



# Revised Northern Ireland Equality Scheme for Ofcom

Drawn up in accordance with Section 75 and  
Schedule 9 of the Northern Ireland Act 1998

Publication date:

3 January 2014

If you would like this document in large print, Braille, audio format, or in another language, please contact us at:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500 or 030 0123 3333

Textphone 020 7981 3043

Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

## Foreword

Section 75 of the Northern Ireland Act 1998 (the Act) requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act<sup>1</sup>.

In this draft revised equality scheme we set out how Ofcom proposes to continue to fulfill its Section 75 duties.

We will commit the necessary resources in terms of people, time and money to make sure that the Section 75 duties are complied with and that our equality scheme is implemented effectively, and on time.

We commit to having effective internal arrangements in place for ensuring our effective compliance with the Section 75 duties and for monitoring and reviewing our progress.

We will develop and deliver a programme of communication and training with the aim of ensuring that all our colleagues are made fully aware of our equality scheme and understand the commitments and obligations within it. We are committed to raising awareness of the Section 75 duties in our equality scheme among consultees.

We, the Chairman and Chief Executive of Ofcom, are fully committed to effectively fulfilling our Section 75 duties across all our functions (including service provision, employment and procurement) through the effective implementation of our equality scheme.

We realise the important role that the community and voluntary sector and the general public have to play in ensuring the Section 75 duties are effectively implemented. Our equality scheme demonstrates how determined we are to ensure there are opportunities, for people affected by our work, to positively influence how we carry out our functions in line with our Section 75 statutory duties. It also offers the means whereby persons directly affected by what they consider to be a failure, on our part, to comply with our equality scheme, can make complaints.

On behalf of Ofcom and our colleagues we are pleased to support and endorse this equality scheme which has been drawn up in accordance with Section 75 and Schedule 9 of the Act and Equality Commission guidelines.



**Colette Bowe, Chairman**



**Ed Richards, Chief Executive**

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<sup>1</sup> See section 1.1 of our Equality Scheme.

## Preface

At Ofcom, diversity and equality are central to our values and our approach to the work we do. To be effective as a regulator, we need to understand and aim to reflect the society we serve; therefore, it is essential we promote diversity and equality within Ofcom.

We published our first equality scheme for Northern Ireland in September 2005 and a lot has changed since then.

In 2005 less than half of all households in Northern Ireland had an internet connection, and of those, only half were broadband. Seven out of ten people owned a mobile phone and just over half of households watched some form of digital TV (e.g. Freeview, satellite or cable).

Now, in 2014, more than three quarters of households have a broadband connection and Northern Ireland leads the UK in the availability of superfast broadband. Mobile phone usage is amongst the highest in the UK, and just over a year ago Northern Ireland completed the Digital Switchover when the existing analogue TV signal was switched off.

In a world of smartphones and internet-connected television it is increasingly important that we understand the needs of citizens and consumers across the UK and can regulate effectively to promote their interests – whether it is the rollout of new telecoms infrastructure, or the protection of children from harmful content.

Since 2005 we have also published two versions of our Single Equality Scheme (SES). The current scheme, published in October 2011, and our revised Equality Scheme for Northern Ireland, present a clear outline of the steps we are taking to ensure that we are not only a successful regulator but a good employer and a great place to work for our colleagues.



**Jill Ainscough**  
**Chief Operating Officer**  
**& Corporate Responsibility Champion**

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Please note: Foreword, Preface and Appendices 3 and 4 form part of this equality scheme.

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## Chapter 1

# Introduction

## Section 75 of the Northern Ireland Act 1998

1.1 Section 75 of the Act requires us to comply with two statutory duties:

Section 75 (1) – In carrying out our functions relating to Northern Ireland we are required 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
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

Section 75 (2) – In addition, without prejudice to the obligations above, in carrying out our functions in relation to Northern Ireland we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

“Functions” include the “powers and duties” of a public authority<sup>2</sup>. These include our employment and procurement functions. Please see below under “Who we are and what we do” for a detailed explanation of our functions.

## How we propose to fulfil the Section 75 duties in relation to our relevant functions

1.2 Schedule 9, paragraph 4(1) of the Act requires us as a designated public authority to set out in an equality scheme how we propose to fulfil the duties imposed by Section 75 in relation to our relevant functions. This equality scheme is intended to fulfil that statutory requirement. It is both a statement of our arrangements for fulfilling the Section 75 statutory duties and our plan for their implementation.

1.3 We are committed to the discharge of our Section 75 obligations in all parts of our organisation and we will commit the necessary available resources in terms of people, time and money to ensure that the Section 75 duties are complied with and that our equality scheme can be implemented effectively.

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<sup>2</sup> Section 98(1).

## Who we are and what we do

- 1.4 Ofcom is the independent regulator and competition authority for the UK communications industries, with responsibilities across TV, radio, telecommunications, wireless communications and postal services.
- 1.5 We exist to further the interests of citizens in relation to communications matters and to further the interests of consumers in relevant markets, where appropriate by promoting competition.
- 1.6 We operate under several pieces of legislation, notably the Communications Act 2003. In carrying out our functions, we are required in particular to secure each of the following:
  - the optimal use for wireless telegraphy of the electromagnetic spectrum;
  - the availability throughout the UK of a wide range of electronic communications services;
  - the availability throughout the UK of a wide range of television and radio services which (taken as a whole) are both of high quality and calculated to appeal to a variety of tastes and interests;
  - the maintenance of a sufficient plurality of providers of different television and radio services;
  - the application, in the case of all television and radio services, of standards that provide adequate protection to members of the public from the inclusion of harmful or offensive material in such services; and
  - the application, in the case of all television and radio services, of standards that provide adequate protection to members of the public and all other persons from both unfair treatment in programmes included in such services and unwarranted infringements of privacy resulting from activities carried on for the purposes of such services.
- 1.7 We must also have regard, in performing our duties, to the needs of persons with disabilities, of the elderly and of those on low incomes.
- 1.8 Under the Postal Services Act 2011, we must carry out our functions in relation to postal services in a way we consider will secure the provision of a universal postal service.
- 1.9 As a public authority we also have general duties to promote equal opportunities under the Equality Act 2010. This legislation states that we have a responsibility to have due regard to the need to:
  - eliminate unlawful discrimination, harassment and victimisation;
  - advance equality of opportunity between different groups; and
  - foster good relations between different groups, in the following protected characteristics:

