

# Implementing the Public Sector Equality and Human Rights Duty



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



Realising the Potential  
in the Public Sector  
Equality and Human  
Rights Duty

31<sup>st</sup> of January 2020  
Twitter: @\_IHREC  
#PublicSectorDuty



# Guidance for Public Bodies

## Implementing the Public Sector Equality and Human Rights Duty



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

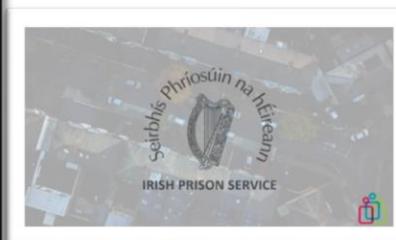


# Pilot Sites: Video Case Studies



**Pilot Sites**

- Monaghan County Council
- Cork City Council
- University College Cork
- The Probation Service
- Irish Prison Service
- Community Action Network



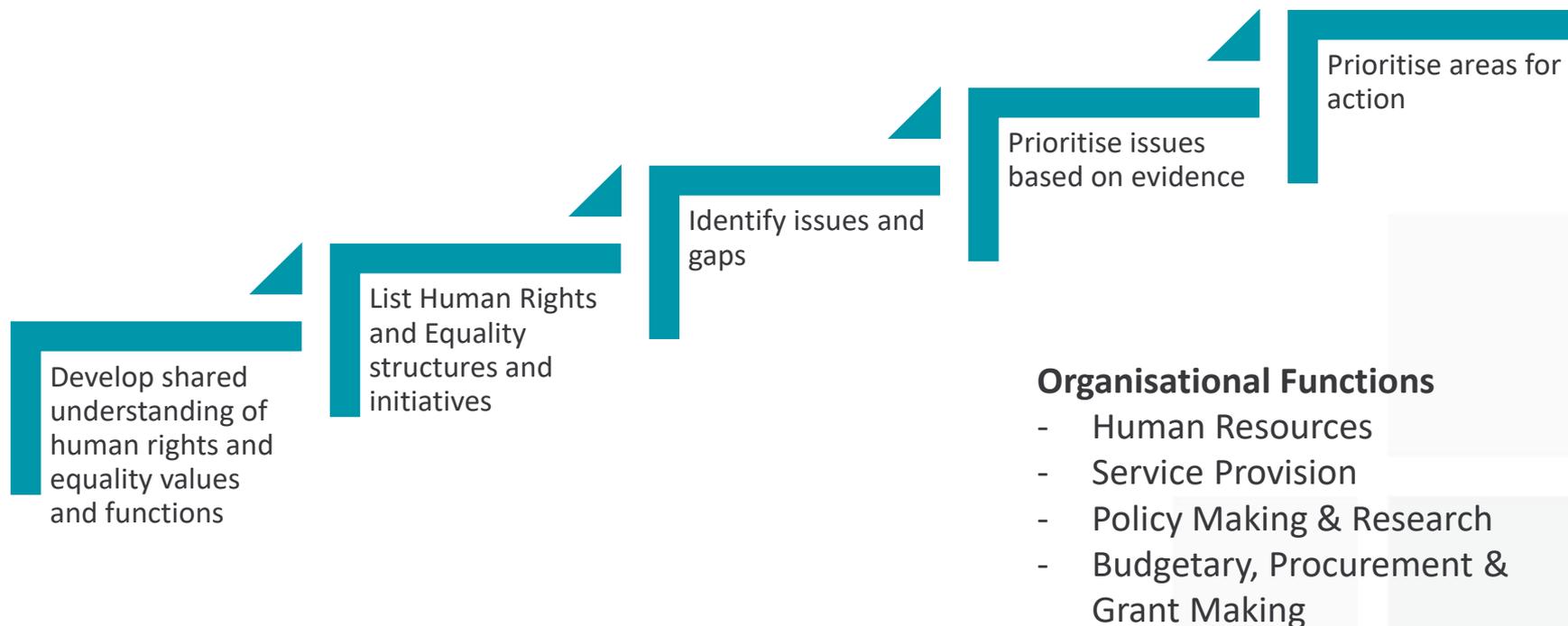
# Pilot Model

- Engagement with Senior Management Team
- Establishment of **working group**
- **First workshop:** understanding and reflecting on equality and human rights
- **Second workshop:** identifying equality and human rights issues across organisational functions
- **Final workshop:** prioritising issues and actions



