



QUALIFICATIONS AND CURRICULUM AUTHORITY

APPROVED EQUALITY SCHEME
for
Northern Ireland

February 2003

FOREWORD

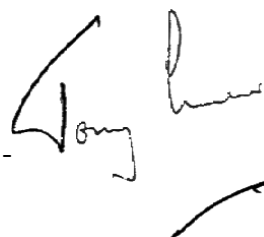
Statement by the Chair and Chief Executive

The Qualifications and Curriculum Authority (QCA) is fully committed to fulfilling its statutory duties under Section 75 of the Northern Ireland Act 1998 in relation to all its functions in Northern Ireland. This Equality Scheme sets out how the Authority proposes to fulfil its obligations to promote equality of opportunity and good relations under this legislation.

We will ensure through a programme of communication and training that all employees whose work relates to functions discharged in Northern Ireland are fully aware of the need to implement the Scheme. We shall give personal direction and leadership within the Authority to achieve this, and ensure the allocation of the necessary resources – in terms of people, time and money - to achieve our statutory obligations. We also commit the Authority to setting up effective internal systems to monitor compliance with these statutory duties and to review progress.

This Scheme has been issued in draft form, as required under the legislation, to allow consultation with all those who are affected by the Authority's policies.

Consultation is an integral component of the Scheme and the Authority acknowledges the responses received. These views have been taken into account in finalising this scheme for submission for approval to the Equality Commission.



Sir Anthony Greener
Chairman



Ken Boston
Chief Executive

CONTENTS

CHAPTERS

1. Introduction
2. QCA's functions and policies
3. Arrangements for assessing compliance with Section 75 duties
4. Assessing and consulting on the impact of policies on the promotion of equality of opportunity
5. Consultation
6. Monitoring
7. Publication of the outcome of impact assessments and monitoring
8. Public access to information and services
9. Training
10. Publication of the Scheme
11. Complaints
12. Review of the Equality Scheme

APPENDICES

- Appendix 1 Examples of groups relevant to the section 75 categories for Northern Ireland purposes
- Appendix 2 List of consultees
- Appendix 3 Summary Timetable
- Appendix 4 Consultation on draft Equality Scheme

1. Introduction

- 1.1 The Qualifications and Curriculum Authority (QCA) is a UK non-departmental public body established under the 1997 Education Act and accountable to the Secretary of State for Education and Employment.
- 1.2 Most of QCA's work relates to the education and training system in England, but it is also responsible for accrediting National Vocational Qualifications (NVQs) in Wales and Northern Ireland. For the purposes of fulfilling its remit for NVQs in Northern Ireland QCA has established an office in Belfast under terms agreed in a Memorandum of Understanding with the Department for Employment and Learning (DEL). In accordance with national policy, QCA works closely with its regulatory partners in Wales and Northern Ireland to establish a national qualifications framework for England, Wales and Northern Ireland. In Northern Ireland the regulatory authority, the Council for the Curriculum, Examinations and Assessment (CCEA) has responsibility for external qualifications in full time education up to age 19.
- 1.3 Section 75 of the Northern Ireland Act 1998 (the Act) requires QCA, in carrying out all 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 or sexual orientation;
 - between men and women generally;
 - between persons with a disability and persons without; and
 - between persons with dependants and persons without.
- 1.4 In addition, without prejudice to the above obligation, QCA shall, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 1.5 Schedule 9 of the Act requires QCA to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75 of the Act. This document is intended to fulfil that statutory requirement. The Equality Scheme covers all QCA's functions, powers and duties relating to Northern Ireland.

2. QCA's functions and policies

- 2.1 The functions which QCA is responsible for in Northern Ireland are discharged through its powers and duties as defined in the Education Act 1997. The functions set out in the Education Act in relation to Northern Ireland are with respect to National Vocational Qualifications (NVQs) only and are:
- (a) to keep under review all aspects of such qualifications;
 - (b) to advise the Secretary of State on such matters concerned with such qualifications as he may refer to them or as he may see fit;
 - (c) to advise the Secretary of State on, and if so requested by him, assist him to carry out programmes of research and development for purposes connected with such qualifications;
 - (d) To provide support and advice to persons providing courses leading to such qualifications with a view to establishing and maintaining high standards in the provision of such courses;
 - (e) to publish and disseminate, and assist in the publication and dissemination of, information relating to such qualifications;
 - (f) to develop and publish criteria for the accreditation of such qualifications;
 - (g) to accredit, where they meet such criteria, any such qualifications submitted for accreditation.
- 2.2 In effect QCA has responsibility under the Education Act 1997 for the regulation of National Vocational Qualifications in Northern Ireland. Primarily this involves the setting of necessary standards against which NVQs are developed and accredited for use as qualifications. QCA is then responsible for securing compliance with those standards and carries out monitoring against the qualification criteria. QCA also carries out advice and information activities in Northern Ireland in relation to the above. (CCEA is the regulatory body for all other qualifications in Northern Ireland.)
- 2.3 QCA is therefore responsible for the following policies which relate to its work in Northern Ireland:

National Occupational Standards Development Programme

QCA is responsible (with the Scottish Qualifications Authority) for the procurement of National Occupational Standards in accordance with the Criteria for National Occupational Standards. QCA consults with the Department for Employment and Learning (DEL) on the priorities for and management of this programme of work, including the disbursement of the NVQ levy. Within this process of approving standards QCA monitors submissions and ensures that Standards Setting Bodies (SSBs) have taken account of the distinctive needs of Northern Ireland.

