

**Section 75 and Schedule 9
The Northern Ireland Act 1998**

EQUALITY IMPACT ASSESSMENTS

Human Resource Policies

The Belfast Harbour Commissioners

Report December 2008

**Belfast Harbour Commissioners
Equality Impact Assessments
Human Resources Policies
2008**

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The Belfast Harbour Commissioners Human Resources Policies

The Recruitment Policy

The Equal Opportunities Policy

The Dignity at Work Policy

Equality Impact Assessments

Executive Summary

Belfast Harbour Commissioners (BHC) remains committed to fulfilling its responsibilities under Section 75 of the Northern Ireland Act 1998. In its Equality Scheme approved by the Commission, BHC gave an undertaking to carry out an Equality Impact Assessment (EQIA) on each policy where consultation and screening indicated that there may be significant implications in relation to one of the nine equality groupings.

The screening process identified that each of the three policies identified above should be subjected to EQIA.

Consideration Of Measures To Mitigate Any Adverse Impact

BHC has given careful consideration to measures that might be taken to eliminate or at least mitigate the adverse impacts identified through the EQIA's.

Monitoring

A number of measures have been identified to introduce more robust monitoring arrangements for a range of the section 75 groups. BHC is committed to developing effective monitoring systems.

Review of the Policies

The BHC Employee Handbook is in the process of being extensively reviewed and it has been decided to treat all policies relating to employees as new policies and to subject them to screening. As a result of consultation on the screening report on the 13 new HR policies, the decision was taken to subject the following policies to EQIA; the Recruitment Policy, the Equal Opportunities Policy and the Dignity at Work Policy.

The revised policies are informed by good practice guidance in HR and by the various codes of practice issued by the Equality Commission. The new policies are also indicative of the new leadership and culture that is being developed in the BHC and of the values BHC wishes to promote in terms of integrity, respect / equality, teamwork and people.

The Recruitment Policy

The aim of this policy is to ensure the recruitment and retention of high calibre employees to further the business and creativity interests of the Belfast Harbour Commissioners.

The Dignity at Work Policy

The aim of this policy is to prevent harassment and bullying and to provide guidance to resolve any problems that do arise and to prevent re-occurrence.

The Equal Opportunities Policy

The aim of this policy is to ensure that all current and potential employees are treated fairly in selection, promotion or training and that any other benefit will be on the basis of aptitude and ability; victimisation of any form is prevented; a harmonious working environment is promoted and all legal obligations and affirmative actions implemented.

Assessment of Impacts & Mitigating Actions

Based on the analysis of the data available in relation to these EQIA's it became evident from the quantitative data and comments from consultees that there was evidence of differential impact that may be adverse in terms of under-representation from members of the Roman Catholic Community employed in skilled and manual positions; representation of women in some of the applicant flows and in the workforce and for people with a disability. BHC will address the under-representation in the workforce in terms of these groups through the ongoing implementation of the action plan in the Article 55 Review, through outreach work with community organisations and best practice benchmarking on the promotion of diversity in the workforce.

A number of useful comments have been received through the screening exercise in terms of the application of the three HR policies for people of different faiths, race, sexual orientation, in terms of age and people with disabilities. In order to mitigate against the potential for adverse differential impact in terms of any of these Section 75 Groups, the BHC will introduce more robust monitoring systems in the future.

In order to better promote Equality of Opportunity and Diversity in the workplace, BHC will also provide Equality Awareness Training in relation to faith issues, race, gender, sexual orientation, age and disability. Specific training will be provided for those people sitting on interview panels and for all employees on promoting a diverse workplace, eradicating bullying and harassment and furthering dignity and respect.

BHC will also continue with the outreach measures it has in place and will establish further links with groups representing those with disabilities, ethnic minority communities, people of different sexual orientation and age. These links will be used to identify further good practice measures in relation to the

promotion of equality of opportunity in the workforce to mitigate against victimisation, bullying and/or harassment and promote BHC as an Equal Opportunities Employer.

Conclusion

The BHC is committed to the principle of equality of opportunity and is confident that the measures identified in the report will contribute to fair participation and treatment in employment and will facilitate the BHC to achieve a diverse workforce where everyone is respected.

Procedures for EQIA - Belfast Harbour Commissioners Recruitment Policies

1.0 Introduction

- 1.1 Under the statutory duties contained within Section 75 of the Northern Ireland Act 1998, the Belfast Harbour Commissioners (the Commissioners) gave an undertaking to carry out an equality impact assessment (EQIA) on each policy or group of co-joined policies where screening had indicated that there may be significant implications in relation to one or more of the nine equality dimensions.
- 1.2 This draft report has been produced following the **Screening and Informal Consultation** stage of the EQIA's.
- 1.3 Further copies of the EQIA Report are available on the Commissioners website at www.belfast-harbour.co.uk.
- 1.4 If you have any queries about this document, and its availability in alternative formats (including Braille, large print and audio cassette, and in minority languages to meet the needs of those who are not fluent in English) then please contact:

Patricia Toolan
Human Resources Manager
Belfast Harbour Commissioners
Corporation Square
Belfast
BT1 3AL

Tel: (028) 90 554422
Fax: (028) 90 554420
E-Mail: p.toolan@belfast-harbour.co.uk

Write to: **Patricia Toolan**
Human Resources Manager
Belfast Harbour Commissioners
Corporation Square
Belfast
BT1 3AL

If you would like further information on the Belfast Harbour Commissioners Human Resources policies please contact Patricia Toolan in writing or by Fax at the above address:

Section 75 and the Statutory Duties

- 1.5 Section 75 of the Northern Ireland Act 1998 (the Act) imposes on the Belfast Harbour Commissioners a duty, when carrying out its functions, powers and duties in relation to Northern Ireland, to have due regard to

the need to promote equality of opportunity between nine categories of persons, namely

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Between men and women generally;
- Between persons with a disability and persons without;
- Between persons with dependants and persons without

In addition without prejudice to its obligations above, the Commissioners must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Equality Impact Assessment's (EQIA's) have been carried out in accordance with the Procedure for Conduct of Equality Impact Assessment outlined in the Guide to the Statutory Duties and the Belfast Harbour Commissioners Equality Scheme. The seven separate elements of the EQIA are:

- Defining the Aims of the Policy
- Consideration of Available Data
- Assessment of Impacts
- Consideration of measures that might mitigate any adverse impacts and alternative policies that might better achieve the promotion of equality of opportunity
- Formal Consultation
- Decision by the Public Authority and publication of results of the EQIA
- Monitoring for Adverse Impact and annual publication of results

The purpose of conducting the Equality Impact Assessment is as follows:

- To identify adverse impacts and to consider mitigating factors which will eliminate adverse impact;
- To consider alternative policies, which would better promote equality of opportunity.

1.6 The Equality Commission for Northern Ireland approved the Belfast Harbour Commissioners Equality Scheme in 2001. The Scheme outlines how the Commissioners propose to fulfil their statutory duties under Section 75. Following approval of the Scheme, existing policies

were screened to assess impact on the promotion of equality of opportunity using the following criteria:

- Is there any evidence, or other reason to believe, that there is of higher or lower participation or uptake by different groups?
- Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy issues?
- Is there an opportunity to promote equality of opportunity or better community relations by altering the policy, or by working with others in government or in the larger community?
- Have consultations with relevant groups, organisations or individuals indicated that policies of that type create problems that are specific to them?

In addition each new policy and or strategic decision will be subject to the Commissioners screening procedures to determine whether an EQIA is to be undertaken.

During consultation on the screening exercise of the new Human Resources policies it was established that the following policies should be subject to an Equality Impact Assessment the Recruitment policy, the Equal Opportunities policy and the Dignity at Work policy.

