual basis. Equality monitoring forms part of PBNI's on-going work to inform development of policy and practice.

Our arrangements for publishing the results of our monitoring
(Schedule 9 4. (2) (d))

- 4.31 Schedule 9 4. (2) (d) requires PBNI to publish the results of the monitoring of adverse impacts of policies it has adopted. However, PBNI are committed to monitoring more broadly and the results of policy monitoring are published as follows:
- 4.32 EQIA monitoring information is published as part of PBNI's Section 75 annual progress report [see 2.7]
- 4.33 On-going monitoring information will be made available publicly on the Equality section of PBNI website. Equality research will be shared with staff on its Intranet so that policy makers have the most accurate information on which to base their screening decisions.
- 4.34 All information published is accessible and can be made available in alternative formats on request.

Chapter 5

5. Staff training

(Schedule 9 4. (2) (e))

Commitment to staff training

5.1 PBNI recognises that awareness raising and training play an important role in the effective implementation of its Section 75 duties.

5.2 The Chief Executive will positively communicate the commitment of the PBNI to the Section 75 statutory duties, both internally and externally.

To this end PBNI have introduced an effective communication and training programme for all staff and will ensure that its commitment to the Section 75 statutory duties are made clear in all relevant publications.

Training objectives

5.3 The PBNI will draw up a training plan for its staff which will aim to achieve the following objectives:

- to raise awareness of the provisions of Section 75 of the Northern Ireland Act 1998, its 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 PBNI 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.
- to provide those staff involved in the implementation and monitoring of the effective implementation of the PBNI Equality

Scheme with the necessary skills and knowledge to do this work effectively.

Awareness raising and training arrangements

5.4 The following arrangements are in place to ensure that all staff are aware of and understand their equality obligations.

- PBNi will develop a summary of this Equality Scheme and make it available to all staff.
- PBNi will provide access to copies of the full Equality Scheme for all staff and ensure that any queries or questions of clarification from staff are addressed effectively.
- Staff in the PBNi will receive a briefing on this Equality Scheme within one year of publication.
- The Section 75 statutory duties will form part of induction training for new staff.
- Focused training is provided for key staff within PBNi who are directly engaged in taking forward the implementation of Equality Scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
- 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.

5.5 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and staff. In order to share resources and expertise, the PBNi will, where possible, work closely with other bodies and agencies in the development and delivery of training.

Monitoring and evaluation

5.6 PBNi training programme is subject to the following monitoring and evaluation arrangements:

- PBNI evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
- PBNI will record the numbers and grade of staff trained
- 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.

Chapter 6

6. Our arrangements for ensuring and assessing public access to information and services we provide (Schedule 9 4. (2) (f))

- 6.1 PBNI is committed to ensuring that the information it disseminates and the services it provides are accessible to all parts of the community in Northern Ireland. These arrangements are kept under review to ensure that this remains the case.
- 6.2 PBNI are aware that some groups will not have the same access to information as others. In particular:
- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
 - Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
 - Children and young people may not be able to fully access or understand information.

Access to information

- 6.3 To ensure equality of opportunity in accessing information, PBNI provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met, we will ensure a reasonable alternative is provided. Alternative formats may include Easy Read, Braille, audio formats, large print or minority languages to meet the needs of those for whom English is not their first language.
- 6.4 PBNI works with young people, disabled and minority ethnic organisations and takes account of existing and developing good practice.
- 6.5 PBNI will respond to requests for information in alternative formats in a timely manner, usually within two weeks. PBNI work with ethnic minorities, people with disabilities and

children and young people and will from time to time consult where appropriate with these groups both in custody and in the community.

- 6.6 PBNI uses interpreters and translation services to ensure that those who cannot speak English are able to communicate with our staff.
- 6.7 PBNI will use social media as appropriate to communicate with consultees. The PBNI website has been enhanced to include a prominent place on its home page for equality & diversity information. The public are encouraged to contact us in relation to consultations or specific queries.

Access to services

- 6.8 PBNI is committed to ensuring that all of its services are fully accessible to everyone in the community across the Section 75 categories. The PBNI also adheres to the relevant provisions of current anti-discrimination legislation.
- 6.9 PBNI has offices or reporting centres in most major towns in Northern Ireland and works collaboratively with partners and local communities to address issues and seek solutions related to those at risk of offending and re-offending.