Accrediting arrangements

QCA carries out its statutory function to accredit National Vocational Qualifications by:

- developing, publishing and keeping under review criteria for the accreditation of National Vocational Qualifications (NVQs); and
- developing and publishing details of the processes and procedures for considering NVQs submitted for accreditation.

The current relevant criteria used to accredit NVQs are:

- (1) criteria setting out the required characteristics of qualifications
- (2) criteria – normally in the form of Codes of Practice – setting out the necessary standards in the processes and procedures leading to awards

Further details of these procedures are provided in the publication, *Arrangements for the statutory regulation of external qualifications in England, Wales and Northern Ireland*.

Post-accreditation monitoring

Following the accreditation of a National Vocational Qualification, QCA systematically monitors awarding bodies' practice against the requirements set out in the accreditation criteria. QCA has in place a coherent and comprehensive monitoring programme which provides the means for keeping NVQs under review and supplies the evidence for taking any necessary action to maintain quality and standards across provision and over time.

The post-accreditation monitoring arrangements focus on quality and probity in the work of particular awarding bodies. The arrangements also include investigations focusing on consistency and standards in particular sectors and across awarding bodies.

Complaints

Individuals who, normally, have followed and exhausted the complaints procedure of an NVQ centre or awarding body, and are dissatisfied with the response received may make a complaint to QCA.

Complaints under this procedure do not relate to the quality of training/teaching or funding issues, but must relate to one or more of the following:

- customer service, including administrative procedures;
- quality assurance, including moderation, internal verification and external verification;
- assessment issues (including access to assessment);
- equal opportunities, registration, certification;
- an awarding body's appeals or complaints procedures;
- malpractice; or
- other matters which fall within the remit of the regulatory authority for the purposes of NVQs offered by awarding bodies.

Advice and information

QCA is responsible for providing advice, and publishing and disseminating information on matters concerned with NVQs in Northern Ireland. QCA provides information and advice to those within the NVQ system in Northern Ireland and guidance to employers introducing NVQs into the workplace. QCA seeks to ensure that such services take into account in particular the needs of people with disabilities and people from minority ethnic communities.

QCA organises conferences and seminars on NVQ development and improvements, and prepares guidance and reports. These events and information are primarily for awarding bodies, approved NVQ centres, DEL officials and other key stakeholders.

Employment

Five staff are currently employed by QCA in Northern Ireland at its Belfast office. Their terms and conditions are those which apply to all staff employed by QCA in England. Terms and conditions are developed in consultation and through negotiation with the recognised trade union, The Public and Commercial Services

Union (PCS), and in keeping with relevant employment legislation and codes of practice.

Procurement

A standard system of procurement applies for QCA's operations throughout the UK, including its offices in Belfast. The system is derived from EU procurement rules, Government Accounting rules and Government policy such as the IAG (Information Age for Government). In addition procurement falls within an overall financial regime covered by the QCA financial memorandum which is based on the standard Government template for public bodies.

3. Arrangements for assessing compliance with Section 75 duties

- 3.1 The Chief Executive, Dr Ken Boston, is responsible to QCA for ensuring that QCA fully complies with this Scheme. Each member of the Senior Management Team is responsible to the Chief Executive Officer for ensuring that his/her Division fully complies with this Scheme.
- 3.2 Operational responsibility rests with QCA's General Manager for Corporate Affairs, who is a member of the Senior Management Team. An Equality Steering Group has been established with members representing each of the relevant QCA Divisions and QCA's Manager in Northern Ireland. The role of the Steering Group is to ensure that the Section 75 duties are effectively implemented throughout the organisation.
- 3.3 QCA's Manager in Northern Ireland will be the central point of contact with the Equality Commission, for consultation exercises in Northern Ireland, and for complaints under the Scheme. Her contact details are:

Joan Gormley
 Qualifications and Curriculum Authority
 2nd Floor
 Glendinning House
 6 Murray Street
 Belfast
 BT1 6DN

Telephone: 028 9033 0706
 Fax: 028 9023 1621
 e-mail: gormleyj@qca.org.uk

- 3.4 QCA's Equal Opportunities Officer will assist the Senior Management Team and the Equality Steering Group in ensuring that QCA fulfils its obligations under this Scheme.
- 3.5 Objectives and targets relating to these statutory duties will be integrated into QCA's corporate and annual plans. Staff performance will be monitored and reviewed in this area in accordance with the normal performance review arrangements. The implementation of QCA's obligations under Section 75 will be monitored and reported to Authority members on a quarterly basis. A report on its progress in meeting the objectives and targets set relating to the statutory duties will be included in QCA's Annual Report.
- 3.6 QCA will ensure that the implementation of the Section 75 duties is supported efficiently with the necessary resources in terms of people, time and money. QCA will communicate with and train its members and staff affected on the

requirements of these statutory duties, on this Equality Scheme and on how to implement them effectively.