2.0 Background

- 2.1 The Belfast Harbour Commissioners (BHC) was first constituted by the Belfast Harbour Act 1847 as a body corporate with the underlying purpose of operating, maintaining and improving the Port of Belfast. The powers and duties of the Commissioners are limited to those conferred by the various Belfast Harbour Acts and Orders and any relevant public general legislation (such as the Harbours Act (Northern Ireland) 1970). The Commissioners must also comply with the directives issued by Government on issues such as marine safety, oil pollution safeguards and environmental issues.
- 2.2 The Port of Belfast is a Trust Port. Although Trust ports are governed by Statute, they are managed independently of Government, being operated and funded on a commercial basis, but with a high degree of public accountability and a strong Public Interest Ethos.
- 2.3 The Port is a major facilitator of urban regeneration within the Harbour Estate as reflected in developments such as Clarendon Dock, Sydenham Business Park, Odyssey and the Northern Ireland Science Park. The Port is also co-promoting Titanic Quarter and in principle has committed funds to the proposed Titanic Signature Project.

Organisational Structure of the Commissioners

- 2.4 The Board of the Belfast Harbour Commissioners (including the Chairman and the Chief Executive) must be no less than ten and no more than fifteen, up to four of the Board members are elected representatives from Belfast City Council. The Chairman of the Commissioners and Commissioners (including the Chief Executive) are appointed by the Department for Regional Development (DRD) on the basis of public advertisement. The Chief Executive is an ex-officio Commissioner. Appointments by Government are normally for three years. The duties of the Board Members are similar to those of a company director, in particular to be accountable for the proper exercise of the statutory and administrative requirements placed upon them.
- 2.5 The management of the Port is independent of Government and is the responsibility of the Board and the Executive Team. Chief Executive has overall responsibility to the Commissioners for the efficient and safe operation of the Port. The Executive team is constituted as follows: the Chief Executive, the Finance Director, the Property Director, the Operations Director, the Commercial Director and the Human Resources Manager.

2.6 The main functions carried out by the BHC are as follows:

- the maintenance and development of the Port
- the operation of the Port- management of marine operations and marine safety and day to day operations
- management of the Belfast Harbour estate
- health and safety and the environment
- Financial management

Background to Policies

2.7 Over the last several years the BHC's Employee Handbooks have been extensively revised and a number of new Human Resources policies have been developed. The new policies have been screened to determine the equality impacts of each of the policies on the nine Section 75 groupings.

Screening Outcome

2.8 The BHC decided that the recruitment policy, equal opportunities policy and dignity at work policy should be subject to an EQIA in view of the outcome of the screening exercise. The relevant information in relation to the screening of the policies is contained in the screening report Appendix 1.

Informal Consultation

2.9 Considerable efforts were made in conducting the EQIA to ensure meaningful consultation at this preliminary stage. Full details of the measures taken in terms of the informal consultation are provided below.

2.9.1 All of the consultees in the BHC Equality Scheme were written to and invited to comment on the screening report.

2.9.2. The screening exercise was publicised on the BHC website

2.9.3 Phone calls and telephone interviews were undertaken with consultees

A summary of the comments received through the initial consultation exercise are included in Appendix 1 the Screening Report.

3.0: Equality Impact Assessment: Recruitment Policy

3.1: Background to the Recruitment Policy

3.1.1: Belfast Harbour Commissioners (BHC) Policy and Procedures on Recruitment and induction of new employees have been revised to reflect: the Equality of Opportunity requirements in the Equality Legislation and Equality Commission's Statutory Codes of Practice. The Policy and Procedures on Recruitment do not stand-alone and are implemented in accordance with a range of BHC policies and practices such as the Equal Opportunities policy, community outreach programme, Disability Action Plan and the Training and Development Policy.

3.1.2: The Legislation shown below provides the legal framework for the recruitment policy:

- The Fair Employment and Treatment (N.I.) Order 1998
- The Sex Discrimination (N.I.) Order 1976
- The Disability Discrimination Act and Order 1995 and 2007
- The Race Relations (N.I.) Order 1997
- The Employment Equality Sexual Orientation Regulations (N.I.) 2003
- The Employment Age Regulations 2006

3.1.3: Appointment of the best person for the job is a fundamental principle underlying the legislation impacting on equality of opportunity. It is illegal to positively discriminate in the recruitment process to achieve a representative workforce. It is however legal to identify areas where minority groups are under-represented and to encourage these groups to apply for vacant posts.

3.1.4: Under the Disability Discrimination legislation employers are not prevented from treating a disabled person more favourably than a non-disabled person. Moreover, a non-disabled person is not able to challenge on the grounds of preferential treatment being given to a disabled candidate. Some of the measures taken by the BHC to facilitate people with a disability to access the recruitment process are as follows:

- Providing applicants with a disability with the offer of making reasonable adjustments in accordance with the DDA;
- Providing assistance during interview if requested;
- Ensuring where psychometric tests are used as part of the selection process that the provider can make the necessary adjustments for someone with a disability;

3.1.5: All those involved in the recruitment process receive training in recruitment procedures and related equal opportunities legislation.

3.1.6: The shortlisting and interview panel do not have access to information contained in the BHC monitoring form.

3.2 Sources of Data Used in Compiling the Report

Qualitative Data Sources

- The screening report
- The telephone interviews

Quantitative Data Sources

- The Article 55 Review
- Annual Monitoring Returns
- Personnel Information System
- Report on Complaints in relation to recruitment (no cases pursued)
- Census Data
- New Migrants & Belfast, an overview of the demographic context, social issues & trends. Jarman N. & Byrne J. April 2007

3.3 What is the Policy?

3.3.1: The policy sets out BHC's policy and procedures for advertising and recruitment and induction of employees. The recruitment processes includes the use of a number of established techniques such as:

- Recruitment Advertising
- Shortlisting
- Aptitude and skill testing
- Psychometric testing
- Assessment Centres
- Direct interviews

3.4 Policy Aim Objectives and Outcomes

3.4.1: Aim

The aim of this policy is to ensure the recruitment and retention of high calibre employees to further the business and creativity interests of the Belfast Harbour Commissioners.

3.4.2: Associated Objectives (How we will achieve the aim)

- To provide a best practice approach to recruitment and selection
- To ensure consistency across the organisation in the application of the policy
- To comply with the legislative and regulatory standards
- To appoint and induct a professional and highly competent workforce.

3.4.3: Outcomes for BHC

- The selection of the appropriate person on merit
- The equality of access, fair participation and treatment in selection and recruitment
- The selection and retention of a competent and effective workforce
- The implementation of efficient and effective recruitment procedures

3.4.4: Scope

The recruitment and induction of all employees

3.4.5: Who defines and Implements the Policy?

Within the framework of EU Law and Good Practice guidance, the Board of BHC determines the policy. The Chief Executive has overall responsibility for the effective implementation of the policy and the Human Resources Manager implements the policy in conjunction with the Directors and managers in each Department.

3.4.6: Stakeholders

- The Board
- Potential job applicants internal and external
- Client Departments
- Trade Unions

3.4.7: Interface with other bodies in relation to the implementation of this policy

- The Equality Commission
- The trade unions
- Recruitment Agencies and recruitment specialists

3.5: Assessment of Impacts

3.5.1 The assessment of impacts considers whether there are differential impacts or potential differential impacts in relation to the nine categories of person identified in Section 75. Where a differential exists consideration is given to whether the impact is adverse or has the potential to be.

Religious Belief

3.5.2 The BHC has monitored the perceived religious affiliation of the workforce since 1990. The categories monitored include Protestant, Roman Catholic and non –determined. No information is collated on minority faiths.

3.5.3 Up until the late 1990's there was minimal recruitment within the BHC as the employment policy was to focus on achieving efficiencies where possible. From the late 1990's there were also a number of key retirements. The retirements and the introduction of a more strategic approach to corporate and human resource planning resulted in a proactive recruitment policy being introduced and the re-engineering of a range of the policies and practices.