Assessing public access to information and services

- 6.10 PBNI will review public access across all functions, in relation to access to information and services. This review will align with PBNI corporate triennial planning cycle and will seek to ensure equality of opportunity and good relations are promoted.
- 6.11 PBNI will periodically review consultations to assess their effectiveness and use this information to inform the development of new approaches to consultation.

Chapter 7

7. Timetable for measures we propose in this Equality Scheme (Schedule 9 4. (3) (b))

- 7.1 Appendix 3 outlines the PBNI timetable for all measures proposed within this Equality Scheme. The measures outlined in this timetable will be incorporated into PBNI business planning processes.
- 7.2 This timetable is different from and in addition to PBNI's commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. PBNI have included in its Equality Scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 3.

Chapter 8

8. Our equality complaints procedure (Schedule 9 10.)

8.1 The PBNI are responsive to the views of members of the public. PBNI will endeavour to resolve all complaints made to them.

8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved Equality Scheme. If the complaint has not been resolved within a reasonable timescale, the complaint may be brought to the Equality Commission.

8.3 A person wishing to make a complaint that the PBNI has failed to comply with its approved Equality Scheme should contact:

People / HR Manager (Equality Officer),
80-90 North Street
Belfast
BT1 1LD
Tel 028 90 26 24 68
Textphone 028 90 26 24 90
Email: equality@probation-ni.gov.uk

8.4 PBNI will in the first instance acknowledge receipt of each complaint within 5 working days.

8.5 The PBNI 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.

8.6 During this process the complainant will be kept fully informed of the progress of the investigation into the complaint and of any outcomes.

- 8.7 In any subsequent investigation by the Equality Commission, the PBNI will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.

Similarly, the PBNI 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.

- 8.8 The PBNI will make all efforts to implement promptly and in full any recommendations arising out of any Commission investigation.

Chapter 9

9. Publication of our Equality Scheme (Schedule 9 4. (3) (c))

9.1 PBNI's Equality Scheme is available free of charge in print form and alternative formats from PBNI's Equality Officer contact detail are recorded in Para 2.6.

9.2 PBNI's Equality Scheme is published on our website at www.probation-ni.gov.uk

9.3 The following arrangements are in place for the publication, in a timely manner, of the PBNI Equality Scheme to ensure equality of access:

- PBNI will make every effort to communicate widely the existence and content of its Equality Scheme. This may include press releases, prominent advertisements in the press, Internet and direct mail shots to those representing Section 75 groups.
- PBNI will email a link to its approved Equality Scheme to consultees on its consultation lists. Consultees with no access to e-mail will be notified by letter that the scheme is available on request. PBNI will respond to requests for the Equality Scheme in alternative formats in a timely manner, usually within two weeks.
- The PBNI Equality Scheme is available on request in alternative formats such as Braille, large print, audio formats (CD, mp3, DAISY) and in minority languages to meet the needs of those not fluent in English.
- A simple concise summary version will be available to effectively communicate our Equality Scheme to children and young people and those with learning disabilities.

9.4 A list of PBNI stakeholders and consultees can be found on our Internet site. It is updated regularly.

Chapter 10

10. Review of our Equality Scheme (Schedule 9 8. (3))

10.1 As required by Schedule 9 paragraph 8 (3) of the Northern Ireland Act 1998 the PBNI will conduct a thorough review of this Equality Scheme. This review will take place within five years of submission of this Equality Scheme to the Equality Commission.

The review will evaluate the effectiveness of the PBNI scheme in relation to the implementation of the Section 75 statutory duties relevant to our functions in Northern Ireland.

10.2 In undertaking this review PBNI will follow any guidance issued by the Equality Commission. A report of this review will be made public via the PBNI website and sent to the Equality Commission.