- 3.7 QCA will prepare an annual review of the steps which have been taken by it during the year to promote equality of opportunity. This review will include an assessment of progress made during the year on both the equality of opportunity and good relations duties. The review will be sent to the Equality Commission to assist it in compiling its own Annual Report. QCA will liaise with the Equality Commission to ensure that progress is maintained.
- 3.8 QCA will conduct a comprehensive review of this Scheme within 5 years from the date that the Scheme is submitted to the Equality Commission. This review will include an assessment of how QCA has complied with the Section 75 obligations and how equality of opportunity and good relations have been advanced relative to the main policy areas. (This assessment may include an input from independent consultants). It will also consider any Guidance issued by the Equality Commission on the conduct of such a review. QCA will consult with those organisations listed at Appendix 2 as part of the review, before it is submitted to the Equality Commission.
- 3.9 A summary outline of the timetable for the actions proposed to comply with the Section 75 duties is attached at Appendix 3.

4. Assessing and consulting on the impact of policies on the promotion of equality of opportunity

- 4.1 QCA will assess over the lifetime of the Scheme how each of its current policies relating to its functions in Northern Ireland impacts on the promotion of equality of opportunity and the promotion of good relations as defined in Section 75 of the Northern Ireland Act. In identifying policies to be subject to the equality impact assessment procedure QCA will consider its existing policies (see 2.3) and any new policies relevant to its work in Northern Ireland during the term of the Scheme. The procedure followed on impact assessment will be in accordance with Annex 1 of the 'Guide to the statutory duties'.

Screening

- 4.2 QCA will screen all its existing policies which relate to its functions discharged in Northern Ireland to identify those which will be subject to the equality impact assessment procedure. QCA will ensure that screening is complete within six months of the submission of the draft Equality Scheme to the Equality Commission.
- 4.3 QCA will consider the impact of each current policy on equality of opportunity in terms of the nine categories listed at Section 75 of the Act. For each policy the following criteria will be applied:
- (a) is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?
 - (b) is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?
 - (c) is there an opportunity to better promote equality of opportunity or better community relations by altering policy or working with others in government or the community at large?
 - (d) have consultations in the past with relevant representatives, organisations or individuals within groups indicated that particular policies create problems that are specific to them?
- 4.4 QCA will undertake to screen its current policies using these criteria (4.3). This procedure will establish which of its policies has a significant impact on equality of opportunity and should be subject to full impact assessment. This exercise will also identify the Section 75 categories where each current policy is expected to have a significant impact. Impact assessments of current policies will concentrate in particular, on the categories identified in this exercise.

- 4.5 QCA will consult on the results of this initial screening exercise. It will consult the Equality Commission, other public bodies, the voluntary and community sector, trade unions and those with a legitimate interest in the matter, whether or not they have a direct economic or personal interest, including those cited at Appendix 2. The consultation will include a timetable for conducting equality impact assessments on its current policies. These will be prioritised on the basis of:
- relevance to social need;
 - effect on people's daily lives;
 - effect on economic, social and human rights;
 - the timetable established by other relevant statutory agencies;
 - scale of expenditure incurred by the policy.
- 4.6 QCA will report to the Equality Commission in its first Annual Review on the results of this screening exercise. This will include details of those policies which will be subject to the impact assessment procedure and the timetable for assessing these policies. It will present details on the consultation, who was consulted and their comments. The report will also include any changes made as a result of the consultation and any policies proposed for impact assessment by those consulted which have not been included in the timetable by QCA with the reasons why they were not included.

Impact assessment

- 4.7 Each equality impact assessment will aim to identify whether within each Section 75 category the policy under consideration creates differential impacts between groups or has the potential to enhance equality of opportunity between groups, particularly in terms of:
- rights;
 - resources;
 - participation;
 - values and norms (ie traditional roles, stereotypes, division of labour, attitudes and behaviour).
- 4.8 For the purposes of assessing policies a number of policies may be grouped together for composite assessment. The timing and assessment of the consultation will also take account of the proposed timetable of other public authorities with responsibility for similar functional areas. QCA may also work jointly on these impact assessments with other public authorities, where this is appropriate.
- 4.9 The organisations indicated at Appendix 2 will be consulted as part of the equality impact assessment procedure. Those with a legitimate interest in the matter,

whether or not they have a direct economic or personal interest, will be consulted. Consultation will be in accordance with the arrangements set out in Chapter 5 of this Scheme.

- 4.10 QCA will ensure that the published information on equality impact assessments includes:
- the aims of the policy to which the assessment relates;
 - details of any consideration given by QCA to measures which might mitigate any adverse impact of that policy on the promotion of equality of opportunity; and
 - details of any alternative policies considered by QCA which might better achieve the promotion of equality of opportunity.