3.5.4 Table 1 provides a breakdown of the workforce between 2003 and 2005 (as returned to the Equality Commission in the 2007 Article 55 Review). The statistics in Table 1 demonstrate that since 2003 there has been an overall increase in the representation of the Roman Catholic community in the workforce. There have also however been significant changes in the numbers employed in SOC's1-3 between 2003 and 2004 and this has resulted in a slight increase in representation from the Protestant community in these grades. This may be due to the fact that while BHC advertises widely and in national papers for senior jobs there may be a greater representation of people from the Protestant community in the specialist technical posts recruited by the BHC.

3.5.5 The analysis of the workforce composition also demonstrates that there is under-representation from the Roman Catholic community in the skilled and manual grades. The representation from the Protestant community in these grades is high when compared with percentages of people from the Protestant and Roman Catholic communities in the economically active categories SOC 5 and SOC 6-8 in Northern Ireland. Even when the figures are considered in relation to the religious breakdown in the travel to work catchment area for people in skilled and manual grades, the representation from the Roman Catholic Community is lower than would be expected. The level of representation from members of the Protestant and Roman

Catholic Communities in the TTWA is 67% and 33% respectively as opposed to the N.I. average of 57.3% and 42.7% (see Table 5).

3.5.6 Natural wastage and the impact of the new HR policies and practices is starting to have an effect on overall workforce composition. From 2006 to date the representation of the two main communities is changing and it is anticipated that this trend will continue.

Table 1: Religious Composition the BHC Workforce by Job Group 2003-2005

Job Group	Year	Protestant		Roman Catholic		Non-Determined		Total No
		No	%	No	%	No	%	
Management & Professional (SOC 1-3)	2003	32	68.00	15	32.00	0	0	47
	2004	54	72.97	19	25.68	1	1.35	74
	2005	44	68.75	19	29.68	1	1.57	64
Administrative & Secretarial (SOC 4)	2003	19	86.36	2	9.10	1	4.54	22
	2004	16	84.21	2	10.53	1	5.26	19
	2005	12	80.00	2	13.33	1	6.67	15
Skilled Trades (SOC 5)	2003	19	100.00	0	0.00	0	0.00	19
	2004	19	100.00	0	0.00	0	0.00	19
	2005	19	95.00	1	5.00	0	0.00	20
Manual (SOC 6-8)	2003	39	86.66	6	13.34	0	0.00	45
	2004	18	72.00	7	28.00	0	0.00	25
	2005	18	75.00	6	25.00	0	0.00	24
Other (SOC 9)	2003	1	14.29	6	85.71	0	0.00	7
	2004	4	44.44	5	55.55	0	0.00	9
	2005	4	40.00	6	60.00	0	0.00	10
Total	2003	110	78.57	29	20.71	1	0.72	140
	2004	111	76.56	33	22.75	1	0.69	145
	2005	97	72.93	34	25.57	2	1.50	133

Table 2: The Composition of the BHC Workforce 2003-2007

Year		Protestant	Roman Catholic	Non - Determined	Total
2003	Number	110	29	1	140
	%	78.57%	20.72%	0.71%	100%
2004	Number	111	33	1	145
	%	76.55%	22.76%	0.69%	100%
2005	Number	97	34	2	133
	%	73%	25.5%	1.5%	100%
2006	Number	87	29	3	119
	%	73.1%	24.4%	2.5%	100%
2007	Number	92	28	8	128
	%	71.88%	21.88%	6.25%	100%

Source: Article 55 Review 2007 and monitoring return

Table 3: Northern Ireland Economically Active Population Working Age by Occupation and Community Background (Religion or Religion brought up in)

SOC Group	Protestant and Other Christian (including Christian related)	Catholic	Total
SOC1 Managers And Senior Officials	42,794 [60.6%]	27,865 [39.4%]	73,149
SOC2 Professional Occupations	37,344 [53.7%]	32,207 [46.3%]	72,115
SOC3 Associate Professional And Technical Occupations	50,949 [60.1%]	33,769 [39.9%]	88,009
SOC4 Administrative And Secretarial Occupations	59,575 [60.3%]	39,268 [39.7%]	101,290
SOC5 Skilled Trades Occupations	60,581 [55.3%]	49,033 [44.7%]	112,146
SOC6 Personal Service Occupations	25,638 [55.9%]	20,230 [44.1%]	46,804
SOC7 Sales And Customer Service Occupations	29,587 [57.2%]	22,098 [42.8%]	53,158
SOC8 Process, Plant And Machine Operatives	43,313 [57.1%]	32,550 [42.9%]	77,321
SOC9 Elementary Occupations	49,185 [56.8%]	37,367 [43.2%]	88,704
Never worked	2,507 [34.2%]	4,831 [65.8%]	7,556
All Economically Active	401,473 [57.3%]	299,218 [42.7%]	720,252

Source Census 2001

3.5.7 The analysis of the workforce flows between 2003 and 2006 as reported in Article 55 Review 2007 demonstrate that while there appears to be considerably more people from the Protestant community applying for Managerial and Professional jobs than from the Roman Catholic community, the analysis of the success rates demonstrates that there is a higher success rate for people from the Roman Catholic community. With the

exception of Year 2 (2004) the success rates for applicants from the Roman Catholic community appears to be higher than for members of the Protestant community. The recruitment drive for skilled trades in 2004 however demonstrates that the success rates for applicants from the Roman Catholic community is not as high as it is for members of the Protestant community.

Table 4: Overall success rates in job groups Article 55 Review 2007

SUCCESS RATES								
Job Group	YEAR 1		YEAR 2		YEAR 3		Overall	
	Prot	RC	Prot	RC	Prot	RC	Prot	RC
Management & Professional	3%	10%	50%	30%	0%	1.5%	3%	7%
Administrative & Secretarial	7%	0%	8%	0%	4%	7%	6%	2%
Skilled Trades	0%	0%	5.4%	0%	0%	0%	5.4%	0%
Manual	0.3%	2%	0%	0%	6%	11%	0.6%	3.2%
Other	0%	0%	1.6%	0%	0%	0%	1.6%	0%

3.5.8 During the period of the Article 55 Review the Equality Officer, the Harbour Master and Commercial Officer attracted a lower percentage of applicants from the Protestant Community than would be expected when compared with the economically active in Northern Ireland and the religious composition in the table on the Travel to work areas. Lower than expected levels of applicants from the Roman Catholic community also applied for skilled trade's posts such as plant fitter and electrician. A lesser proportion of applicants from the Roman Catholic community also appeared to make it through the shortlisting process for administrative and secretarial posts.

Table 5: Protestant and Other Denominations and Roman Catholic for Economically Active Source NI Census 2001

Area	Protestant and Other Denominations	Roman Catholic
Belfast District Council Area	51%	49%
Total TTWA	67%	33%
NI comparator	57.3%	42.7%

3.5.9 The information on the workforce composition, the applicant flows and success rates for the two main communities demonstrates that the under-representation from the Roman Catholic Community in the workforce has changed. This trend appears to be sustained when the figures for 2006 and 2007 are analysed as presented in Tables 2 and 4.

3.5.10 The analysis of the workforce flows undertaken in the Article 55 Review also demonstrates that with the exception of the skilled positions the success rate for the members of the Roman

Catholic community is higher than for members of the Protestant Community.