1. age;
2. disability;
3. gender reassignment;
4. pregnancy and maternity;
5. race;
6. religion or belief;
7. sex; and
8. sexual orientation

- 1.10 These responsibilities are known as the ‘general duties’ to promote equality. The Equality Act impacts on a range of employment issues – from providing training opportunities; to giving everyone fair access to our facilities, to maternity and paternity leave and flexible working time. As an employer of approximately 700 people across the UK, we must promote equality in the way we recruit new colleagues, and in how we treat our colleagues on a day-to-day basis.
- 1.11 Our Corporate Responsibility programme, which encompasses our SES and Equality Impact Assessments (EIAs), addresses all of these duties and shapes the way we work, both as an employer and as a regulator.
- 1.12 Our Corporate Responsibility Steering Group (CRSG), which is made up of senior managers from across Ofcom, guides our work in this area, focusing on:
- Diversity and Equality;
  - Footprint and Sustainability; and
  - Volunteering and Community involvement
- 1.13 We have an enthusiastic and committed volunteer Diversity and Equality Working Group (DEWG), which is responsible for promoting diversity within the organization. The DEWG holds regular ‘Lunch and Learn’ events for colleagues which promote equality.
- 1.14 We have a statutory duty to have regard to the different interests of persons in the different parts of the UK. Our operations in the nations are led by directors in Glasgow, Cardiff, Belfast and London. Our national offices can draw on the full resources of the organisation to tackle issues that affect one part of the UK. Conversely, those operations ensure that the views, needs and special circumstances of the nations receive the attention of the organisation as a whole.
- 1.15 An advisory committee in each nation advises us about the interests and opinions of persons living in that part of the UK. National interests are also represented by members of our [Content Board](#) and the [Communications Consumer Panel](#).
- 1.16 Our team in Belfast represents Ofcom in Northern Ireland and Northern Ireland in Ofcom. There are six colleagues in our Belfast team, five are full-time posts and one is a part-time post. They ensure that we keep in touch with the views and opinions of citizens and consumers, the regulated industries and stakeholders more generally in Northern Ireland and put these at the heart of our decision making.

## Chapter 2

# Our arrangements for assessing our compliance with section 75 duties

(Schedule 9, paragraph 4(2)(a))

2.1 Some of our arrangements for assessing our compliance with the Section 75 duties are outlined in other relevant parts of this equality scheme. For example, Chapter 4 considers how we screen and assess the impact of our policies and how we publish this information, while Chapter 8 explains our complaints procedure. In addition, we have the following arrangements in place for assessing our compliance.

## Responsibilities and reporting

2.2 We are committed to the fulfilment of our Section 75 obligations in all parts of our work.

2.3 Responsibility for the effective implementation of our equality scheme lies with the Chief Operating Officer who also acts as Ofcom's Corporate Responsibility Champion.

2.4 The Director of Northern Ireland is accountable to the Chief Operating Officer and also to Ofcom's Corporate Responsibility Steering Group for the development, implementation, maintenance and review of the equality scheme in accordance with Section 75 and Schedule 9 of the Act, including any good practice or guidance that has been issued by the Equality Commission.

2.5 The Director of Northern Ireland arranges for colleagues throughout Ofcom to support the implementation and monitoring of the Equality Scheme. Some of this support comes from our Secretariat team in London.

2.6 If you have any questions or comments regarding our equality scheme, please contact Jonathan Rose in the first instance at the address below and we will respond to you as soon as possible:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

2.7 We also offer a video relay service free of charge for consumers wishing to contact us in British Sign Language. Consumers will require a computer with webcam

capabilities and broadband internet connection. Full details of how the service works are available on our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

- 2.8 Objectives and targets relating to the statutory duties will be integrated into our strategic and operational business plans<sup>3</sup>.
- 2.9 Employees' job descriptions and performance plans reflect their contributions to the discharge of the Section 75 duties and implementation of the equality scheme, where relevant. The personal performance plans are subject to appraisal in the annual performance review.
- 2.10 We prepare an annual report on the progress we have made in implementing the arrangements set out in this equality scheme to discharge our Section 75 duties (the "Section 75 annual progress report").
- 2.11 The Section 75 annual progress report will be sent to the Equality Commission by 31 August each year and will follow any guidance on annual reporting issued by the Equality Commission.
- 2.12 Progress on the delivery of our Section 75 duties will also be included in our (organisational) annual report. The latest Section 75 annual progress report is available on our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or by contacting us at the address below:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

- 2.13 We will liaise closely with the Equality Commission to ensure that progress on the implementation of our equality scheme is maintained.
- 2.14 We will ensure that our Corporate Responsibility Steering Group is fully aware of all our equality activity in Northern Ireland and that this activity is aligned with our Single Equality Scheme.

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<sup>3</sup> See Appendix 4 'Timetable for measures proposed' and section 2.11 of this equality scheme.

## Action plan/action measures

- 2.15 We have developed an action plan to promote equality of opportunity and good relations. This action plan is set out in Appendix 6 to this equality scheme.
- 2.16 The action measures that will make up our action plan will be relevant to our functions. They will be developed and prioritised on the basis of an audit of inequalities. The audit of inequalities will gather and analyse information across the Section 75 categories<sup>4</sup> to identify the inequalities that exist for our service users and those affected by our policies<sup>5</sup>.
- 2.17 Action measures will be specific, measurable, linked to achievable outcomes, realistic and time bound. Action measures will include performance indicators and timescales for their achievement.
- 2.18 We will develop any action plans for a period of between one and five years in order to align them with our corporate and business planning cycles. In the first instance our action plans are set to run until 2014 in order to match our SES. Implementation of the action measures will be incorporated into our business planning process.
- 2.19 We will seek input from our stakeholders and consult on our action plan before we send it to the Equality Commission and thereafter when reviewing the plan.
- 2.20 We will monitor our progress in delivering our action measures annually and update the action plan as necessary to ensure that it remains effective and relevant to our functions and work.
- 2.21 We will inform the Equality Commission of any changes or amendments to our action plan and will also include this information in our Section 75 annual progress report to the Equality Commission. Our Section 75 annual progress report will incorporate information on progress we have made in implementing our action plans/action measures.
- 2.22 Once finalised, our action plan will be available at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or by contacting us at the address below:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

If you require it in an alternative format please contact us using the details provided.