New policies

- 4.11 QCA will subject all new policies which could have an impact on its work in Northern Ireland to scrutiny in relation to compliance with the Section 75 requirements. A procedure similar to that applied to existing policies (and using the same criteria as at 4.3 and 4.4) will be adopted.
- 4.12 During the period of twelve months following approval of this Scheme QCA currently anticipates that the following new policies, which relate to functions discharged in Northern Ireland, will require screening in accordance with the mechanisms specified above at 4.3 and 4.4:
1. Complaints procedure
 2. Diversity policy

Taking account of impact assessments and consultations in policy making

- 4.13 In making any decision on a current or on a proposed policy, which relates to its functions in Northern Ireland, QCA will take into account any equality impact assessment and the outcome of associated consultations regarding the policy. This is a statutory requirement under paragraph 9 (2) of Schedule 9 to the Northern Ireland Act 1998.

5. Consultation

- 5.1 QCA will consult as appropriate with the Equality Commission and the Community Relations Council on issues relevant to the fulfillment of its Section 75 obligations. It will take account of proposals from both these bodies relating to its compliance with the Section 75 obligations.
- 5.2 QCA will consult on matters relating to the section 75 duties, its Equality Scheme, screening, and equality impact assessments with public sector organisations and representative groups of the Section 75 categories in the community, voluntary and trade union sector (as outlined in Appendix 2) who have a legitimate, particular interest in QCA's work in Northern Ireland and/or the impact of its policies on equality of opportunity and good relations.
- 5.3 The arrangements outlined below will apply to all consultation exercises.
- 5.4 QCA considers it is particularly important that sufficient, timely and appropriate information is provided to enable all affected groups and individuals to consider the full implications of proposals and it will take steps to provide this information. Relevant qualitative and quantitative data and other documentation, including consultants' reports, will be available for all consultations.
- 5.5 Consultation will begin as early as possible to allow adequate time for groups to consult among themselves. QCA will aim to provide a period of at least eight weeks for consultation. However, there may be exceptional circumstances where this timescale is not feasible. In such cases QCA will indicate why a shorter period has been adopted. Such circumstances will be monitored, kept under review, justified clearly and detailed in QCA's Annual Review to the Equality Commission.
- 5.6 In consulting on any matter to which this Scheme relates QCA will write to the organizations and groups listed at Appendix 2. QCA will work with representative groups and individuals of the Section 75 categories in order to identify how best to obtain their views. This may include meetings, advisory groups, surveys, consultative panels, internet discussions, citizens juries and other innovative ways of consulting as there will be different means of consultation for different groups. It will be important to establish the basis for dialogue and engagement with different groups during the life of the Scheme.
- 5.7 Information will be made available in a fully accessible, timely way to ensure meaningful consultation and the highest level of inclusivity in any policy decision-making. Barriers to proper consultation should be overcome by ensuring appropriate formats, including large print, audio cassette, disc, Braille, and accessibility of languages where the consultee is not fluent in English. Special consideration will be given to how best to consult with and communicate with young people, and those with a learning disability.

- 5.8 QCA will provide specific training to ensure that those facilitating consultations have the necessary skills and sensitivities to communicate effectively. This training will be developed in consultation with the affected groups.
- 5.9 In organising consultation meetings QCA will seek to ensure full participation by careful consideration of the timing, venue, accessibility, provision of childcare, alternative formats of publication, the use of interpreters, and how the meeting is run.

6. Monitoring

- 6.1 A system will be established to monitor the impact of policies in order to identify their effects on the relevant Section 75 groups. This will be reviewed on an annual basis and the results will be provided to those specified in Appendix 2. If monitoring and evaluation show that a policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, QCA will ensure that the policy is revised.
- 6.2 Knowledge of the impact of the QCA's policies on different groups within the Section 75 categories will be of assistance in assessing progress towards equality of opportunity. Within one year of approval of the Scheme, QCA will assess the extent of existing monitoring within each of the main policy areas and the scope for extending it to meet the obligations under the legislation. In addition to the value of any additional information required for assessing progress towards equality of opportunity, this review will also take into account the following factors:
- resource implications;
 - readiness of the public to supply information;
 - availability of other information and proxy measures (eg postcode analysis).
- 6.3 In some cases an equality impact assessment may identify an anticipated adverse impact on particular groups within the Section 75 categories. Assuming that no alternative policy is feasible steps will be taken, wherever possible, to mitigate such anticipated adverse impact. QCA may, in these circumstances, commission special monitoring to confirm the extent of the differential adverse impact and/or the success of any mitigating measures. Information collected in these special circumstances will be taken into account in any future review of the policy.
- 6.4 QCA will liaise closely with other statutory bodies in determining appropriate data sources for this monitoring, both in its consideration of special monitoring of anticipated adverse effects and in its review of existing monitoring arrangements.

7. Publication of the outcome of impact assessments and monitoring

- 7.1 QCA will make publicly available the outcome of any equality impact assessment and of any monitoring undertaken in relation to paragraphs 6.1, 6.2 and 6.3 above. This material will be available on QCA's website at www.qca.org.uk. It will also be available in printed form and in alternative formats, such as Braille, disc, audio-cassette and minority languages, on request from:

Joan Gormley
The Manager
Qualifications and Curriculum Authority
2nd Floor
Glendinning House
6 Murray Street
Belfast
BT1 6DN

Telephone: 028 9033 0706
Fax: 028 9023 1621
e-mail: gormlevj@qca.org.uk

QCA will inform the general public about the availability of this material through Press Releases. It will also directly inform bodies listed at Appendix 2 when this material is available. QCA will take into account how best to communicate with young people and people with learning disabilities.