- 3.5.11** Over the last number of years a number of new HR policies have been introduced and new and innovative approaches taken to the recruitment and selection for posts such as the Harbour Police through an on-line competence based recruitment exercise. The BHC procedures have also been scrutinised through a number of complaints being lodged in relation to failure to be short listed and in each case these complaints have been withdrawn based on the comprehensive response supplied by the BHC.
- 3.5.12** The following comments were made by the Belfast Islamic centre in relation to the Recruitment policy: that it should be developed in a culturally sensitive way recognising the range of cultural diversity in Northern Ireland that can impact on religious belief, worship, food, preparation of food, and behaviour within the workplace.
- 3.5.13** It was also stated by the Belfast Islamic Centre that workplace policies should have a welcome statement recognising and welcoming diversity. It is important to train staff in cultural awareness and to recognise and value the differences people from different ethnic backgrounds can bring to an organisation. For example many people who practice the Muslim faith may require time and space for prayer during the working day or they may fast during the religious period, Ramadan.
- 3.5.14** A range of outreach measures have been implemented by the BHC, including cross community schools activities and outreach work with a range of employability networks in Belfast.
- 3.5.15** The screening report indicated there was an under-representation of people from the Roman Catholic community in jobs where mechanical and electrical skills are required and among the police force. It was added in this report that more needed to be done to encourage people from the Roman Catholic community to apply for these posts. The consultation on the screening exercise did result in a number of comments being made by minority faith organisations relation to the need to be sensitive to the needs of people from different faiths. While no requests of this nature have been received to date, BHC would be sensitive to issues of this nature. Cognisance has also been taken of these issues in the actions recommended in the EQIA.
- 3.5.16** The findings in the Article 55 Review and in the more recent monitoring returns demonstrate that the numbers of people from the Roman Catholic community applying for jobs with the BHC

and progressing through the recruitment process and being successful has increased over the last few years. It is recognised that there are still some job groupings where there is a clear under representation from members of the Roman Catholic community. This issue is addressed in the section on mitigation.

Political Opinion

3.5.17 Data is not collated on the political opinion of the job applicants or employees of the BHC.

3.5.18 Through the screening exercise and follow-up consultation no issues have been raised to indicate that the recruitment policy and procedures impact in a differential way in relation to political opinion.

Racial Group

3.5.19 The BHC does not collect data on the race of staff, however since 2001 it has monitored the race of job applicants.

3.5.20 The quantitative analysis of the statistical information available on the ethnic background of the race of potential applicants for jobs is difficult to assess as the census data is now quite dated. Major changes in demographics have taken place in Northern Ireland since the last census was undertaken in 2001.. The census undertaken in 2001 indicated that the vast majority of people living in Northern Ireland were white and born in Northern Ireland. In total 99.15% classified themselves as white, 0.2% of mixed ethnic origin, 0.1% Indian and the traveller community was estimated at 0.1%.

3.5.21 Research undertaken by Jarman N. Institute of Conflict Studies 2006 on behalf of Belfast City Council confirms that there have been a significant number of migrant workers moving into Northern Ireland over the last few years. The research conducted by Jarman indicates that between April 2004 and March 2006 4,224 migrant workers arrived in Belfast. However if dependents and those outside the formal recording system are included the figure rises to 7,500. Most of the new migrants to Belfast come from Poland followed by Slovaks, Filipino's, Indians and Czech's. There are however considerable variations by sector. Most of the migrant workers in Belfast were found to work in the construction industry, in the public and private health sector in hospitality and IT.

3.5.22 There is no quantitative data on the race of the BHC workforce. The qualitative data obtained through screening and the statistics on job applicants suggest that there is under-

representation of black and ethnic minority communities applying for posts with the BHC. However there is no evidence that the policy and procedures on recruitment has an adverse differential impact in terms of ethnic minority background. It is acknowledged in the section on mitigation that more robust monitoring arrangements in relation to race need to be introduced in the future.

Age

3.5.23 Information on the age profile of applicants, shortlisted and appointees has been obtained through the employee computerised system. The comparator that has been used is the Labour Force Survey.

Table 6: Age of Applicants 2007 BHC

Age Band	No.	Percentage
16-24	83	11.89%
25-34	325	46.56%
35-44	192	27.51%
45-54	81	11.6%
55-64	17	2.44%
65+	0	0%
Total	698	100.00%

Table 7: Age of Applicants Short Listed 2007 BHC

Age Band	No.	Percentage
16-24	29	7.98%
25-34	173	47.67%
35-44	109	30.03%
45-54	42	11.57%
55-64	10	2.75%
65+	0	0%
Total	363	100.00%

Table 8: Age of applicants Appointed 2007 BHC

Age Band	No.	Percentage
16-24	0	0
25-34	6	23.08%
35-44	11	42.31%
45-54	4	15.38%
55-64	5	19.23%
65+	0	0%
Total	26	100.00%

Table 9: Employment by Age April- June 2008 – (by thousand)

	16-17	18-24	25-29	50+	50- 64m 50- 59f	65+ 60+
Male	-	58	245	100	91	9
Female	-	50	219	75	58	18
Total	-	108	498	175	149	26

Source: Labour Force Survey 2008

3.5.24 The analysis demonstrates that the age profile of the applicants pool and those shortlisted compares favourably with the statistics in the labour force survey in that the majority of applicants fall within the 25 – 34 age range. However when it comes to appointees the majority are within the 35 – 44 age range. These findings for 2007 may however reflect the nature of the posts advertised as the majority of posts recruited were managerial in nature or for the Harbour Police.

3.5.25 The following comments were received as a result of the consultation exercise in relation to the screening report from Age Concern.

- **Age profile of the workforce**
That the BHC should measure the workforce age profile across different parts of the business and consider age on a par with other diversity issues.
- **Audit age out of policies**
That the BHC should ensure that employment, training, communications and other policies are age neutral and don't disadvantage particular age groups.
- **Change existing working practices**
That the BHC should remove unnecessary age criteria from day-to-day practices and procedures (to comply with age laws) and make age awareness training available to all employees either specifically or as part of equality training.
- **Ensure Top-level involvement**
Establish an age champion to keep age on the Board's agenda and build age awareness into all aspects of the business.
- **Raise awareness with all stakeholders**
Help employees, customers, suppliers and the wider community recognise the organisation's commitment on age.

Ensure everyone understands the value of age diversity by promoting positive attitudes and imagery.

- **Assess the impacts**
Create measurable performance indicators and assess impacts of key policies across the age ranges.
- **Use flexibility under the law**
Look at existing retirement policies and practices and consider if they require change

In addition to considering whether flexible retirement options would be beneficial to the business and staff and checking that the pension scheme and any policies, practices or routines are compliant with the new legislation.

From the consultation undertaken and the analysis of the data available no significant differentials have been identified in relation to age.

Marital Status

3.5.26 There are no current reliable statistics in relation to the marital status of the BHC Workforce or for applicants and no issues were identified during the consultation exercise in screening in relation to marital status.

3.5.27 There is currently no evidence to indicate that a person's marital status will have an adverse impact in regard to the application of the recruitment procedure.

Sexual Orientation

3.5.28 Data is not collected by the BHC on the sexual orientation of employees or applicants. During the initial consultation exercise the following comments were received from the Rainbow Project in relation to sexual orientation:

- that there is clear legislation in this area that establishes the baseline for the recruitment policy.
- that it is essential that all aspects of the policy are fully assessed in terms of adverse differential impacts. This would include: where vacancies are advertised; how welcoming the advert and recruitment literature are; the openness of the shortlisting process; the fairness of the interview panel; the degree to which the panel has been trained in Sexual Orientation issues and attitudes and how the policy is monitored with regard to sexual orientation.

It was also recommended that the as an employer the BHC should be sensitive to the barriers lesbian and gay employees may face in their careers and tailor their career development programmes accordingly.

3.5.29 The comprehensive response provided by the Rainbow Project has identified a number of good practice and compliance issues that employers need to be aware of in terms of identifying the potential for adverse differential impact in relation to sexual orientation and better promotion of equality of opportunity. The BHC has already taken measures to enhance the objectivity of their recruitment process and to promote the fact that they are an equal opportunities employer. Moreover, while the research to date has not identified the likelihood of adverse differential impact for individuals covered by this Section 75 category in terms of the recruitment policy the BHC will consider a range of the recommendations that have been received as a consequence of the screening exercise.