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<sup>4</sup> See section 1.1 of this equality scheme for a list of these categories.

<sup>5</sup> See section 4.1 of this equality scheme for a definition of policies.

## Chapter 3

# Our arrangements for consulting

(Schedule 9, paragraph 4(2)(a)) on matters to which a duty (S75(1) or (2)) is likely to be relevant (including details of the persons to be consulted).

(Schedule 9, paragraph 4(2)(b)) on the likely impact of policies adopted or proposed to be adopted by us on the promotion of equality of opportunity.

- 3.1 We recognise the importance of consultation in the implementation of our statutory equality duties. We will consult on our equality scheme, action measures, all Stage 2<sup>6</sup> EIA's, and other matters relevant to the Section 75 duties.
- 3.2 We are committed to carrying out consultation in accordance with our established consultation guidelines and the principles below (as contained in the Equality Commission's guidance 'Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)').
- 3.3 All consultations will seek the views of those directly affected by the matter/policy, the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups, our staff and their trades unions and such other groups who have a legitimate interest in the matter, whether or not they have a direct economic or personal interest.
- 3.4 Initially all consultees (see Appendix 3), as a matter of course, will be notified (by email or post) of the matter/policy being consulted upon to ensure they are aware of all consultations. Thereafter, to ensure the most effective use of our and our consultees' resources, we will take a targeted approach to consultation for those consultees that may have a particular interest in the matter/policy being consulted upon and to whom the matter/policy is of particular relevance. This may include for example regional or local consultations, sectoral or thematic consultation etc. Ofcom also notifies consultees annually of all planned matters/policies due to be consulted upon in the coming year, as outlined in Ofcom's draft Annual Plan.
- 3.5 Consultation with all stakeholders will begin as early as possible, normally by email or post. We will engage with affected individuals and representative groups to identify how best to consult or engage with them. We will ask our consultees what their preferred consultation methods are and will give consideration to these. Methods of consultation could include:
  - Face-to-face meetings;
  - Focus groups;
  - Written documents with the opportunity to comment in writing;
  - Questionnaires;

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<sup>6</sup> See Chapter 4 for an outline of the two stage EIA approach we use

- Information/notification by email with an opportunity to opt in/opt out of the consultation;
- Internet discussions; or
- Telephone consultations.

This list is not exhaustive and we may develop additional methods of consultation more appropriate to key stakeholders and the matter being consulted upon.

- 3.6 We will consider the accessibility and format of every method of consultation we use in order to remove barriers to the consultation process. Specific consideration will be given to how best to communicate with children and young people, people with disabilities (in particular people with learning disabilities) and minority ethnic communities. We will take account of existing and developing good practice, including the Equality Commission’s guidance Let’s Talk Let’s Listen – Guidance for public authorities on consulting and involving children and young people (2008).
- 3.7 We will consider working with children and young people, disability and minority ethnic community specialist groups to reach audiences when researching topics relevant to their needs.
- 3.8 Information will be made available, on request, in alternative formats<sup>7</sup>, in a timely manner usually within 2-4 weeks. We will ensure that such consultees have ample time to respond.
- 3.9 Specific training is provided to those facilitating consultations to ensure that they have the necessary skills to communicate effectively with consultees.
- 3.10 To ensure effective consultation on Section 75 matters, we will develop a programme of awareness raising on the Section 75 duties and the commitments in our equality scheme by undertaking the following:
- Developing a specific section of our website where our equality work in Northern Ireland will be outlined and documents will be available to the public; and
  - Ensuring that statutory equality duties in Northern Ireland are reflected in our annual plan whenever appropriate.
- 3.11 The consultation period normally lasts for twelve weeks to allow adequate time for groups to consult amongst themselves as part of the process of forming a view. However, in exceptional circumstances when this timescale is not feasible (for example implementing EU Directives or UK wide legislation, meeting Health and Safety requirements, addressing urgent public health matters or complying with Court judgements), we may shorten timescales to eight weeks or less before the policy is implemented. We may continue consultation thereafter and will review the policy as part of our monitoring commitments<sup>8</sup>. Full details of Ofcom’s consultation process is available on our website, at: <http://stakeholders.ofcom.org.uk/consultations/how-will-ofcom-consult>

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<sup>7</sup> See Chapter 6 of our equality scheme for further information on alternative formats of information we provide.

<sup>8</sup> Please see below at 4.32 to 4.38 for details on monitoring.

- 3.12 Where, under these exceptional circumstances, we must implement a policy immediately, as it is beyond our control, we may consult after implementation of the policy, in order to ensure that any impacts of the policy are considered.
- 3.13 We are conscious of the fact that affected individuals and representative groups may have different needs. We will take appropriate measures to ensure full participation in any meetings that are held. We will consider for example the time of day, the appropriateness of the venue, in particular whether it can be accessed by those with disabilities, how the meeting is to be conducted, the use of appropriate language, whether a signer and/or interpreter is necessary, and whether the provision of childcare and support for other carers is required.
- 3.14 We make all relevant information available to consultees in appropriate formats to ensure meaningful consultation. This includes detailed information on the policy proposal being consulted upon and any relevant quantitative and qualitative data.
- 3.15 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy.
- 3.16 We provide feedback to consultees in a timely manner. A feedback report is prepared which includes summary information on the policy consulted upon, a summary of consultees' comments and a summary of our consideration of and response to consultees' input. The feedback is provided in formats suitable to consultees.
- 3.17 A list of our consultees is included in this equality scheme at Appendix 3. It will also be available from our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or by contacting:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
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Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

- 3.18 Our consultation list is not exhaustive and is reviewed on an annual basis to ensure it remains relevant to our functions and policies.
- 3.19 We welcome enquiries from any person/s or organisations wishing to be added to the list of consultees. Please contact Jonathan Rose to provide your contact details and have your areas of interest noted or have your name/details removed or amended. Please also inform us at this stage if you would like information sent to you in a particular format or language.