- 7.2 The published documentation on an equality impact assessment will include:
- the aims of the policy;
 - details of any consideration given to mitigate any adverse impact of the policy on the promotion of equality of opportunity; and
 - details of any consideration given to any alternative policies which might better achieve the promotion of equality of opportunity.

8. Public access to information and services

- 8.1 QCA is committed to effective communication with the public. The organisation has an office in Belfast, and provides information and services to members of the public in a range of formats and minority ethnic languages on request.
- 8.2 QCA recognises, however, that unless specific action is taken some sections of the public will not enjoy equality of opportunity in accessing the information it provides. There are four particular areas where further action may be required:
- for people with communication, sensory and learning disabilities;
 - for some members of minority ethnic communities who are not fluent in English;
 - for children and older people; and
 - for either of the two major religious/political communities in Northern Ireland where regional/ local newspapers are read predominantly by members of one community.
- 8.3 QCA will, within the first year following the approval of the Equality Scheme, assess its arrangements for providing information in Northern Ireland. This will include consideration of alternative information provision in Braille, large print, audio-cassette, textphones and minority ethnic language formats for those who are not fluent in English. This assessment will take account of the legal requirements placed on QCA under the Disability Discrimination Act, the likely demand for information in such formats across its main policy areas, and resource implications. Based on this assessment QCA will make recommendations on how public access to its information might be improved. It will consult on these recommendations and implement them appropriately. QCA will publicise widely the arrangements put in place.
- 8.4 In disseminating information through the Northern Ireland Press, QCA will ensure that public advertisements are carried by the three Belfast daily newspapers (including the North West edition of the Belfast Telegraph).
- 8.5 In locating its offices, intended to be open to the public, in Northern Ireland QCA will ensure that no member of the public is deterred from visiting for whatever reason. All public offices will maintain a welcoming and harmonious environment. QCA will also adhere to the relevant provisions of the Disability Discrimination Act 1995.
- 8.6 QCA will ensure that it promotes its responsibilities under s75 through a range of publications and media, including its website, public advertisements, internal communications, briefings to staff and the organisation's Annual Report. The Chief Executive and other senior staff will promote these responsibilities to staff and the public.

9. Training

- 9.1 QCA will ensure that all staff involved in the implementation of the Scheme will receive an appropriate programme of training and awareness raising on issues relating to Sections 75, 76 and Schedule 9 of the Northern Ireland Act 1998 as well as on other anti-discrimination legislation in force in Northern Ireland. The training will include an explanation of the new statutory duties, their implications for all affected staff and the contents of this Equality Scheme. QCA will develop a programme to deliver this training over the life of the Scheme. Initial training of all staff covered by the Scheme will be completed by the end of Year 2 of the Scheme's operation. (see Appendix 3) QCA will report annually to the Equality Commission on progress on this matter.
- 9.2 All new staff, whose work relates to functions discharged in Northern Ireland, will be informed of the requirements of the Section 75 duties (as outlined in 9.1 above) and the Equality Scheme in their Induction Training. All QCA members and staff will also have access to a copy of the Scheme.
- 9.3 Specialist staff, whose work relates to functions discharged in Northern Ireland, such as equality staff and those involved in research and data collection, policy development, and monitoring and development, as well as all staff based in the Northern Ireland office will receive more specific focussed training. Specific training will also be given to staff engaged in consultation exercises so that they have the necessary skills to communicate effectively with those being consulted.
- 9.4 Staff involved in screening policies, conducting equality impact assessments of policies, dealing with complaints and implementing and monitoring QCA's Scheme will be provided with the necessary skills and knowledge to do this work effectively. QCA will evaluate the extent to which the training has succeeded in providing the requisite skills and knowledge and take any further measures as necessary. The Annual Review will detail the extent to which progress in achieving the training objectives has been achieved.
- 9.5 Input will be sought from representatives of Section 75 groups to inform the content and development of such training.

10. Publication of the Scheme

- 10.1 Following approval of the Scheme by the Equality Commission, a copy of the Scheme will be sent to all those organisations listed in Appendix 2 who have responded to the consultation process.
- 10.2 The Scheme will be available (free of charge) in print form and alternative formats, such as Braille, disc, audio-cassette and minority languages, on request, through the Manager at QCA's office in Northern Ireland:

Joan Gormley
The Manager
Qualifications and Curriculum Authority
2nd Floor
Glendinning House
6 Murray Street
Belfast
BT1 6DN

Telephone: 028 9033 0706
Fax: 028 9023 1621
e-mail: gormlevj@qca.org.uk

It can also be accessed on QCA's website at www.qca.org.uk

Specific consideration will also be given to how best to communicate the Scheme to young people and those with learning disabilities.