Gender

3.5.30 The BHC monitors the gender of applicants, shortlisted and appointees and the composition of the workforce.

Table 10: Breakdown by Gender of the Employees (as at 1 January 2006)

		Male	Female	Total
Total	No.	96	23	119
	%	80.7	19.3	
Protestant	No.	73	14	87
	%	83.9	16.1	
Roman Catholic	No.	22	7	29
	%	75.9	24.1	
Non-determined	No	1	2	3
	%	33.3	67.7	100%

Table 11: Applicants 12 months period ending 1 January 2006

		Male	Female	Total
Total	No.	124	22	146
	%	84.9	15.1	
Protestant	No.	76	11	87
	%	87.4	12.6	
Roman Catholic	No.	36	10	46
	%	78.3	21.7	
Non-determined	No	12	1	13
	%	92.3	7.7	100%

Table 12: Appointees for 12 months ending 1 January 2006

		Male	Female	Total
Total	No.	7	5	12
	%	58.3	41.7	
Protestant	No.	6	2	8
	%	75.0	25.0	
Roman Catholic	No.	1	2	3
	%	33.3	67.7	
Non-determined	No	0	1	1
	%	0	100	

3.5.31 In the screening report it was noted that there was an under representation of women in the workforce and in the applicant pool and it was therefore recommended that an EQIA of the Recruitment Policy be undertaken.

3.5.32 When a quantitative analysis is undertaken of the composition of the workforce of the BHC in terms of gender with the statistics in the Labour Force Survey for 2006 it once again supports the findings in the screening report that there is an under-representation of women in the workforce.

Table 13: Percentages of Economically Active by SOC and Gender Labour Force Survey 2006

Standard Occupational Category	Male	Female
SOC1: Managers And Senior Officials	13%	8%
SOC2: Professional Occupations	10%	13%
SOC3: Associate Professional And Technical Occupations	10%	15%
SOC4: Administrative And Secretarial Occupations	5%	23%
SOC5: Skilled Trades Occupations	30%	3%
SOC6: Personal Service Occupations	3%	15%
SOC7: Sales And Customer Service Occupations	4%	11%
SOC8: Process, Plant And Machine Operatives	14%	3%
SOC9: Elementary Occupations	11%	9%

Source Labour Force Survey 2006

3.5.33 Over the last number of years the BHC has taken proactive measures through outreach work to encourage more women to apply for non-traditional jobs and has implemented a range of family friendly policies. While there is evidence of women taking up some non-traditional appointments, this remains a male dominated sector. However, this trend may be changing as a woman has recently been appointed to a Marine position in the

BHC. There is also evidence that the procedures are operating fairly in that a claim in respect of non-selection from a female applicant was successfully defended by BHC.

3.5.34 While no comments were received in relation to gender during the consultation on the screening report the quantitative analysis suggests that there appears to be a differential which may be adverse in terms of the representation of females in the applicant flows and the workforce. The BHC is currently targeting a number of measures under the Equal Opportunities policy and through their community outreach and Corporate Social Responsibility activities to promote the organisation as an employer who welcomes females and the opportunities within it.

Disability

3.5.35 The BHC welcomes people with disabilities and will ensure through the application of this policy that they are treated in a fair and equitable way. Over the last number of years some of the following measures have been taken:

- Working in partnership with USEL to provide out sourced employment opportunities for people with disabilities
- Providing disability awareness training for all staff
- Advising applicants of arrangements that can be made for people with a disability

The statistics in table 14 below illustrate the number of applicants, shortlisted and appointed in BHC with a disability. The figures demonstrate that there is a 50% chance of people with a disability getting through to shortlist.

Table 14: Applicants with a Disability

	Percentage	Number
Applicants with a Disability	0.66%	7
Shortlisted with a Disability	0.89%	4
Not shortlisted with a Disability	0.49%	3
Appointed with a Disability	0%	0

BHC is informally aware of a number of employees with a disability and will have clearer visibility when monitoring of the workforce is implemented.

3.5.36 The BHC does not currently monitor the number of people with a disability in the workforce.

3.5.37 Through the consultation exercise on the screening report the following issues have been identified:

- “Now Project” would agree with BHC’s initial findings that the Recruitment, Equal Opportunities and Harassment policies are the most sensitive to equality and should be subject to equality impact assessment. In relation to key aspects of equality and for example disability, it is important to do the assessment to understand the issues and do something about them.
- Disability Action recommends data is collected on people with a disability in the workforce and for black and ethnic minorities. It is also noted that the Labour Force statistics demonstrate that people with a disability are twice as likely to be unemployed as non-disabled people. It is therefore recommended that the BHC put an affirmative action plan in place to encourage more people with a disability to apply for jobs with the BHC.

Through the information collected to date and in accordance with the equality ethos of the organisation a number of actions will be taken to ensure that the recruitment process is open and accessible to people with disabilities. The findings in relation to the quantitative analysis need to be considered however in light of the posts recruited during this period. It is therefore recommended that in accordance with the actions identified in the BHC action plan that monitoring of the workforce in terms of disability be undertaken on a regular basis in the future.

Dependents

3.5.38 Information is not collected from employees or job applicants on dependents. There were also no comments received in relation to dependants during the consultation exercise. Through the screening and desk research of secondary data no issues have been identified in relation to the application of the recruitment policy for people with dependents.

3.5.39 It does not appear that there are any differential impacts in relation to the application of this policy for people with dependants.

3.6: Consideration of Measures to mitigate Adverse Impact

3.6.1 Section 75 requires public authorities to have due regard to the need to promote equality of opportunity, to consider measures to mitigate any adverse impact and to consider alternative policies which might better achieve the promotion of Equality of Opportunity. This section of the report considers those actions that will help BHC to meet these statutory requirements.

3.6.2 As stated throughout this report it is not possible at this stage to be specific in assessing local impact across the Section 75 groups given the lack of quantitative data available. The initial findings suggest there is differential impact which may be adverse in relation to the representation of Roman Catholics in skilled positions; for women in terms of applicant flows and workforce composition and for people with a disability. The potential for differential adverse impact is considered in light of the information and research available. Moreover opportunities have been identified for BHC to further promote equality of opportunity for some of the Section 75 groups through further consultation with the appropriate groups and ongoing monitoring of the implementation of the policy.

3.7: Measures that might mitigate Adverse Impact in relation to the Recruitment Policy

The following measures have been identified to ensure that the BHC achieves their objective in relation to the promotion of equality of opportunity and good relations.

3.7.1 In relation to the under representation of members of the Roman Catholic Community in the workforce: to continue to implement the affirmative action plan approved by the Equality Commission in the Article 55 Review.

3.7.2 In relation to the potential for adverse differential impacts in relation to the application of the recruitment policy identified by the representatives from the gay and lesbian community the BHC will review its monitoring arrangements and compliance with the good practice recommended in the consultation responses.

3.7.3 It has been identified in this report that there may be an adverse differential impact for females, in certain areas that have traditionally been seen to be male occupations. The BHC has already started to implement a number of initiatives to raise the profile of the work of the BHC and has held discussions with a range of employability networks and organisations that have implemented good practice in this area.

The findings in relation to age, persons with a disability and ethnic minorities suggests there is a need for more robust monitoring of the workforce, applicants shortlisted and appointed in relation to each of these groups to determine if the procedures are having an adverse differential impact. Consideration will also be given to researching and delivering training in relation to each of these groupings for those sitting on interview panels.

4.0 Equality Impact Assessment: Dignity at Work Policy

4.1: Background to the Policy

4.1.1 The BHC Policy on Dignity at Work is part of its overall commitment to Equality of Opportunity and the promotion of a good and harmonious workplace. BHC is fully committed to promoting a working environment where every employee is treated with respect and dignity and where no employee feels threatened or intimidated because of age, disability, gender, marital status, political opinion, race, religious belief, gender transformation or sexual orientation.