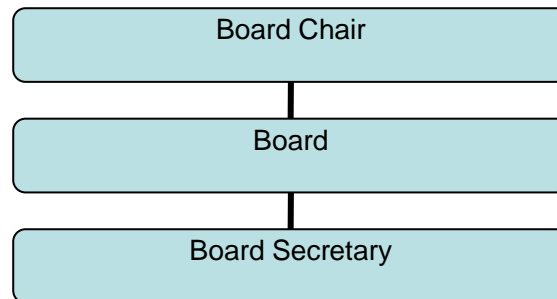
Appendix 1: Example groups relevant to the Section 75 categories for Northern Ireland purposes

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

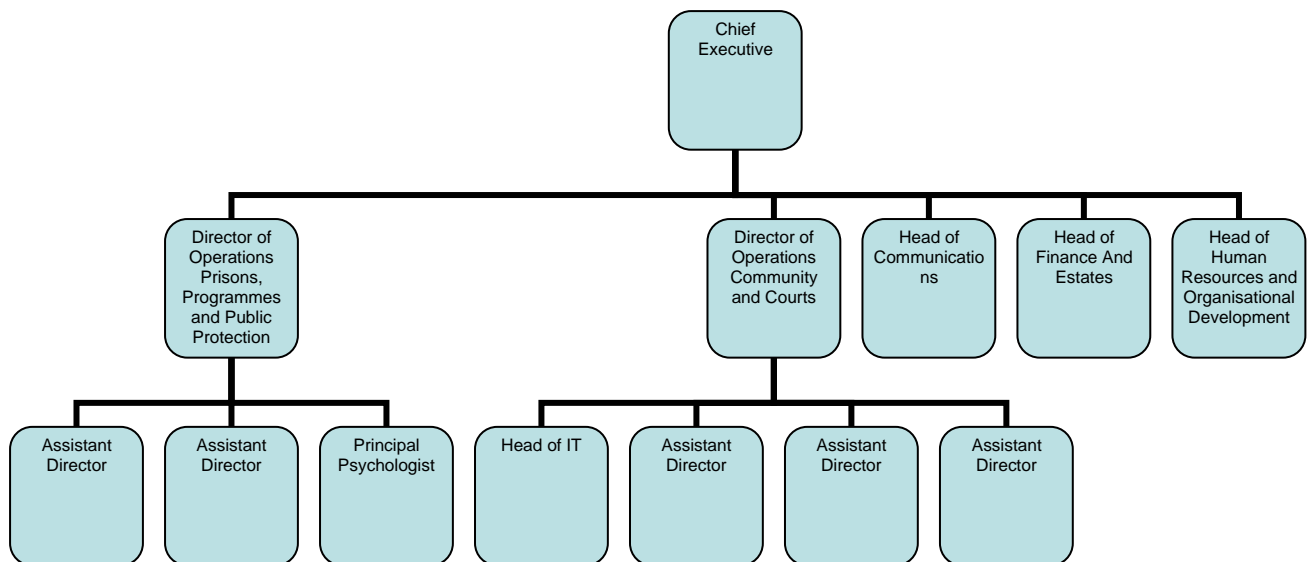
Category	Example groups
Religious belief	<p>Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.</p> <p>For the purposes of Section 75, the term “religious belief” is the same definition as that used in the <i>Fair Employment & Treatment (NI) Order</i>. 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 ²	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.
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 2: PBNI Organisational chart

PBNI Board



Senior Leadership Team (SLT)



Appendix 3: Timetable for measures proposed (Schedule 9 4. (3) (b))

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report [2.7]	Equality Officer and Probation Board	31 August (annually)
Action plan (Five Year)		
Consultation on draft action plan [2.15]	Equality Officer	In line with consultation on Equality Scheme
Finalised action plan published [2.18]	Equality Officer	January 2024
Actions included in Annual Business Plans [2.5]	Business Planning	January (annually)
Consultation list reviewed and updated [3.4]	Equality Officer	September (annually)
Screening Reports [4.15]	Equality Officer	Quarterly
Review of Equality Monitoring Data Annually [4.31]	Equality Officer	June (annually)
Section 75 training to be completed on the Equality Scheme [5.4]	Equality Officer	Annually
PBNI will review public access, in relation to information and services. [6.11]	Equality Officer	June (annually)
Communication of Equality Scheme [9.3]	Equality Officer	In line with Equality Scheme
Review of Equality Scheme [10.1]	Equality Officer	Five Year Review - 2029

Appendix 4 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.

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 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, i.e. 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.

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, and 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'.

Mainstreaming equality

The integration of equal opportunities principles, strategies and practices into the every day work of public authorities from the outset. Mainstreaming can help improve methods of working by increasing a public authority's accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

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.

Northern Ireland Statistics & Research Agency (NISRA)

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP). They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

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.

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.