



# **Audit of Inequalities – March 2015**

## **Summary of Consultation Responses**

September 2015

# **Northern Ireland Local Government Officers' Superannuation Committee**

## **Audit of Inequalities March 2015: Summary of Consultation Responses**

### **1 INTRODUCTION**

#### **1.1 Background and purpose**

- 1.1.1 NILGOSC is the administering body for the Local Government Pension Scheme in Northern Ireland. NILGOSC was set up by the Government in April 1950 to operate a pension scheme for local councils and other similar bodies in Northern Ireland. The pension scheme is known as the Local Government Pension Scheme (Northern Ireland) and is a defined benefit scheme. The pension scheme is funded by contributions paid by both employees and the scheme employers.
- 1.1.2 The pension scheme is managed by the Management Committee, appointed by the Department of the Environment. The day to day administration of the pension scheme being carried out by the Secretary, supported by over 60 staff members.
- 1.1.3 NILGOSC has two functions: to administer the scheme in accordance with regulations; and to manage and maintain a fund out of which benefits are met. As an administering body, NILGOSC's function is to comply with statutory regulations, which are made by the Department of the Environment. NILGOSC therefore has limited discretion over how it administers the pension scheme on a day to day basis.
- 1.1.4 Section 75 of the Northern Ireland Act 1998 requires NILGOSC 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;
  - Men and women generally;
  - Persons with a disability and persons without; and,
  - Persons with dependants and persons without.
- 1.1.5 Section 75 also requires NILGOSC to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group when carrying out its functions.
- 1.1.6 NILGOSC's Equality Scheme sets out how it will fulfil its statutory obligation in this regard. The Equality Scheme includes NILGOSC's Action Plan 2012-2015; this action plan required a review and update at the end of March 2015 to outline actions and priorities for the period 2015 to 2018. NILGOSC carried out an Audit of Inequalities to inform the development of the revised action plan. The Audit of Inequalities and the Action Plan 2015-2018 were issued for consultation in May 2015.

#### **1.2 The consultation process**

- 1.2.1 NILGOSC recognises the importance of consultation throughout all aspects of the implementation of its statutory equality duties. The purpose of this consultation exercise was to obtain the views of consultees on the revised Action Plan 2015-2018 and the Audit of Inequalities.
- 1.2.2 An invitation was made to consultees to submit responses to the consultation documents by post, email, phone, fax or in person.

## **Northern Ireland Local Government Officers' Superannuation Committee**

### **Audit of Inequalities March 2015: Summary of Consultation Responses**

- 1.2.3 Scheme employers, staff and other representative groups/organisations were directly invited to take part in the consultation. The consultation documents were made available on the NILGOSC website for all interested parties, including members and pensioners. The consultation ran for a period of twelve weeks and closed on 31 July 2015.

## **2 SUMMARY OF THE CONSULTATION RESPONSES**

- 2.1 A summary of the comments received and NILGOSC's response is included at Appendix A.
- 2.2 In total four responses were received. A list of all respondents is attached at Appendix B.

## **3 NEXT STEPS**

- 3.1 NILGOSC has considered the responses received in the consultation process and made changes to the Equality Action Plan 2015-2018 as appropriate. The Equality Scheme Action Plan 2015-2018 will be sent to the Equality Commission for Northern Ireland and will be made publicly available on NILGOSC's website, and issued to all consultees, as set out in NILGOSC's Equality Scheme.
- 3.2 Any comments or queries in relation to the consultation or the Equality Scheme Action Plan 2015-2018 should be sent to [equality@nilgosc.org.uk](mailto:equality@nilgosc.org.uk). Alternatively, contact NILGOSC's Equality Officer on 0845 308 7345.

## Northern Ireland Local Government Officers' Superannuation Committee

### Audit of Inequalities March 2015: Summary of Consultation Responses

#### APPENDIX A: Summary of Consultation Responses

##### Audit of Inequalities

	Summary of comments	NILGOSC response
1	The Audit of Inequalities was considered to be comprehensive; however, one point was raised in relation to Appendix C of the consultation document which set out the results of the NILGOSC survey by Section 75 category. One consultee noted that no conclusion had been stated in respect of the inequality identified regarding the category of "Marital Status".	NILGOSC did note that there was a distortion with regard to marital status, with single members being underrepresented. It identified that this distortion may be linked to the age profile of both the scheme and the local government workforce. Although it was not explicitly stated, NILGOSC does not consider this distortion to arise from an inequality in the provision of its services. NILGOSC does, however, want to investigate this trend further and has therefore included a specific action within the draft Equality Action Plan 2015-2018.
2	One consultee registered dismay that the document was not offered in a range of alternative formats and strongly recommended that a statement offering a range of accessible formats should be placed at the beginning of the main consultation document and in any future documents for ease of reference.	NILGOSC would draw attention to points 1.4 and 1.5 of the Introduction to the main consultation document where consultees are provided with examples of some of the alternative formats available and are given the opportunity to contact NILGOSC to request the document in an alternative format.
3	One consultee queried whether membership of the Management Committee is representative of the Section 75 groups, in particular people with disabilities, to enable informed comment to be made.	The Management Committee is imbalanced in the areas of gender, age and political opinion and an action has been included within the draft Equality Action Plan 2015-2018. There is representation on the Management Committee with regard to those with a disability. NILGOSC has no discretion to choose the members of its Management Committee but it will bring any imbalance to the attention of the Department for positive targeting of underrepresented groups.
4	With regard to the communication requirements of people with an age related disability, a query was raised as to how NILGOSC promotes the availability of alternative formats	NILGOSC promotes the availability of alternative formats on all publications and guides that it produces. The NILGOSC website also includes details on the alternative