- 10.3 QCA will also issue a Press statement and place an advertisement in Northern Ireland when the Scheme is approved by the Equality Commission.
- 10.4 All staff, whose work relates to a function discharged by QCA in Northern Ireland, and all QCA members will have access to a copy of the Scheme.

11. Complaints

- 11.1 Where a person (the complainant) believes that s/he has been directly affected by a failure by QCA to comply with this Scheme s/he should, in the first instance, bring her/his complaint to the attention of:

Joan Gormley
The Manager
Qualifications and Curriculum Authority
2nd Floor
Glendinning House
6 Murray Street
Belfast
BT1 6DN

Telephone: 028 9033 0706
Fax: 028 9023 1621
e-mail: gormlevj@qca.org.uk

QCA will ensure the accessibility of the procedure for those raising complaints.

- 11.2 QCA will investigate the complaint or give the complainant a reason for not investigating it. QCA will seek to provide a substantive response to the complaint normally within one month from the date of its receipt.
- 11.3 In responding to the complainant QCA will inform her/him of the procedure for pursuing the complaint further with the Equality Commission. In any subsequent investigation by the Equality Commission, or any investigation initiated by the Commission under sub-para 11(1) (b) of Schedule 9 to the Northern Ireland Act 1998 QCA will cooperate fully, providing access to any relevant information the Commission may require.

12. Review of the Equality Scheme

- 12.1 QCA will conduct a comprehensive review of this Scheme within five years from the date that it is submitted to the Equality Commission.
- 12.2 This Review will include an assessment of how QCA has complied with the Section 75 obligations and how equality of opportunity and good relations have been advanced relative to the main policy areas. (This assessment may include an input from independent consultants).
- 12.3 QCA will consult with those organisations listed at Appendix 2 (as amended) as part of the Review prior to its submission to the Equality Commission. The Review will consider any Guidance issued by the Equality Commission on the conduct of such a review.

Appendix 1

Examples of groups relevant to the section 75 categories for Northern Ireland purposes

Category	Examples of Groups
Age	Those under 18; people aged between 18 and 65; and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration.
Marital status	Married people; unmarried people; divorced or separated people; widowed people.
'Men and women generally'	Men (including boys); women (including girls); transgendered people; transsexual people.
'Persons with a disability'	Persons with a disability as defined in Sections 1 and 2 of the Disability Discrimination Act 1995.
'Persons with dependants'	Persons with primary responsibility for care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for the care of a dependant elderly person.
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party; other.
Racial group	Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Black African; Black Caribbean; White; mixed ethnic group; any other ethnic group or nationality.
Religious belief	Protestant; Catholic; Hindu; Jewish; Islam / Muslim; Sikh; Buddhist; other religion; people of no religious belief.
Sexual orientation	Gay; lesbian; bisexual; heterosexual.

Appendix 2

List of consultees

The following is a list of those public authorities, voluntary, community, trade union and other groups which QCA considers may have an interest in its work. QCA has sought to identify as many as possible but recognises that the list is not exhaustive and may be amended in the light of experience.

Age Concern
 Barnardos
 British Deaf Association
 Carers National Association Northern Ireland
 CACHE
 City and Guilds (Belfast Office)
 Coalition on Sexual Orientation
 Colleges of Further and Higher Education
 Committee on the Administration of Justice
 Community Relations Council
 Council for Curriculum, Examinations and Assessment
 Department for Employment and Learning (NI)
 Department for Employment and Skills (GB)
 Disability Action
 Edexcel (Belfast Office)
 Educational Guidance Service for Adults
 ETC Awards Ltd
 Equality Coalition
 Equality Commission for Northern Ireland
 Gingerbread Northern Ireland
 Help the Aged
 Hospitality Awarding Body
 LCCI
 Mencap
 NI Assembly Employment and Learning Committee
 Northern Ireland Association for the Care and Resettlement of Offenders
 Northern Ireland Committee, Irish Congress of Trade Unions
 Northern Ireland Council for Ethnic Minorities
 Northern Ireland Council for Voluntary Action
 Northern Ireland Gay Rights Association
 Northern Ireland Human Rights Commission
 OCR (Belfast Office)
 Pitmans (Belfast Office)
 QCA – Authority members and staff
 Royal National Institute for Blind People (N Ireland)
 Royal National Institute for Deaf People (N Ireland)
 Rural Community Network

Save the Children
The Family Planning Association
The NI Churches
The NI political parties
The Public and Commercial Services Union
The Queen's University of Belfast
The University of Ulster
Training for Women Network
Travellers Movement Northern Ireland
West Belfast Economic Forum
Women's Aid Federation
Women's Forum Northern Ireland
Youth Council

Added following consultation:

Age Sector Reference Group

Summary Timetable

Year 1

- Establish and operationalise internal Section 75 management systems
- Screening of current policies to determine which policies will be subject to full impact assessment and when
- Equality impact assessment of policies scheduled for Year 1 as result of initial screening
- Screen and impact assess new policies, as appropriate
- Development of training programme for Authority members and staff
- First phase of training programme
- Review of monitoring arrangements
- Review of arrangements for providing information to the public
- Quarterly reports to Authority members on progress on Section 75; report on Section 75 in QCA's Annual Report
- Preparation and submission of Annual Review to Equality Commission, including details on screening exercise