## Chapter 4

# Our arrangements for assessing, monitoring and publishing the impact of policies

Schedule 9, paragraphs 4(2)(b) to (d); Schedule 9, paragraphs 9(1) and (2)

## Our arrangements for assessing the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity

(Schedule 9, paragraph 4(2)(b))

- 4.1 In the context of Section 75, 'policy' is very broadly defined and it covers all the ways in which we carry out or propose to carry out our functions in relation to Northern Ireland. In respect of this equality scheme, the term policy is used for any (proposed/amended/existing) strategy, policy initiative or practice and/or decision, whether written or unwritten and irrespective of the label given to it, eg, 'draft', 'pilot', 'high level' or 'sectoral'.
- 4.2 In making any decision with respect to a policy adopted or proposed to be adopted, we take into account any assessment and consultation carried out in relation to the policy, as required by Schedule 9, paragraph 9(2) of the Act.
- 4.3 We use a two stage Equality Impact Assessment ( EIA) approach to assess the likely impact of a policy on the promotion of equality of opportunity and good relations:
  - **Stage 1 EIA** is carried out on all new projects/policies we instigate and is our equivalent to '*screening*', as defined by the Equality Commission for Northern Ireland.
  - **Stage 2 EIA** is a *more in depth* equality impact assessment which is our equivalent to an 'EQIA' (Equality Impact Assessment as defined by the Equality Commission for Northern Ireland.
- 4.4 Compliance with this objective is monitored by our Compliance Manager who is part of our Secretariat team.
- 4.5 In carrying out these assessments we will relate them to the intended outcomes of the policy in question. As noted above, this 2 stage assessment is our equivalent to the tools of Screening and Equality Impact Assessment (EQIA) as outlined in Equality Commission guidance:
  - the guidance on screening, including the screening template, as detailed in the Equality Commission's guidance 'Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)' and

- on undertaking an EIA as detailed in the Equality Commission's guidance 'Practical guidance on equality impact assessment (February 2005)'

4.6 We will continue to engage with the Equality Commission for Northern Ireland to ensure that it is a true equivalent.

## Stage 1 Equality Impact Assessment

4.7 The purpose of a stage 1 EIA is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

4.8 A stage 1 EIA is completed at the earliest opportunity in the policy development/review process. Policies which we propose to adopt will be subject to stage 1 EIA prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, we will carry out a stage 1 EIA at various stages during implementation.

4.9 The lead role in undertaking a stage 1 EIA of a policy is taken by the policy decision maker who has the authority to make changes to that policy. However, it will also involve other relevant team members, for example, equality specialists, those who implement the policy and colleagues from other relevant work areas. Where possible, we will include key stakeholders in the process.

4.10 The following questions are applied to all our policies as part of the stage 1 EIA process:

- What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (minor/major/none)
- Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
- To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group? (minor/major/none)
- Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

4.11 In order to answer these questions, we gather all relevant information and data, both qualitative and quantitative. In taking this evidence into account we consider the different needs, experiences and priorities for each of the Section 75 equality categories. Any Stage 1 EIA decision will be informed by this evidence.

4.12 Completion of Stage 1 EIA, taking into account our consideration of the answers to all four screening questions set out in 4.7 above, will lead to one of the following three outcomes:

1. the policy has been 'screened in' for a stage 2 EIA;

2. the policy has been ‘screened out’ with mitigation<sup>9</sup> or an alternative policy proposed to be adopted; or
  3. the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted.
- 4.13 If our Stage 1 EIA concludes that the likely impact of a policy is ‘minor’ or ‘none’ in respect of one, or more, of the equality of opportunity and/or good relations categories, we may on occasion decide to proceed with a Stage 2 or ‘more in-depth’ EIA, depending on the policy. Those projects for which there is at least the possibility of an impact on the Section 75 groups will have a Stage 2 EIA completed on them. We will consult on all Stage 2 EIA’s and where appropriate commission additional research. If a stage 2 EIA is not to be conducted we will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations.
- 4.14 Where we mitigate we will outline in our screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy.
- 4.15 This screening decision will be ‘signed off’ by the appropriate policy lead within Ofcom.
- 4.16 If our Stage 1 EIA concludes that the likely impact of a policy is ‘major’ in respect of one, or more, of the equality of opportunity and/or good relations categories, we will normally subject the policy to a Stage 2 EIA. We will normally conclude that the likely impact of a policy is ‘major’ if:
- The policy is significant in terms of its strategic importance
  - Potential equality impacts are unknown because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct a stage 2 EIA in order to better assess them
  - Potential equality and /or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged.
  - Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities.
  - The policy is likely to be challenged by way of judicial review
  - The policy is significant in terms of expenditure.
- 4.17 The decision on such matters is made by the relevant Project Manager, which is subject to both sign-off by the Project Director and the subsequent approval by the Compliance Manager.

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<sup>9</sup> Mitigation – Where an assessment (screening in this case) reveals that a particular policy has an adverse impact on equality of opportunity and/or good relations, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories.

- 4.18 If our Stage 1 EIA concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, we may decide to screen the policy out, i.e. no further assessment is required. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, we will give reasons for the decision taken. This screening decision will be 'signed off' by the appropriate policy lead within Ofcom.
- 4.19 Following the completion of the Stage 1 EIA process the screening template will be made available on our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or by contacting:

Ofcom Northern Ireland  
Landmark House  
Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500

Fax: 028 90 417533

Textphone: 0207 981 3043

Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

- 4.20 If a consultee, including the Equality Commission, raises a concern about a screening decision based on supporting evidence, we will review the screening decision.
- 4.21 Our screening reports will be published bi-annually.