## Northern Ireland Local Government Officers' Superannuation Committee

### Audit of Inequalities March 2015: Summary of Consultation Responses

	Summary of comments	NILGOSC response
	(the consultee referenced this to the issue noted at 2 above).	formats available and provides a range of methods that can be used to request an alternative format.
5	With regard to the identified lack of complete and reliable data, NILGOSC was asked for its plans in gathering and maintenance of Section 75 group data, in particular people with disabilities.	Eligible employees are automatically enrolled in the NILGOSC Scheme and it is up to the member to opt-out if he/she does not want to remain a member of the Scheme. Employers provide NILGOSC with personal information in respect of those enrolled in the Scheme but the information is restricted to that which is necessary for NILGOSC to administer the pension, it does not extend to equality monitoring data. When members opt-out of the Scheme they complete monitoring information on the opt-out form and NILGOSC uses this to try to identify trends in those choosing to opt-out.
6	It was noted that in the interest of clarity and for ease of reference, the incomplete actions carried over from the Action Plan 2012-2015 should have been cross referenced.	Noted.
7	One consultee noted that single people are currently underrepresented in the Scheme but that NILGOSC proposes to undertake research to identify and understand the reasons behind this underrepresentation. The consultee confirmed its willingness to engage with NILGOSC as part of any research/survey work undertaken in this area.	NILGOSC notes the response and greatly appreciates the offer of engagement.

## Northern Ireland Local Government Officers' Superannuation Committee

### Audit of Inequalities March 2015: Summary of Consultation Responses

#### Equality Action Plan 2015 – 2018

	Summary of comments	NILGOSC response
1	NILGOSC should consider whether all training identified within the section "Staff Training" could be undertaken by 31 March 2016.	<p>NILGOSC will change the timescale for Committee Member training to 30 April 2016 to reflect scheduled training events.</p> <p>NILGOSC has a rolling training schedule for staff that spreads training over the next 12 to 18 months.</p>
2	Given that the Disability Action Plan is to be reviewed and updated by March 2016, NILGOSC should consider whether the accessibility audit could be undertaken in the same period. If the timing of the accessibility audit is driven by the refurbishment of Templeton House, commentary to explain this would be useful.	The timing of the accessibility audit is driven by the refurbishment of Templeton House and in line with the consultee's recommendation, commentary to explain this has been included in the final action plan.
3	NILGOSC has scheduled the clear signposting of the disabled car parking space to take place by 31 March 2016. Two consultees noted that consideration should be given as to whether this can be undertaken immediately, and certainly prior to 31 March 2016.	The timescale has been changed to 31 October 2015.
4	The timescales in respect of "Barriers to joining the pension scheme" are considered to be too long (31 March 2018). NILGOSC should consider undertaking specific elements of the action in phases and setting timescales for each phase, for example, review publications and marketing materials in 2015/16 and focus on specific publications for people with disabilities in 2017. Similarly, the internet Crystal Mark Logo could be investigated in 2015/16 and implemented in 2017/18.	<p>Noted. The timescales for Action 9 have been revised.</p> <p>The performance indicator in respect of the Crystal Mark Logo has been amended to reflect that the action is to "investigate" rather than necessarily "achieve" the logo as the technical nature of the Scheme may mean it is not feasible to achieve it.</p>
5	The action required and the performance indicator in respect of the "Underrepresentation of single members" do not appear to be aligned with the objectives/intended	NILGOSC agrees that the production of a report is not the final action and anticipates having a specific action plan that will be derived from the outcome of the research.