# Piloting a process

## The Assessment



# Pilot Project Implementation: Structures and Engagement



## Common features

- Cross organisational structure - cross function and cross grade
- Ongoing engagement with identified drivers
- Regular engagement with Senior Management Team at key points

## Different approaches and additional engagement

- Town hall style staff consultation
- Workshop with heads of departments
- Involvement of service users
- National steering committee and working groups
- Equality, Diversity and Inclusion Unit as driver

# Key Learning from Pilot Projects



## Energy

- New energy generated for engagement with equality and human rights
- Appetite for change
- Creating new starting points
- Moving into strategic and business planning – commitment to implement

## Potential to drive change

- Institutional systems for equality and human rights
- Organisational culture
- How the organisation does its business – procedures and processes
- Priorities and outcomes for service users and staff
- Leverage to apply to externally focused work and policy influencing

# Key Learning from Pilot Projects



## Organisational Infrastructure

- **Structures**
  - Drivers: Senior management, equality and human rights specialists, rights holders
  - Working Groups: Purpose, composition, and operation
- **Systems**
  - Values: Catalysts, explicit naming, and systematic engagement
  - Information: Information and data gathering across the grounds
  - Planning: Mainstreaming and impact assessment
- **External Support**



# Implementing the Duty: a three step approach







# The Strategic Planning Cycle

The Duty is an **ongoing** obligation on public bodies, which **must be incorporated as part of an organisation's overall strategic planning cycle.**

42(2)(a) of the IHREC Act 2014 requires an organisation to **set out in its strategic plan** “an **assessment** of the human rights and equality issues it believes to be relevant to the functions and purpose of the body and the **policies, plans and actions in place or proposed to be put in place** to address those issues”.





# Across the Functions

The Duty applies across the functions of the organisation

- **Organisational Planning / Corporate Services**  
*(strategic planning, budget allocation, procurement, grant funding)*
- **Human Resources** *(recruitment, HR policies and practices, staff capacity building)*
- **Service Provision** *(delivery of a service or engagement with key stakeholders)*
- **Research and Policy**
- **Regulatory & Oversight Functions**



# Reflecting on Values

Implementation of the Duty can **assist** an organisation to define, and give expression to, **equality and human rights values** related to its purpose, and to key public sector values.

Explicit equality and human rights values can **motivate and guide** public bodies to assess and address equality and human rights issues relevant to their functions.





# Step 1: Assess

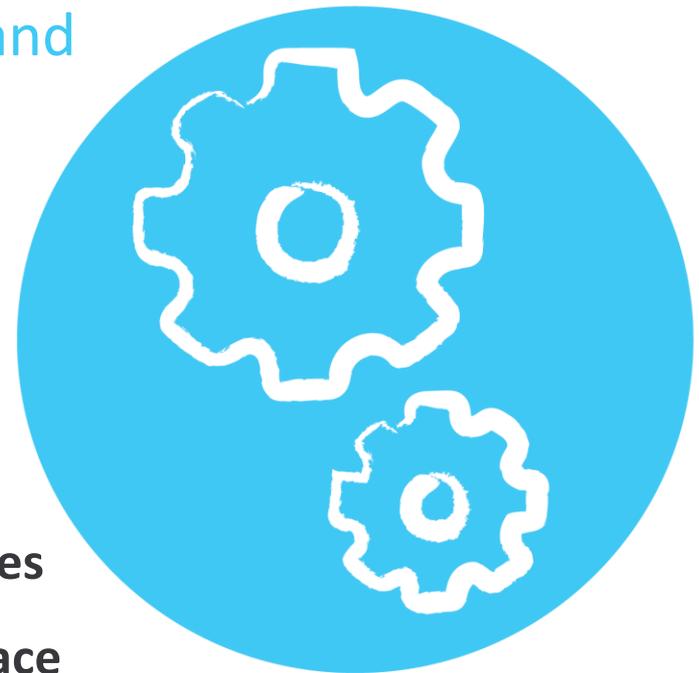
## Take Action

### Stages for conducting a Human Rights and Equality Assessment

There are **three stages** to consider when undertaking the Human Rights and Equality Assessment.