Year 2

- Equality impact assessment of policies scheduled for Year 2 as result of initial screening
- Screen and impact assess new policies, as appropriate
- Second phase of training programme; initial training for all affected staff complete
- Monitoring programme
- Quarterly reports to Authority on progress on Section 75; report on Section 75 in QCA's Annual Report
- Preparation and submission of Annual Review to Equality Commission

Year 3

- Equality impact assessment of policies scheduled for Year 3 as result of initial screening
- Screen and impact assess new policies, as appropriate
- Review of training needs including training for new 'affected' staff
- Monitoring programme
- Quarterly reports to Authority on progress on Section 75; report on section 75 in QCA's Annual Report
- Preparation and submission of Annual Review to Equality Commission

Year 4

- Equality impact assessment of policies scheduled for Year 4 as result of initial screening
- Screen, and impact assess new policies, as appropriate
- Training for new 'affected' staff; any additional training as result of review
- Quarterly reports to Authority on progress on Section 75, report on Section 75 in QCA's Annual Report
- Preparation and submission of Annual Review to Equality Commission

Year 5

- Equality impact assessment of policies scheduled for Year 5 as result of initial screening
- Screen, and impact assess new policies, as appropriate
- Training for new 'affected' staff; any additional training as result of review
- Quarterly reports to Authority on progress on Section 75, report on Section 75 in QCA's Annual Report
- Preparation and submission of Annual Review to Equality Commission
- Preparation of Review of Equality Scheme

The timetable will be reviewed following screening and consultation. The revised version will include details of which current policies requiring full equality impact assessment will be assessed in which year.

Appendix 4

CONSULTATION ON DRAFT EQUALITY SCHEME

1. QCA issued its draft Equality Scheme for consultation on 18th December 2001. The draft Scheme was issued to all organisations listed at Appendix 2. An advertisement informing the public that the draft Scheme was available for consultation was placed in the three regional papers on 18th December 2001 and on QCA's website on 19th December 2001.
2. Potential consultees were advised that information would be provided in alternative formats, and in different languages for minority ethnic groups, on request . Consultation meetings were also offered to any groups requesting these facilities.
3. A period of consultation on the draft Scheme of 9 weeks was provided with a closing date of 20th February 2002.
4. 7 responses were received during the period, as follows:

Consultee	Response date
Department of Employment & Learning	19/12/01
The Presbyterian Church in Ireland	20/12/01
West Belfast Economic Forum	21/12/01
Equality Commission	02/01/02
Youth Council for Northern Ireland	07/01/02
Age Sector Reference Group	06/02/02
Disability Action	19/02/02

5. Four of the respondents – the Department of Employment & Learning, the Presbyterian Church in Ireland, the Equality Commission and the Youth Council for N. Ireland – did not provide comments on the draft Scheme. The Youth Council provided a useful publication on consulting with young people 'Seen and Heard'; this will be used by QCA as it implements its Equality Scheme.
6. The Age Sector Reference Group, a newly formed umbrella organisation representing older people, encouraged QCA to promote the concept of 'an age diverse workforce'. This will be considered as part of the process of screening and, as appropriate, impact assessing QCA's employment policies. The Age Sector Reference Group also made a number of observations

- the wide diversity of interest for lifelong learning among older people should be reflected in opportunities available,
- the need to devise and target publicity material for older people on courses leading to formal qualifications,
- and the need to consider establishing the current age profile of NVQ students to identify if this reflects the demand for courses or current marketing strategies.

These issues will be considered as part of the process of screening and, as appropriate, impact assessment of relevant policies. QCA has added the Age Sector Reference Group to its list of consultees.

7. West Belfast Economic Forum provided a more detailed response – of a generic nature. A summary of the issues raised and QCA's response are presented in Annex A.
8. Disability Action presented a detailed response commenting specifically on the contents of QCA's draft scheme. The issues raised and QCA's response are presented in Annex B.

ANNEX A

RESPONSE BY WEST BELFAST ECONOMIC FORUM

West Belfast Economic Forum provided a detailed response of a generic nature. The response presented detailed guidance to organisations on the content of Equality Schemes and the arrangements needed to ensure equality of opportunity.

A number of the issues raised by the Forum have also been raised as specific comments on the QCA draft Scheme by Disability Action. The specific responses to these issues are included at Annex B.

A number of the recommendations in the Forum's response have already been incorporated in QCA's Scheme. Other best practice recommendations will be taken into account at the appropriate stage for review in the Scheme.

The Forum specifically raised the issue of linguistic rights for Irish speakers in providing training for staff, arrangements for consultation, and in the provision of information and services. QCA will consider these issues when it reviews its arrangements in these specific areas as part of the process of implementing its Scheme.

The Forum also raised the issue of the status of part-time employees and a declaration by staff of membership of oath bound organisations. QCA will consider these issues as part of its screening, and as appropriate, impact assessment of the relevant policies.

