



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

Implementing the Public Sector Equality and Human Rights Duty

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Coiste um Fhorbairt Pobail Áitiúil
Chathair na Gaillimhe
Galway City Local Community Development
Committee

Implementing the Public Sector Equality and Human Rights Duty



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Public Sector Equality and Human Rights Duty

Section 42 Irish Human Rights and Equality
Commission Act 2014

What is the Public Sector Equality and Human Rights Duty?



Section 42 of the Irish Human Rights and Equality Commission (IHREC) Act 2014



Number 25 of 2014

Irish Human Rights and Equality Commission Act 2014

Public bodies

42. (1) A public body shall, in the performance of its functions, have regard to the need to—
- (a) eliminate discrimination,
 - (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
 - (c) protect the human rights of its members, staff and the persons to whom it provides services.

Nature of the duty



It is a 'Positive' duty.....

.....and an 'Ongoing' duty

It puts equality and human rights in the mainstream of how public bodies execute their functions.

It has the potential to positively transform how public bodies engage with members of the public, and their own staff.

Value of the duty



Implementing changes to meet the Public Sector Duty can create positive energy:

- promoting human rights
- working to eliminate discrimination
- enhancing the delivery of public services,
- enhancing the workplace environment, and
- assisting in meeting organisational goals.

Breath of the duty



A public body shall, in the performance of its functions, have regard to the need to—

- eliminate discrimination
- promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
- protect the human rights of its members, staff and the persons to whom it provides services.

Breath of the duty



To whom it provides services.....



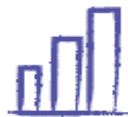
ASSESS

Identify issues
Consultation
Evidence



REPORT

Review
Monitor
Prioritise



3

2

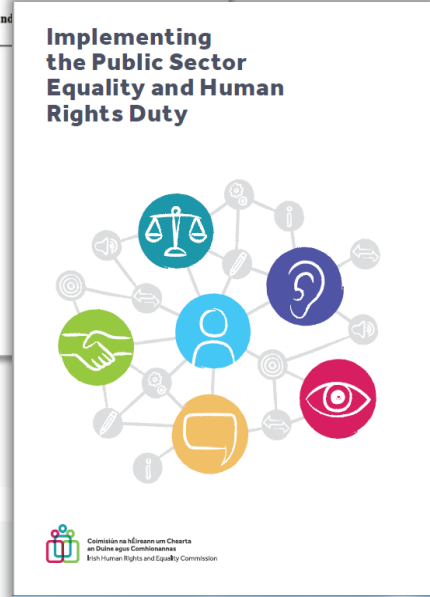
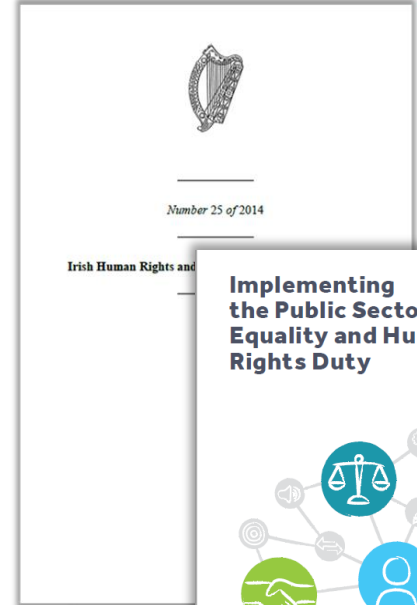
ADDRESS

Analyse
Prioritise
Mainstream



The Commission's role:

- Section 42(3): May **give guidance** to public bodies in developing policies of, and exercising, good practice and operational standards in relation to, human rights and equality
- Section 42(4): May **issue guidelines** or **prepare codes of practice**
- Under section 42(5), the IHREC may, in certain circumstances, invite public bodies to:
 - carry out a **review** in relation to the performance by that body of its functions
 - prepare and implement an **action plan** in relation to the performance by that body of its functions
 - such a review or action plan may be general or have a specific focus related to an aspect of human rights or discrimination





A Duty for all:

- **Be informed:**
 - of the **Duty**
 - of what constitutes human rights
 - of what discrimination means
- **Promote the **Duty****
- **Live the Duty**
- **Remember the duty is a **Positive Duty****