## **Stage 2 Equality Impact Assessment (EIA)**

- 4.22 A Stage 2 EIA is a thorough and systematic analysis of a policy, whether that policy is formal or informal, and irrespective of the scope of that policy. The primary function of a Stage 2 EIA is to determine the extent of any impact of a policy upon the Section 75 categories and to determine if the impact is an adverse one. It is also an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality of opportunity and good relations.
- 4.23 Once a policy has undergone a Stage 1 EIA which has identified that a Stage 2 EIA is necessary, colleagues will assess the policy using our existing EIA Toolkit which covers our duties under the Equality Act and takes specific account of the Section 75 categories in relation to Northern Ireland. The toolkit is an internal guidance document which gives project managers a step-by-step guide on how to carry out an EIA.
- 4.24 Any Stage 2 EIA will be subject to consultation at the appropriate stage(s). (For details see above Chapter 3 "Our Arrangements for Consulting").

## **Our arrangements for publishing the results of the assessments of the likely impact of policies we have adopted or propose to adopt on the promotion of equality of opportunity**

(Schedule 9, paragraph 4(2)(d); Schedule 9, paragraph 9(1))

4.25 We make publicly available the results of our assessments (Stage 1 EIA and Stage 2 EIA) of the likely impact of our policies on the promotion of equality of opportunity and good relations.

### **What we publish**

#### **Stage 1 EIA**

4.26 Stage 1 EIA reports will be published bi-annually. Screening reports detail:

- All policies we screen over the six months;
- A statement of the aim(s) of the policy/policies to which the assessment relates;
- Consideration given to measures which might mitigate any adverse impact;
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Screening decisions, i.e:
  - whether the policy has been ‘screened in’ for a Stage 2 EIA;
  - whether the policy has been ‘screened out’ with mitigation or an alternative policy proposed to be adopted; or
  - whether the policy has been ‘screened out’ without mitigation or an alternative policy proposed to be adopted;
- Where applicable, a timetable for conducting Stage 2 EIAs; and
- A link to the completed screening template(s) on our website.

4.27 We will also publish our screening templates. For details on the availability of our screening templates please refer to paragraph 4.19, above.

#### **Stage 2 EIA**

4.28 Individual Stage 2 EIA reports are published once the impact assessment has been completed. These reports include:

- A statement of the aim of the policy assessed;
- Information and data collected;
- Details of the assessment of impact(s);

- Consideration given to measures which might mitigate any adverse impact;
- Consideration given to alternative policies which might better achieve the promotion of equality of opportunity;
- Consultation responses;
- The decision taken; and
- Future monitoring plans.

## How we publish the information

4.29 All information we publish is accessible and can be made available in alternative formats on request. Please see Chapter 6, below, for further details.

## Where we publish the information

4.30 The results of our assessments (Stage 1 EIA reports and completed templates, the results of Stage 2 equality impact assessments) will be available on our website:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or by contacting:

Ofcom Northern Ireland  
Landmark House  
Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

4.31 In addition to the above, Stage 1 EIA screening reports (electronic link or hard copy on request if more suitable for recipients) which include all policies screened over a 6 month period will also be sent directly to all consultees on a bi-annual basis.

## Our arrangements for monitoring any adverse impact of policies we have adopted on equality of opportunity

(Schedule 9, paragraph 4(2)(c))

4.32 Monitoring can assist in delivering better public services and continuous improvements. Monitoring Section 75 information involves the processing of sensitive personal data (data relating to the racial or ethnic origin of individuals, sexual orientation, political opinion, religious belief, etc). In order to carry out monitoring in a confidential and effective manner, we follow guidance from the Office of the Information Commissioner and the Equality Commission.

- 4.33 We monitor any adverse impact on the promotion of equality of opportunity of policies we have adopted. We are also committed to monitoring more broadly to identify opportunities to better promote equality of opportunity and good relations in line with Equality Commission guidance.
- 4.34 The systems we have established to monitor the impact of policies and identify opportunities to better promote equality of opportunity and good relations are:
- The collection, collation and analysis of existing relevant primary quantitative and qualitative data across all nine equality categories on an ongoing basis
  - The collection, collation and analysis of existing relevant secondary sources of quantitative and qualitative data across all nine equality categories on an ongoing basis
  - An audit of existing information systems within one year of approval of this equality scheme, to identify the extent of current monitoring and take action to address any gaps in order to have the necessary information on which to base decisions
  - Undertaking or commissioning new data if necessary.
  - EIAs are monitored on a monthly basis to ensure they are completed at the beginning of the project lifecycle. Our Legal Team will ensure that when advising on any project, colleagues are advised of the need to complete an EIA as early as possible. EIA completion rates are reported on a monthly basis to our Operations Board and circulated to members of the Executive Committee.
- 4.35 If over a two year period 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, we will ensure that the policy is revised to achieve better outcomes for relevant equality groups.
- 4.36 We review all our EIA (Stage 1 and Stage 2) monitoring information on an annual basis. Other monitoring information is reviewed annually including:
- In relation to our statutory remit and responsibilities, we produce ongoing research to assess consumer opinion and activities. Full details can be found in Ofcom's statistical release calendar, which is available at:  
<http://stakeholders.ofcom.org.uk/market-data-research/statistics/>
  - Our work is informed by the contribution of a number of committees and advisory bodies, which are required by the Communications Act. These include the Communications Consumer Panel, the Advisory Committees for England, Northern Ireland, Scotland and Wales and the Advisory Committee for Older and Disabled Persons. Each of these bodies meets at least 5 times a year, helping to guide and shape our policies by broadening our understanding of the needs of consumers and citizens.
- 4.37 Results from monitoring will be taken into account in reviewing progress of the action plan.