4.1.2: Harassment on the grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, religious belief, political opinion, race disability or age is unlawful under the following legislation:

Fair Employment and Treatment (N.I.) Order 1998;
Race Relations (N.I.) Order 1997;
Disability Discrimination Act 1995 and Order 2007;
Employment Equality (Sexual Orientation) Regulations (N.I.) 2003;
Sex Discrimination (N.I.) Order 1976;
The Employment Age Regulations 2006

Harassment may also contravene Health & Safety legislation.

4.2: Sources of data used in compiling this Report

Qualitative Sources:

- The screening Report
- Telephone Interviews

4.3: What is the Policy?

4.3.1: The Policy sets out the BHC's policy and procedures for promoting a working environment where every employee is treated with respect and dignity. It also defines bullying and harassment and sets out the procedures to be followed by any employee who believes they have been subjected to bullying or harassment.

4.4: Policy Aims, Objectives & Outcomes

4.4.1: Aim

The aim of this policy is to prevent harassment and bullying, to provide guidance to resolve any problems that do arise and to prevent recurrence.

4.4.2: Associated Objectives

- To demonstrate BHC is an Equal Opportunities Employer and will take steps to ensure harassment and bullying are not permitted in the workplace;
- To promote a good and harmonious workplace where every employee is treated with respect and dignity;
- To ensure employees have access to procedures for dealing with complaints of harassment and bullying promptly, seriously and with discretion and, if substantiated, that appropriate action is taken.

4.4.3: Outcomes for BHC

- To demonstrate that managers and employees are aware of their responsibilities under the policy and of the procedures to be followed;
- To demonstrate that appropriate action is taken to protect all employees who make complaints of bullying and harassment;
- To promote a culture of respect and tolerance in the workplace.

4.4.4: Scope

The Policy and procedures for promoting dignity at work and management procedures for dealing with complaints of bullying and harassment.

4.4.5: Stakeholders

- The Board
- Employees
- Trade Unions

4.4.6: Interface with other Bodies in relation to the implementation of this policy

- The Equality Commission
- The Labour Relations Agency
- The Trade Unions

- Organisations representing the Section 75 Categories covered by anti-discrimination legislation.
-

4.5: Assessment of Impacts

Religious Belief

- 4.5.1** The records in relation to the application of the policy demonstrate that no complaints have been made in relation to bullying and / or harassment on the grounds of religion.
- 4.5.2** Through consultation undertaken as part of the screening exercise on the policy the following issues were raised:
- That the policy should be developed in a culturally sensitive way recognising the range of cultural diversity in Northern Ireland that can impact on religious belief such as worship, food preparation and behaviour in the workplace.
 - That staff should be trained in cultural awareness and to recognise the values and differences people from different ethnic backgrounds can bring to an organisation.
- 4.5.3** While no issues have been identified to suggest the policy impacts disproportionately in respect of a person's religious beliefs, cognisance will be taken of the comments raised through the screening exercise in the future development and monitoring of the policy (These issues are fully addressed in the Sections 3.6, 3.7, 4.6 & 5.6 on mitigation).

Political Opinion

- 4.5.4** The Trade Unions have been fully consulted on the development of the BHC Dignity at Work Policy. No issues have been raised to indicate the Policy has a differential impact in terms of political opinion.

Racial Group

- 4.5.5** The records in relation to the application of the policy demonstrate that no complaints have been made in relation to bullying and harassment on the grounds of race.
- 4.5.6** Through the consultation undertaken as part of the screening exercise the following issues were raised:

- The report makes no reference to people with disabilities or Black Minority Ethnic (BME) staff which would be needed to assess if Equality of Opportunity is being afforded;
- Workplace policies should have a Welcome Statement, recognising and welcoming diversity;
- BHC could develop outreach work with minority ethnic representative groups on a range of themes - access to employment; cultural awareness; language support, etc.
- Staff training issues raised under religious belief in the EQIA on the recruitment policy (Section 3.5.14).

4.5.7 While no issues have been identified to suggest that the Policy impacts disproportionately in respect of a person's race, cognisance will be taken of the comments raised through the screening exercise in the future development and monitoring of the Policy (These issues are fully addressed in Section 4.6 on mitigation).

Age

4.5.8 The records in relation to the application of the policy demonstrate that no complaints have been made in relation to bullying and harassment on the grounds of age.

4.5.9 Through the consultation undertaken as part of the screening exercise, the following issues were raised:

- That BHC should look at existing retirement policies and practices and consider if they require change;
- That BHC consider whether flexible retirement options would be beneficial to the business and staff and check the pension scheme and policies and practices are compliant with new legislation.

4.5.10 The BHC has reviewed these issues as part of the review following the implementation of the new age regulations.

4.5.11 No issues have been identified to suggest that the Policy impacts disproportionately in respect of a person's age.

Marital Status

4.5.12 No issues were identified through the consultation or screening to indicate that the policy impacts differentially in respect of a person's marital status.

Sexual Orientation

4.5.13 Through the consultation undertaken as part of the screening exercise, the following issues have been raised:

- In relation to harassment and Equal Opportunities, it is vital that both of these policies openly and directly deal with sexual orientation. For example, many organisations have set up internal groups to look at disability or race issues. This approach should be extended to Lesbian, Gay and Bisexual staff and set up in a way that considers privacy and confidentiality and how the policy is monitored;

4.5.14 A number of issues were raised by those representing people of differing sexual orientation in relation to how to better promote diversity in the work environment through the Dignity at Work Policy. For example, through awareness raising, training and review of welcome statements. These issues relate more directly to the recruitment and Equal Opportunities Policies and cognisance is taken of these points in the mitigating actions section of each of these EQIA's (See Sections 3.7 & 5.7).

4.5.15 While the extensive range of issues raised during consultation do not in themselves constitute adverse impact, they are considered in the section on mitigating actions.

Persons With & Without a Disability

4.5.16 Through the consultation exercise on screening, the following issues have been identified:

- The report makes no reference to people with disabilities or BME' s staff which would be needed to assess if equality of opportunity was being afforded;
- Workplace policies should have a welcome statement.

4.5.17 Persons with a disability are clearly identified under the Dignity at Work Policy and were identified as one of the groups which may have special needs under this policy.

4.5.18 While the issues identified through consultation do not of themselves constitute adverse impact they are considered in the section on mitigating action.

Persons With & Without Dependents

4.5.19 There is no evidence through consultation that suggests this policy has a differential impact in relation to persons with dependents.

Gender

4.5.20 The policy is accessible to both men and women.

4.5.21 There is no evidence from employment data or consultation to indicate that the policy has a differential impact in terms of gender.

4.6: Measures that might Mitigate Adverse Impact in relation to the Dignity at Work Policy

4.6.1 In terms of religion and race it is recognised that faith and race will need to be taken into account in the future development and monitoring of the policy.

4.6.2 The comments on age are addressed under the Equal Opportunities policy and age awareness training will be provided as part of the BHC training programme in relation to the promotion of the Dignity at Work Policy.

5.0 Equality Impact Assessment: Equal Opportunities Policy

5.1: Background to the Policy

5.1.1 The Equal Opportunities policy has been developed as part of BHC's overall commitment to promoting Equality of Opportunity.

5.1.2 Through the implementation of this policy BHC will provide employment equality to all, irrespective of:

- gender, marital or family status
- religious belief or political opinion
- disability
- race¹ or ethnic origin
- nationality
- sexual orientation
- age

5.1.3 BHC is opposed to all forms of unlawful and unfair discrimination. All full-time and part-time employees and job applicants (actual or potential) will be treated fairly and selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

5.1.4 BHC recognises that the provision of equal opportunities in the workplace is not only good management practice, but also sound business sense. The equal opportunities policy will help all employees to develop their full potential, and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

5.1.5 BHC is committed to:

- preventing any form of direct or indirect discrimination or victimisation.
- promoting equal opportunities for:
 - women and men
 - people of all religions and none
 - ethnic minorities
 - people with disabilities
 - people of different sexual orientation
- promoting a good and harmonious working environment where all men and women are treated with respect and dignity and in which no form of intimidation or harassment will be tolerated.