## Northern Ireland Local Government Officers' Superannuation Committee

### Audit of Inequalities March 2015: Summary of Consultation Responses

	<b>Summary of comments</b>	<b>NILGOSC response</b>
	impact. There is no action plan to meet the objectives, only to produce a report of research analysed and present it to the SMT by June 2016. A specific action plan should be agreed and implemented to meet the objective of underrepresentation of single members rather than simply presenting a report to the SMT.	NILGOSC views the Equality Action Plan as a live document which is reviewed and updated as appropriate. Any resulting action will be added to the plan in the intervening period.
6	With regard to the underrepresentation of males, people with disabilities and those from the Roman Catholic Community, NILGOSC should consider setting targets for each group within a specific timescale rather than state that it is "ongoing".	NILGOSC considers ongoing positive targeting to be more appropriate than setting specific targets to be achieved by specific dates as all NILGOSC appointments are made on merit.
7	The "Action Required" and "Performance Indicator" for updating job descriptions would appear to be more relevant to a specific deadline rather than be shown as "ongoing".	Job descriptions are updated as and when positions become vacant making specific deadlines inappropriate. The job description is considered in its entirety, including equality duties.
8	Individual action measures should be numbered for ease of reference.	Noted. The action plan has been updated accordingly.
9	A cross reference to the Audit of Inequality findings and the link to action measures should be included for ease of reference.	Whilst the action plan was derived from the Audit of Inequalities, going forward it will sit as a document on its own and NILGOSC does not consider it necessary to link the document specifically to the Audit of Inequality findings. Furthermore, the Equality Action Plan is a live document which is reviewed and updated as appropriate.
10	Regarding the Equality and Good Relations Learning Module, the consultee seeks clarity on who will design and "equality proof" the learning materials.	NILGOSC is considering a number of options, one of which has been approved by the Equality Commission, Northern Ireland.
11	A distinction should be made between training on equality legislation, e.g. Disability Discrimination Act, Section 75, UN Convention on the Rights of Persons with Disabilities,	The training set out within the action plan will cover all of the Section 75 groups, including those with disabilities. Specific "Disability Equality Training" will sit within

**Northern Ireland Local Government Officers' Superannuation Committee**

**Audit of Inequalities March 2015: Summary of Consultation Responses**

	<b>Summary of comments</b>	<b>NILGOSC response</b>
	and Disability Equality Training.	NILGOSC's Disability Action Plan.
12	It was noted that some of the tasks detailed within "Statutory Obligations" were not "actions" but were part of a process, e.g. review and update the Disability Action Plan, or a statutory duty obligation that needs to be carried out regardless, e.g. accessibility audit is a duty under the Disability Discrimination Act 1995.	Noted.
13	Having identified communication and accessibility to information as a barrier, the action is considered to be somewhat vague. It is recommended that this action be broken down into clear tasks including targets and realistic timescales.	Noted. See the response to point four above.
14	The action to address underrepresentation of people with disabilities in the workplace is welcomed, however, it was noted that merely advertising that applications from people with disabilities are welcome would not achieve the intended outcome. Instead, NILGOSC should review its recruitment/selection process including job descriptions, in particular qualifications and essential criteria. The consultee noted that the timescale for this action is "ongoing" and queried whether the action had been carried over from the last Disability Action Plan. It also recommended that the timescale be replaced by specific actions, dates and clear performance indicators.	The qualifications and essential criteria are considered with reference to the specific needs and requirements of the job being advertised. NILGOSC will always make reasonable adjustments to ensure that all applicants have the same opportunity with regard to recruitment and that no applicant is disadvantaged by virtue of any of the Section 75 groupings or for any other reason. The focus on those with a disability did not carry on from the Equality Action Plan 2012-2015 but similar issues are considered within the Disability Action Plan.
15	It was recommended that the timescale for the action in respect of the identified inequalities in the Scheme regulations should be shortened.	NILGOSC aims to bring any imbalances/identified inequalities in the new regulations (effective from 1 April 2015) to the attention of the Department in early 2015/16. The identification of inequalities in the regulations is a very technical and labour intensive process. The target date of 31 March 2018 relates to the next planned review anticipated in 2017/18.



**Northern Ireland Local Government Officers' Superannuation Committee**

**Audit of Inequalities March 2015: Summary of Consultation Responses**

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16	<p>Whilst the action of conducting research "to identify and understand the reasons behind underrepresented groups in the Scheme" is an important first step to understanding the issue, one would have expected a three year action plan to have included reference to specific actions, for example, specific communications aimed at the underrepresented group, to have been identified in the plan.</p> <p>Similarly, in terms of the workforce, given the underrepresentation of applications from one section of the community, one would expect to see a more detailed action plan in terms of how this issue is going to be addressed.</p>	<p>See comments at point five above.</p> <p>See comments at points six and 14 above.</p>
17	<p>It may be useful to look more closely at issues for multiple identities. For example, it may be worth examining whether the underrepresentation of single people relates mainly to younger single people.</p>	<p>Noted.</p>
18	<p>Given that a number of actions from the Action Plan 2012-2015 have not been achieved and have not been fully implemented, albeit one was not under NILGOSC's direct control, it is suggested that particular emphasis be placed on the actions in question given that they are still considered relevant and to ensure that they are addressed during the lifetime of the Action Plan 2015-2018.</p>	<p>Noted. Follow up action continues to be taken in respect of the 2012-2015 plan.</p>

## **APPENDIX B: RESPONDENT ORGANISATIONS**

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Disability Action

Equality Commission for Northern Ireland

Mid & East Antrim Borough Council

Ulster University