## **Our arrangements for publishing the results of our monitoring**

### **(Schedule 9, paragraph 4(2)(d))**

4.38 Schedule 9, paragraph 4(2)(d) requires us to publish the results of the monitoring of adverse impacts of policies we have adopted. However, we are committed to monitoring more broadly and the results of our policy monitoring are published as follows:

- EIA (Stage 1 and Stage2) monitoring information is published as part of our Section 75 annual progress report (see paragraph 2.12, above)
- The results of our monitoring is published on our website. All information published is accessible and can be made available in alternative formats on request. Please see paragraph 9.1, below, for contact details.

## Chapter 5

# Training

(Schedule 9, paragraph 4(2)(e))

## Commitment to training

- 5.1 We recognise that awareness raising and training play a crucial role in the effective implementation of our Section 75 duties.
- 5.2 Our Director of Northern Ireland wishes to communicate positively our commitment to the Section 75 duties, both internally and externally. To this end we have introduced an effective communication and training programme for all our colleagues and board members and will ensure that our commitment to the Section 75 duties is made clear in all relevant publications.

## Training objectives

- 5.3 We will draw up a training plan for colleagues which will aim to achieve the following objectives:
- to raise awareness of the provisions of Section 75 of the Act, our equality scheme commitments and the particular issues likely to affect people across the range of Section 75 categories, to ensure that our colleagues fully understand their role in implementing the scheme
  - to provide those colleagues involved in the assessment of policies (Stage 1 and 2 EIA's) with the necessary skills and knowledge to do this work effectively
  - to provide those colleagues who deal with complaints in relation to compliance with our equality scheme with the necessary skills and knowledge to investigate and monitor complaints effectively
  - to provide those colleagues involved in consultation processes with the necessary skills and knowledge to do this work effectively
  - to provide those colleagues involved in the implementation and monitoring of the effective implementation of our equality scheme with the necessary skills and knowledge to do this work effectively.

## Awareness raising and training arrangements

- 5.4 The following arrangements are in place to ensure all our colleagues and Board members are aware of and understand our equality obligations.
- We will ensure this equality scheme is available to all colleagues on our intranet, 'The Loop' and ensure that any queries or questions of clarification from colleagues are addressed effectively.
  - Colleagues in the Northern Ireland office will receive a briefing on the final equality scheme with immediate effect.

- The Section 75 duties form part of induction training for new colleagues.
  - Focused training is provided for key colleagues within Ofcom who are directly engaged in taking forward the implementation of our equality scheme commitments (for example those involved in research and data collection, policy development, service design, conducting equality impact assessments, consultation, monitoring and evaluation).
  - When appropriate and on an ongoing basis, arrangements will be made to ensure colleagues are kept up to date with Section 75 developments.
- 5.5 Every colleague whose role involves direct contact with citizens and consumers – for example those involved in Consumer Advice or Field Operations – is provided with mandatory specific training on disability.
- 5.6 Training and awareness raising programmes will, where relevant, be developed in association with the appropriate Section 75 groups and our colleagues. In order to share resources and expertise, we will, where possible, work closely with other bodies and agencies in the development and delivery of training. For example, we have previously provided training for colleagues in Belfast on hearing impairments in association with RNID (now Action on Hearing Loss).

## Monitoring and evaluation

- 5.7 We rigorously monitor our internal policies and practices so that we can make improvements where necessary. Our training programme is subject to the following monitoring and evaluation arrangements:
- We evaluate the extent to which all participants in this training programme have acquired the necessary skills and knowledge to achieve each of the above objectives.
  - The extent to which training objectives have been met will be reported on as part of the Section 75 annual progress report, which will be sent to the Equality Commission.
  - We provide colleagues with an opportunity to share their views in a Colleague Survey. We ask a series of diversity related questions and seek to act on the feedback, for example by improving our policies or working practices.
  - In 2010 we saw positive responses from colleagues in regards to diversity and equality and key achievements include:
    - 87% of colleagues agreed that we are an equal opportunities employer
    - 83 % of colleagues were aware of our SES
    - 83% of colleagues would feel comfortable asking for an adjustment to the work environment if needed for a disability

## Chapter 6

# Our arrangements for ensuring and assessing public access to information and services we provide

(Schedule 9, paragraph 4(2)(f))

- 6.1 We are committed to ensuring that the information we disseminate and the services we provide are fully accessible to all parts of the community in Northern Ireland. We keep our arrangements under review to ensure that this remains the case.
- 6.2 We are aware that some groups will not have the same access to information as others. In particular:
- People with sensory, learning, communication and mobility disabilities may require printed information in other formats.
  - Members of ethnic minority groups, whose first language is not English, may have difficulties with information provided only in English.
  - Children and young people may not be able to fully access or understand information.

## Access to information

- 6.3 To ensure equality of opportunity in accessing information, we provide information in alternative formats on request, where reasonably practicable. Where the exact request cannot be met we will endeavour to provide a reasonable alternative.
- 6.4 Alternative formats may include large print, Braille, audio formats or minority languages to meet the needs of those for whom English is not their first language. We will respond to requests for information in alternative formats in a timely manner.
- 6.5 We will liaise with representatives of young people and disability and minority ethnic organisations and take account of existing and developing good practice.
- 6.6 We will respond to request for information in alternative formats in a timely manner, usually within 20 working days .
- 6.7 We will continue to ensure that disability stakeholders in Northern Ireland are informed of policy developments in a relevant or timely manner. Relevant examples include:
- We published proposals to improve text relay services for disabled consumers (July 2010), we made sure that local organisations such as Action on Hearing Loss were aware of the details of the consultation.
  - We published a good practice guide for call centres (June 2010). It contained practical tips for communicating with disabled customers, based on advice we

received from disabled people, and organisations representing them, following issues they have experienced with call centres. We wrote to major telecoms providers, financial institutions, insurance and utility companies to encourage them to consider using the good practice guide. In Northern Ireland we brought the guide to the attention of organisations such as Disability Action, Mencap and the Northern Ireland Assembly's All Party Groups on Disability and Learning Disability who helped promote awareness of the guide.