It involves:

1. **Identifying** human rights and equality issues
2. **Identifying structures and initiatives in place** to support human rights and equality
3. **Prioritising areas for action**



*Inform the Strategic Cycle  
(planning implementation  
evaluation)*



# Evidence Based Assessment

## Examples of External Sources of Information

- Consultation with staff and service users
- Data from Central Statistics Office
- Reports and research from Economic and Social Research Institute (ESRI) and the Commission
- Cases taken to Workplace Relations Commission under employment equality and equal status legislation
- Civil society organisations reports / submissions



# Evidence Based Assessment

## Examples of Internal Sources of Information

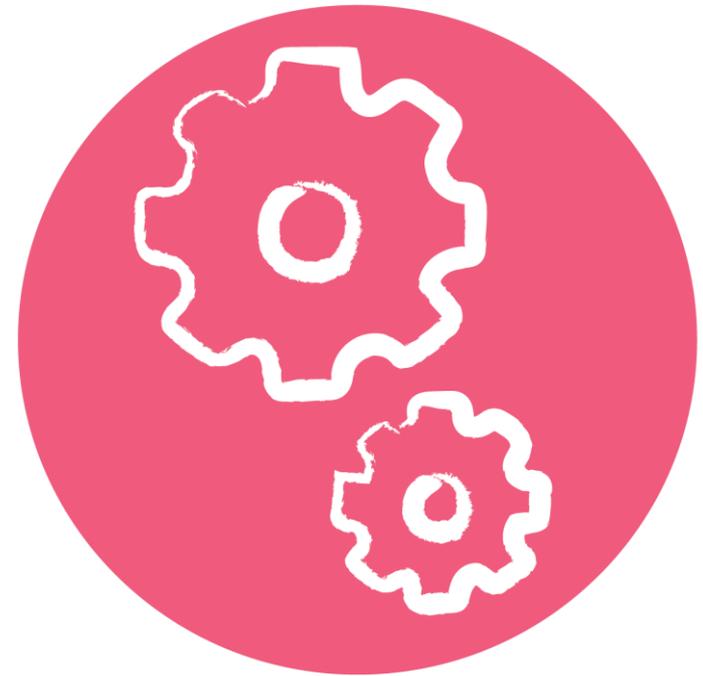
- Organisation evaluations
- Staff and customer surveys
- Risk management register
- Complaints received
- Research and other commissioned reports



# Step 2: Address

## Take Action

Agree priority actions to address equality and human rights issues identified



**Identify Equality & Human Rights issues**



**Consider & prioritise actions**



**Include actions in Strategic Plan, Annual Work Programme - budget, staff roles**



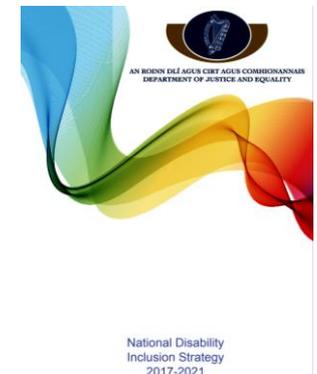
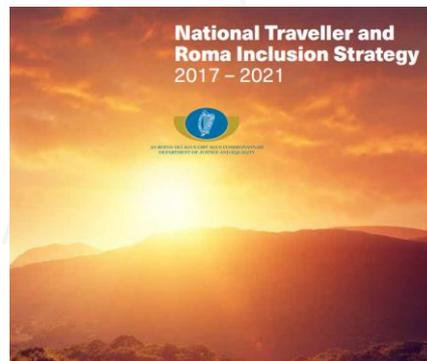
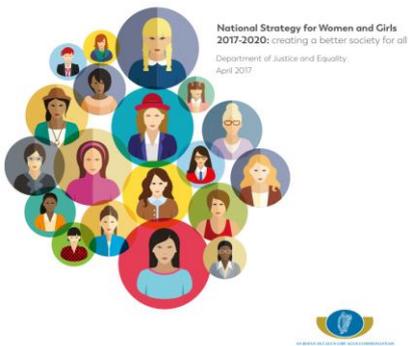
# The Duty and existing public policy, strategies and procedures

## National Policy Commitments

The State has already committed to progressing human rights and equality through a number of national plans and strategies. These include:

- *The National Strategy for Women and Girls 2017-2020*
- *The National Traveller and Roma Inclusion Strategy 2017-2021*
- *The Migrant Integration Strategy: A Blueprint for the Future*
- *The National Disability Inclusion Strategy 2017-2021*
- *The National Action Plan for Social Inclusion 2018-2021*
- *The Quality Customer Services Initiative (OPS 2020)*

Where the commitments contained in these plans and strategies fall to a public body or bodies, **implementing the Duty can provide a coherent framework for progressing actions.**



# The Duty and existing public policy, strategies and procedures



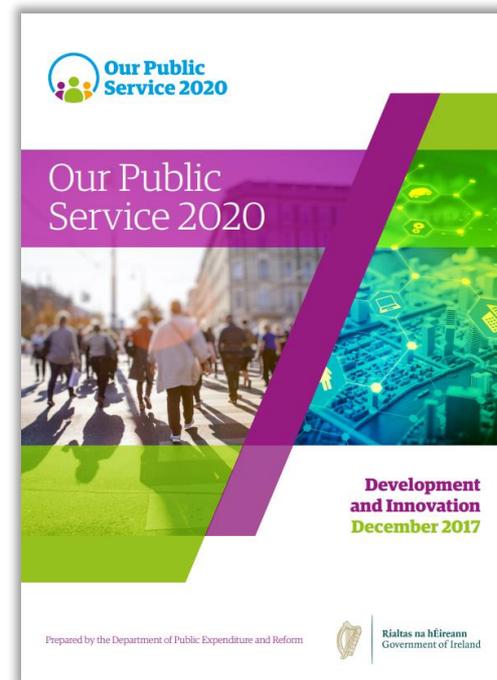
## Public sector reform

The public service is central to economic and social life in Ireland

Implementing the Duty provides a **useful framework to support public sector reform objectives.**

Public sector reform is built on three pillars set out in ***Our Public Service 2020***:

1. **'Delivering for Our Public'**, focusing on outcomes for the public;
2. **'Innovating Our Future'**, promoting a culture of evaluation;
3. **'Developing Our People and Organisations'**, inc. actions on employee engagement, public service culture and values, and equality, diversity and inclusion.



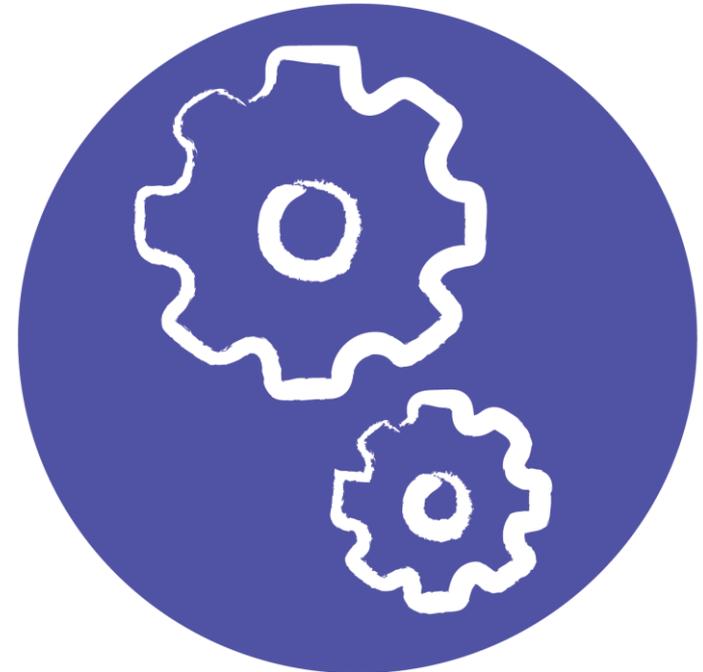


# Step 3: Report

Take Action:

Review and Monitor

- **Collection of data, clearly defined targets, indicators and responsibilities**
- **Reviewing and monitoring progress**
- **Focus on outcomes**, taking into account the impact of actions for different groups of people to whom an organisation provides services





# Guidance: Key Messages

- **Statutory obligation** since 1 November 2014
- Senior Level Commitment
- Align with **strategic planning process/cycles** (ongoing)
- **Evidence based approach** across **all functions**
- **Reflecting on Values**
- **Build** on structures and initiatives already in place
- Provides **coherent framework** for progressing actions committed to under national policies and strategies
- An **implementation structure** to drive the Duty



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