¹ Irish Travellers are recognised by the Race Relations (Northern Ireland) Order 1997 as being members of a racial group.

- fulfilling all legal obligations under the relevant legislation and associated Codes of Practice.
- taking any necessary positive/affirmative action, including setting goals and timetables.

5.1.6 Breaches of the equal opportunity policy and practice will be regarded as misconduct and could lead to disciplinary proceedings.

The Implementation of the Policy

5.1.7 The policy is communicated to all employees through induction training, management training, team briefings, display on notice boards, and inclusion in employee handbooks and made known to all job applicants.

5.1.8 Managers and supervisors are aware of their responsibilities through appropriate and regular training.

5.1.9 The equal opportunities programme includes a range of initiatives, indicating where appropriate affirmative or positive action.

5.1.10 Appropriate training and guidance will be provided, including training on induction and management courses. In particular, all those involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory recruitment and selection techniques.

Monitoring and Review

5.1.11 The provision of equality of opportunity between women and men, irrespective of ethnic background or disability, will be monitored through the collection and analysis of information on the community background, ethnic background, sex, marital status, sexual orientation, family status and status as a disabled person of all full-time and part-time employees and job applicants. We will also monitor our workforce composition and undertake periodic reviews as required by Article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998.

Progress on the implementation of this policy and any equal opportunities and affirmative or positive action programmes will be reviewed on an annual basis.

Complaints

5.1.12 Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through existing procedures and policies. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

5.1.13 These internal procedures do not replace or detract from the right of the employees to pursue complaints under the Sex Discrimination (Northern Ireland) Order 1976, the Disability Discrimination Act 1995, the Race Relations (Northern Ireland) Order 1997 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 to an Industrial Tribunal or, under the Fair Employment and Treatment (Northern Ireland) Order 1998, to a Fair Employment Tribunal.

5.1.14 Every effort will be made to ensure that employees making complaints will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

5.2 Sources of Data used in compiling this report

Quantitative Sources

Gender

- Breakdown of employees by gender.

Religion/Political Opinion

- N I Census 2001 – Population by Religion and Community Background
- Community Composition of Economically Active Persons aged 16-64
- Community Composition of Economically Active Persons aged 16-64 by SOC Group
- Community Composition of economically active persons aged 16 and over by the highest level of academic qualifications
- Belfast Harbour Commissioners Article 55 Review 2008

Disability

- General issues on Disability as discussed with Disability Action

Race

- N I Census 2001 – Race Statistics
- Northern Ireland Housing Executive BME and Migrant Worker Mapping Report
- N. Jarman Migrant Workers in Northern Ireland

Qualitative Sources

- Comments in relation to the screening report
- Telephone Interviews

5.3 What is the Policy?

5.3.1 The policy sets out BHC's commitment to the promotion of equality of opportunity in the workplace. It aims to ensure that:

- all current and potential employees are treated fairly in selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability
- any form of direct or indirect discrimination or victimisation is prevented
- a good and harmonious working environment is promoted
- all legal obligations are fulfilled
- any necessary positive/affirmative action is taken.

5.3.2 The policy impacts on current and potential employees.

5.4 Policy Aims, Objectives Outcomes

5.4.1 Aim

The aim of this policy is to implement BHC's commitment to the promotion of equality of opportunity in the workplace and to ensure that the organisation fulfils its obligations under the Equal Opportunities Legislation.

5.4.2 Associated Objectives

- To demonstrate to existing and potential applicants that BHC is an Equal Opportunities employer
- To promote Equality of Opportunity in the workplace
- To deal with all complaints of discrimination seriously, promptly and confidentially

5.4.3 Outcomes for BHC

- To demonstrate that all staff are aware of their responsibilities under the policy
- To demonstrate complaints are dealt with in an appropriate Manner
- That BHC is compliant with Equal Opportunities Legislation

5.4.4 Scope

The policy and procedures for promoting Equality of Opportunity in the workplace, for implementing any necessary affirmative action measures and for dealing with any complaints should they arise.

5.4.5 Who Defines and Implements the Policy?

Within the framework of EU Law and Good Practice guidance BHC Policies are updated and agreed as required by legislation. Significant amendments or changes to policy are presented to the Board for adoption. The Chief Executive and the H.R. Manager have specific responsibilities for the effective implementation of this policy. Each manager and supervisor also has responsibilities and it is a requirement that all employees abide by the policy and help create the equality environment in the workplace.

5.4.6 Stakeholders

- The Board
- Existing workforce and potential job applicants
- The Managers
- Trade Unions

5.4.7 Interface with other bodies in relation to the implementation of this policy

- The Equality Commission
- The Trade Unions

5.5 Assessment of Impacts

Religious Belief

Table 1: The Composition of the BHC Workforce 2003-2007

Year		Protestant	Roman Catholic	Non - Determined	Total
2003	Number	110	29	1	140
	%	78.57%	20.72%	0.71%	100%
2004	Number	111	33	1	145
	%	76.55%	22.76%	0.69%	100%
2005	Number	97	34	2	133
	%	73%	25.5%	1.5%	100%
2006	Number	87	29	3	119
	%	73.1%	24.4%	2.5%	100%
2007	Number	92	28	8	128
	%	71.88%	21.88%	6.25%	100%

Source: Article 55 Review 2007 and monitoring return

- 5.5.1** Section 3.5.2 of this report which considers the religious differentials in relation to the recruitment policy identifies under representation of Roman Catholics in the workforce and refers to mitigating actions which are set out in section 3.7.1.
- 5.5.2** While it is acknowledged that there may be an adverse impact in relation to the implementation of the Recruitment and Equal Opportunities Policies in terms of the degree of under-representation of Roman Catholics in the workforce, these comments need to be put in context. In particular it was previously noted in the EQIA on the Recruitment Policy that there has been an overall increase in the representation of the Roman Catholic Community in the workforce and that the success rates for Roman Catholics in terms of posts, with the exception of skilled and managerial posts, is higher (see Section 3.5.17).
- 5.5.3** In addition to ensuring equal opportunities in recruitment BHC under the equal opportunities policy recognises that the work environment needs to be sensitive to the wide range of religious beliefs and faiths that people in Northern Ireland now hold. We note the points made by the Belfast Islamic Centre which are detailed in section 3.5.12 of the EQIA on the Recruitment Policy and would affirm that BHC is sensitive to these issues and will consider measures to ensure the working environment is welcoming to all.

Political Opinion

5.5.4 The Trade Unions have been fully consulted in the development of the BHC Equal Opportunities Policy.

5.5.5 It is not the policy of BHC to monitor the political opinion of employees. In addition no issues have been raised to indicate that the Policy has a differential adverse impact in terms of political opinion.

Gender

5.5.6 Data on the gender of applicants, people short listed for jobs and appointees and the composition of the workforce is set out in tables 10, 11 and 12 in the Recruitment EQIA section of this report. It is noted in the EQIA report on the Recruitment policy report that there is an under-representation of women in the workforce and appropriate measures to encourage applications from women have been included in the section on mitigation.

5.5.7 It is important also however to ensure that the working environment is welcoming appropriate and sensitive to issues associated with gender. For example it is important to provide an Inclusive Working Environment which incorporates flexibilities where the business is amenable to this. BHC has committed itself not only with its Equal Opportunities Policy but also under its Equality Scheme Duties to provide an inclusive working environment. Employees or potential employees have the right to expect an environment, which is free of discrimination, victimisation or harassment on any grounds as outlined under the Equal Opportunities Policy.