ANNEX B – RESPONSE BY DISABILITY ACTION

Para	Disability Action's comments	QCA's response
4	Specify 'in terms of people, time and money' in relation to the commitment to allocate the necessary resources in the Introductory Statement	Agreed and revised.
5	Add 'all' to phrase 'in carrying out all its functions, powers and duties' (in 1.3)	Introductory statement and 1.5 already make clear that all functions etc are covered. But for clarity, addition agreed and revised.
7	Requests clarification if Chief Executive, when appointed, will assume responsibility for compliance with Scheme (3.1)	CE, on appointment, will assume responsibility. Statement to this effect added.
8	Presumption that all divisions have responsibility for some NI functions, and therefore recommend deletion of 'relevant divisions' or clarify exceptions (3.2)	The statutory remit of the work of some of QCA's divisions does not extend to NI. This statutory remit is fulfilled in NI by CCEA, the regulatory body for NI. This has been clarified at 2.2
9, 27, 32,38 39	Acquire a textphone, train staff and publicise the facility (3.3)	A textphone is provided at QCA's Headquarters. Arrangements will be put in place to acquire a textphone for the Belfast office, and to ensure the relevant staff are trained.
10	Add 'and annual' to 'corporate and annual operating plans' (3.5)	Agreed and revised.
11	See comment at para 4 for 3.6 'Efficiently' should be deleted as it may create a priority over 'necessary resources' (3.6)	Agreed and revised. QCA is committed to providing the necessary resources, but considers it part of its responsibility to allocate these resources on an efficient basis.
12	Greater detail on training and communication requested (3.6)	Will be considered as part of review of training in Year 1
13,	Review of Scheme should be	Requirement is to carry out review

44	carried out within 3 years rather than 5. (3.8)	after 5 years
14, 44	Use of consultants should be used with caution (3.8)	The Scheme specifies only that independent consultants <u>may</u> provide an input to the review
15	Add 'but not exclusively' to 'will concentrate in particular, but not exclusively , on the categories...' (4.4)	QCA considers that the proposed addition is already understood in current phraseology
17, 30	Include reference to 'qualitative and quantitative' data in impact assessment (4.10)	4.1 states that the procedure for impact assessment will be as specified in Annex 1 of the 'Guide to the statutory duties' (which requires consideration of qualitative and quantitative data)
18	Change 4.11 to 'policies which relate in any way to its work in NI'	QCA considers that the current formulation 'policies which could have an impact on its work in NI' states the key purpose of impact assessment
19	Add 'all' to 'consult on all matters' (5.2)	QCA does not consider that every matter relating to s75 requires consultation
20	Queries the need for exceptions to the 8 week period for consultation (5.4, 5.5)	QCA considers that such exceptions would be rare but it is considered prudent to allow for instances requiring immediate action. Safeguards have been included should these occur.
21	Recommends establishing a basis for dialogue and engagement with different groups at an early stage of the Scheme (5.6)	The basis for engagement is likely to develop progressively during the life of the Scheme
22	Delete 'It is intended that...' in relation to ensuring accessible information. (5.7)	Agreed and revised
24	Reorder paragraph 6.3 to start of Chapter for ease of understanding	Agreed and revised
25	Concerns that 'resources' are the highest priority issue in the review of monitoring	The issues listed at 6.3 will be taken into account – they do not imply a hierarchy
26, 38	Queries the extent to which the website meets the needs of people with disabilities (7.1)	To be reviewed as part of the review of how information and services are provided

28, 34	Publishing of the results of impact assessment and associated monitoring information should be extended to include specialist press (7.1)	To be reviewed as part of the review of how information and services are provided
29	Seeks clearer statement of how and when people with learning disabilities and young people will be communicated with (7.1)	The available evidence from the relevant representative groups will be taken into account in developing these arrangements
31	Review of how information and services is provided should be undertaken within first four months of approval of Scheme (8.2)	Precise timetable for Year 1 to be finalised
33	Concerns about resource implications in information provision (8.2)	Resource implications are mentioned last, but as above (25) the order of listing does not imply a hierarchy
35	Initial awareness training should be completed within 6 months (9.1)	Initial training of key staff will be completed within Year 1
36	Copy of approved Scheme should be sent to all in Appendix 2, not just respondees (10.1)	Approved Scheme will be placed on website, advertised in the Press and available to any who request it. Those who have responded are most likely to be interested in receiving the approved scheme.
37	Will the Scheme be provided free of charge? If so, state so at 10.2	Agreed and revised
40	How will the accessibility of the complaints system be ensured? (11.1)	This will depend on the specific issues affecting accessibility
41	When would QCA not investigate a complaint? (11.2)	For example, if the complaint was outside its remit eg the responsibility of another public body
42	Delete 'seek' to 'normally' respond to a complaint within 1 month (11.2)	It is considered that there may be justifiable circumstances where it is not possible to respond substantively within 1 month, but these would be regarded as very exceptional. In all cases a response will be made within a

		month
43	The complainant should be communicated with in the format of his/her choice (11.3)	This recommendation will be considered under the review of information provision
45	Review within 5 years should be not only for 'main' policies (12.2)	QCA will conduct the review in accordance with the Guidance to be issued by the Equality Commission
46	Correct nomenclature for RNIB and RNID	Agreed and revised