5.5.8 BHC recognises that for some individuals, making a complaint can be difficult and wishes to support all individuals in this situation. BHC is currently reviewing its current Dignity at Work Policy within this EQIA to consider a range of factors that will support staff members and take account of individual issues that contribute to equality of opportunity. These issues can extend beyond gender, and associated caring issues to areas associated with faith, nationality, ethnicity, sexual orientation or age.

Racial Group

5.5.9 An analysis of a range of data sources² confirms that there has been a significant increase in the numbers of people from Black and Minority Ethnic backgrounds and migrant workers from across Europe and the world living in N.I. Estimates vary due to the problems of monitoring a dynamic group of people may of

² N Jarman. Migrant Workers in Northern Ireland
NIHE BME and Migrant Worker Mapping are the main sources

whom are white European. Nevertheless, OFMDFM officials have been quoted at estimating the population at 50,000. main BME families and Migrant Workers constitute a noticeable and visible proportion of the total population of the Belfast area.

5.5.10 BHC is aware of the Equality Commission guidance and Codes of Practice in relation to the employment of BME and Migrant Workers. These codes have been considered as examples of good practice and BHC accepts the need to fully integrate Race issues into policy and practice in order to have an effect on racial harassment and racial equality.

5.5.11 As stated earlier in other policies BHC is cognisant of the points made by the Belfast Islamic Centre. ;

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- BHC will take steps to meet with the Belfast Islamic Centre to understand better how they might assist us in developing policy.
- **5.5.12** In the process of assessing impacts and examining the Equal Opportunities policy with regard to race it was recognized that the following measures need to be taken to ensure more proactive steps are taken to implement the Policy
 - to introduce robust monitoring arrangements
 - to assess and implement good practice across the public and private sectors.
 - to train staff on race equality and cultural awareness issues
 - to develop Access to Employment Brochure

5.5.13 These issues are set out as commitments in Sections 3.7, 4.7 & 5.7, Mitigating Actions.

Age

5.5.14 Tables 6, 7 and 8 in Section 3.5.23 analyse the workforce and recruitment data in relation to age. This section also sets out key points made by Age Concern NI. Although no significant differentials are identified in relation to age it is an emerging equality area and will feature in forthcoming Single Equality legislation. It is important that the policy prepares for this and that staff are aware of age issues. BHC accept the points made by Age Concern and in relation to the Equal Opportunities policy will seek to maintain a relationship with representative groups like Age Concern and recommend that age issues are updated and further explored in equality awareness training.

Marital Status

5.5.15 There is limited data on Marital Status in BHC. However no issues were identified during the consultation exercise in screening in relation to marital status.

5.5.16 It is recognised that marital status is an important equality area and that traditional views and value judgments based on marital status can impact negatively on people. In addition to acknowledging this in the Equal Opportunities policy BHC will ensure that, through the implementation of the policy, it will explore the issues of marital status fully e.g. in the area of pension rights of married families compared to unmarried families with the same status.

Sexual Orientation

5.5.17 There was considerable consultation with the Rainbow Project as part of the consultation process on screening. BHC will take a number of points into account in assessing the impact of the Equal Opportunities policy on people of differing sexual orientations, namely;

- People who are lesbian, gay and bisexual comprise around 6 per cent of the UK population, according to government estimates.
- Promote an open workplace where LGB people can feel comfortable about their sexual orientation.
- Ensure all information on LGB groups and Trade Union links are available
- Make it clear in all literature and publications that Sexual Orientation has equal status in the equality policy. However this has been the practice in BHC for some time.

5.5.18 These points in themselves do not constitute adverse impact however they will be considered in section 5.6, Mitigating Actions.

Persons with and without a disability

5.5.19 There are no reliable statistics on the percentages of persons with and without a disability in the workforce as defined by the Disability Discrimination Act (DDA). This has not therefore been statistically measured. BHC intends to further research how best to monitor persons with and without a disability in the workforce.

5.5.20 BHC also recognises the need to build better relationships with key disability groups and to gain a better understanding of the accessibility to employment, the work environment, attitudes to disabled people and the experiences of disabled people in the workplace.

Persons with and without Dependants

5.5.21 There is currently limited up-to-date information on dependants of the workforce in the BHC. Information on children collected as part of the recruitment process can change quickly. BHC does however acknowledge the need for a range of flexible working practices to support staff with caring responsibilities. In addition BHC notes the recent European Court of Justice legal ruling (Coleman case) in which the court ruled that it is unlawful to treat an employee less favourably than others because of their association with a disabled person.

5.6 Consideration of Measures to Mitigate any Adverse Impact

5.6.1 BHC has given careful consideration to the measures that might be taken to eliminate, or at least mitigate, the adverse impacts which have been identified in the previous sections of this report. These are set out below.

- Promote religion and faith cultural awareness by explicitly noting faith issues in the Equal Opportunities policy in relation to religious festivals, prayer, food, language and culture.
- Enhance relationships with the BME and Migrant Worker sector and develop Race and Cultural awareness training.
- In terms of race to introduce more robust monitoring arrangements.
- Market BHC as a potential employer of people from ethnic minority groups. In addition to benchmarking and implementing good practice across the public and private sectors and training staff on race equality and cultural awareness issues.
- Ensure age related issues are covered in Equalities training.
- Promote an inclusive working environment, to keep flexible working arrangements under review in terms of gender and for those with dependents and or caring responsibilities.
- Promote an open workplace where LGB people can feel comfortable about their sexual orientation.

- Discuss with the Trade Unions links enhancing accessibility for LGB people.
- Make it clear in all literature and publications that Sexual Orientation has equal status in the equality policy.
- In terms of people with disabilities better relationships will be formed with key disability groups to gain a better understanding of the accessibility to employment, issues in the work environment, attitudes to disabled people and the experiences of disabled people in the workplace.

6.0 Summary of Measures Which Mitigate Adverse Impact

- 6.1 The following measures have been identified to ensure BHC achieves their objectives in relation to the promotion of Equality of Opportunity and Good Relations.
- 6.2 As stated throughout the EQIA's, it is not possible at this stage to be specific in assessing impact across the Section 75 Groups given the lack of quantitative data available. The findings do however indicate that through the application of several of the policies there is a differential impact which may be adverse in relation to the representation of Roman Catholics in skilled and manual positions, for

women, in relation to representation in the workforce.

- 6.3 BHC will continue with and expand affirmative action measures through taking the following actions in addition to the action plan agreed with the Equality Commission in the Article 55 Review;
- continue discussions with employability networks and organisations implementing good practice in terms of gender and consider developing a gender action plan.
 - ensure the working environment is welcoming, appropriate and sensitive in terms of issues associated with gender.
 - take faith, age, disability, sexual orientation and race issues into account in the future monitoring and development of the Dignity at Work Policy
 - maintain and expand contact with the groups representing minority faiths, race, disability, age and sexual orientation.
- 6.4 BHC will also ensure faith issues are included in the Equal Opportunities Policy.
- 6.5 A commitment will be given to expand Equal Opportunities training to include awareness raising for all staff on the development of positive attitudes and the promotion of dignity and respect in terms of disability, sexual orientation, race, minority faiths, gender and age. Specific training will also be given for those on interview panels and for all staff on the Dignity at Work policy and bullying and harassment.
- 6.6 Efforts will be made to promote BHC as an organisation that welcomes applications from people with a disability, of different sexual orientation, race and gender, through targeted promotional activities.
- 6.7 BHC will implement more robust monitoring arrangements in terms of sexual orientation age, disability and race.
- 6.8 BHC will review flexible working arrangements and act in a sensitive manner to the needs of women who may be the main carers.
- 6.9 BHC will review the three HR policies that have been subject to EQIA in accordance with good practice and the result of ongoing monitoring for adverse impacts.

7.0 Conclusion

BHC is committed to the principle of equality of opportunity and is confident that the measures identified in this report will contribute to the promotion of equality of opportunity for a range of the nine Section 75 groups.

8.0 Publication

The outcome of this EQIA will be notified to all Consultees and will be posted on the BHC website.