- 6.8 In disseminating information through the media we will seek to advertise in the press where appropriate.
- 6.9 As well as providing documents in alternative formats and providing a textphone service, we also offer a video relay service free of charge for consumers wishing to contact us in British Sign Language. Consumers will require a computer with webcam capabilities and broadband internet connection. Full details of how the video relay service works are available on our website:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

## Access to services

- 6.1 We are committed to ensuring that all of our services are fully accessible to everyone in the community across the Section 75 categories. We also adhere to the relevant provisions of current anti-discrimination legislation.
- 6.2 We have an ongoing programme of media relations to make sure that our consultations and policy announcements are communicated appropriately to the public.
- 6.3 We hold two keynote public events in Northern Ireland every year – our Annual Plan stakeholder consultation and the launch of our Communications Market Report. A wide range of stakeholders are invited to these events and that includes equality and diversity organisations.
- 6.4 In order to accommodate disabled guests we have provided sign language interpreters at these events whenever required.
- 6.5 Our office in Belfast has a loop induction system.
- 6.6 The ongoing development of our website meets current accessibility standards. Colleagues who manage our website attend relevant accessibility seminars and advise on improvements we need to make.

## Assessing public access to information and services

- 6.10 We monitor annually across all our functions, in relation to access to information and services, to ensure equality of opportunity and good relations are promoted.
- 6.11 This includes monitoring our own publications to ensure that diversity within society is reflected in our communications. For example, where we use photos or video clips we'll make sure diversity groups are represented.

- 6.12 We monitor our media coverage on a daily basis. We also monitor correspondence from politicians in order to evaluate any wider equality and diversity issues that are raised.

## Chapter 7

# Timetable for measures we propose in this equality scheme

(Schedule 9, paragraph 4(3)(b))

- 7.1 Appendix 4 outlines our timetable for all measures proposed within this equality scheme. The measures outlined in this timetable will be incorporated into our business planning processes.
- 7.2 This timetable is different from and in addition to our commitment to developing action plans/action measures to specifically address inequalities and further promote equality of opportunity and good relations. We have included in our equality scheme a commitment to develop an action plan. Accordingly, this commitment is listed in the timetable of measures at Appendix 4. For information on these action measures please see paragraphs 2.15-2.22, above.

## Chapter 8

# Our complaints procedure

(Schedule 9, paragraph 10)

- 8.1 We are responsive to the views of members of the public. We will endeavour to resolve all complaints made to us.
- 8.2 Schedule 9 paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes he or she may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme. If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.
- 8.3 Any complaints relating to our Section 75 duties are integrated into our general complaints procedures. For ease of reference, our general complaints procedures are included in Appendix 8.
- 8.4 In the first instance, please contact our Northern Ireland office and discuss your concerns directly with them. They will often be in the best position to understand your situation and give you an explanation as to what has happened. The contact details are:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

- 8.5 We will investigate the complaint or give the complainant a reason for not investigating it. We will seek to provide a substantive response to the complaint normally within one month from the date of its receipt.
- 8.6 If this does not resolve your concerns, please contact the Secretary to the Corporation (see contact details below) who will review your case and respond to you as quickly as possible.

Graham Howell  
Secretary to the Corporation  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London  
SE1 9HA

Tel: 020 7981 3000 or 030 0123 3333

Textphone 020 7981 3043

Email: [graham.howell@ofcom.org.uk](mailto:graham.howell@ofcom.org.uk)

- 8.7 We will treat your complaint in confidence and will investigate it carefully as quickly as possible. Every effort will be made to send a full and clear reply within 20 working days of your complaint being received. If we cannot investigate your complaint fully within that time, we will let you know and keep you informed of progress.
- 8.8 Should you remain dissatisfied with the response you have been given you can raise a complaint with the Equality Commission.
- 8.9 In any subsequent investigation by the Equality Commission, we will co-operate fully, providing access in a timely manner to any relevant documentation that the Equality Commission may require.
- 8.10 We will make all efforts to implement promptly and in full any recommendations arising out of any Equality Commission investigation.

## Chapter 9

# Publication of our equality scheme

(Schedule 9, paragraph 4(3)(c))

9.1 Our equality scheme is available free of charge in print form and alternative formats from:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast  
BT7 2JD

Telephone: 028 90 417500  
Fax: 028 90 417533  
Textphone: 0207 981 3043  
Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

Our equality scheme is also available on our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

9.2 The following arrangements are in place for the publication in a timely manner of our equality scheme to ensure equality of access:

- We will make every effort to communicate widely the existence and content of our equality scheme. This may include publication on our website and direct mail shots to groups representing the various categories in Section 75;
- We will email a link to our approved equality scheme to our consultees on our consultation list. Other consultees without e-mail will be notified by letter that the scheme is available on request. We will respond to requests for the equality scheme in alternative formats in a timely manner; and
- Our equality scheme is available on request in alternative formats such as large print, Braille, audio formats and in minority languages to meet the needs of those not fluent in English.

9.3 For a list of our stakeholders and consultees please see Appendix 3 of the equality scheme, visit our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

or contact:

Ofcom Northern Ireland  
Landmark House  
5 Cromac Quay  
The Gasworks  
Belfast

BT7 2JD

Telephone: 028 90 417500

Fax: 028 90 417533

Textphone: 0207 981 3043

Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

## Chapter 10

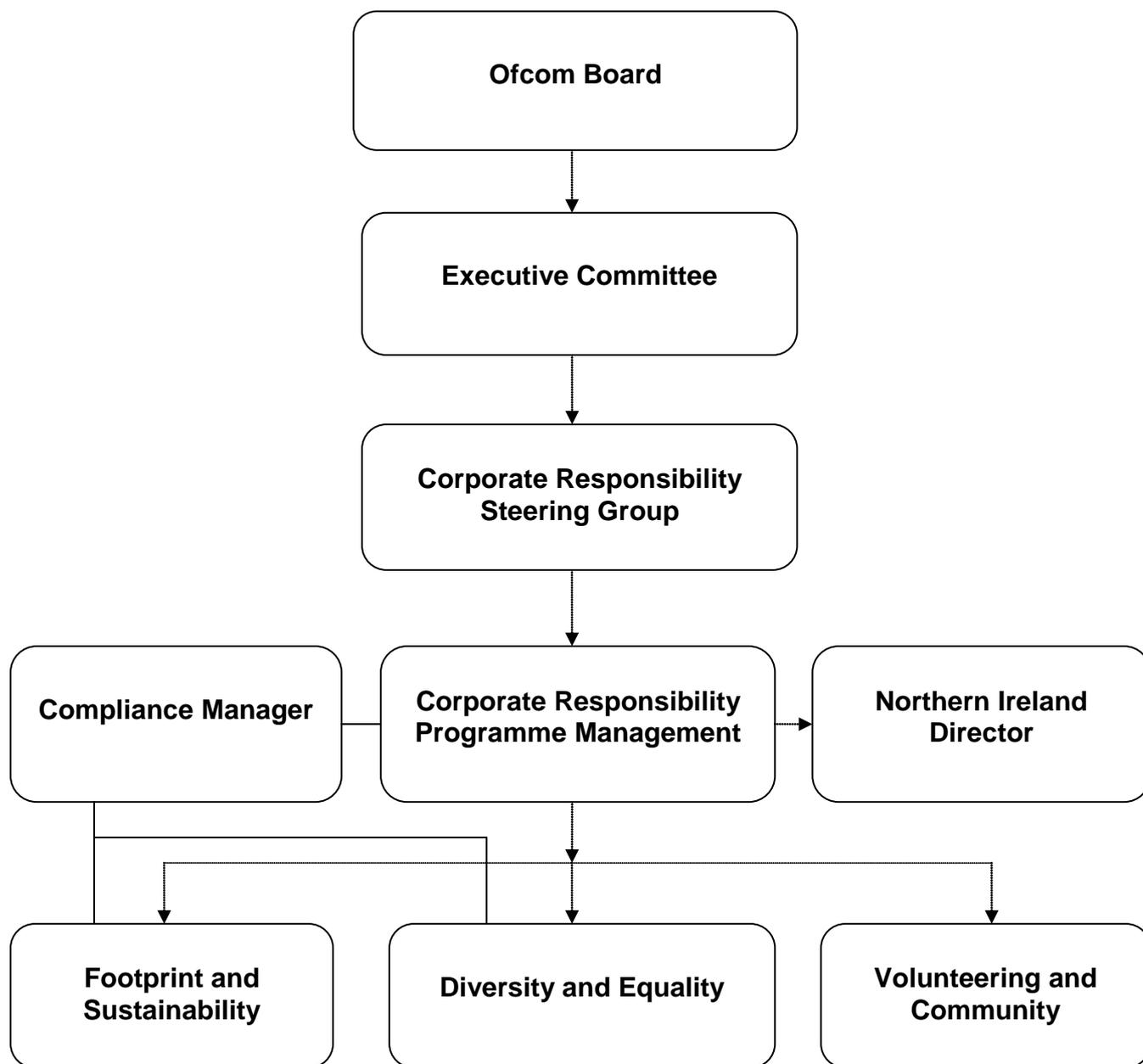
# Review of our equality scheme

(Schedule 9, paragraph 8(3))

- 10.1 As required by Schedule 9 paragraph 8 (3) of the Act we will conduct a thorough review of this equality scheme. This review will take place either within five years of submission of this equality scheme to the Equality Commission or within a shorter timescale to allow alignment with the review of other planning cycles.
- 10.2 The review will evaluate the effectiveness of our scheme in relation to the implementation of the Section 75 duties relevant to our functions in Northern Ireland.
- 10.3 In undertaking this review we will follow any guidance issued by the Equality Commission. A report of this review will be made public and sent to the Equality Commission.

**Appendix 1**

# Governance framework for Ofcom's Northern Ireland Equality Scheme



## Appendix 2

# Example groups relevant to the Section 75 categories for Northern Ireland purposes

Please note, this list is for illustration purposes only, it is not exhaustive

Category	Example groups
Religious belief	Buddhist; Catholic; Hindu; Jewish; Muslims, people of no religious belief; Protestants; Sikh; other faiths.  For the purposes of Section 75, the term “religious belief” is the same definition as that used in the Fair Employment & Treatment (NI) Order <sup>10</sup> . Therefore, “religious belief” also includes any perceived religious belief (or perceived lack of belief) and, in employment situations only, it also covers any “similar philosophical belief”.
Political opinion <sup>11</sup>	Nationalist generally; Unionists generally; members/supporters of other political parties.
Racial group	Black people; Chinese; Indians; Pakistanis; people of mixed ethnic background; Polish; Roma; Travellers; White people.
Men and women generally	Men (including boys); Trans-gendered people; Transsexual people; women (including girls).
Marital status	Civil partners or people in civil partnerships; divorced people; married people; separated people; single people; widowed people.
Age	Children and young people; older people.
Persons with a disability	Persons with disabilities as defined by the Disability Discrimination Act 1995.
Persons with dependants	Persons with personal responsibility for the care of a child; for the care of a person with a disability; or the care of a dependant older person.

<sup>10</sup> See Section 98 of the Act, which states: “In this Act...”political opinion” and “religious belief” shall be construed in accordance with Article 2(3) and (4) of the Fair Employment & Treatment (NI) Order 1998.”

<sup>11</sup> ibid

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Sexual orientation    Bisexual people; heterosexual people; gay or lesbian people.

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## Appendix 3

# List of consultees

(Schedule 9, paragraph 4(2)(a))

Action on Hearing Loss  
African and Caribbean Support Organisation Northern Ireland  
Age NI  
Age Sector Platform  
Alliance Party  
Arts Council of Northern Ireland  
Association of Baptist Churches  
Barnardos  
Bauer NI  
BT Ireland  
BBC Northern Ireland  
BFBS  
Cara Friend  
Carers for Northern Ireland  
CBI  
Chief Executives Forum  
Children In Northern Ireland  
Chinese Welfare Association NI  
Citizens Advice Bureau  
Citybeat  
Community Media Council  
Community Relations Council  
Consumer Council for Northern Ireland  
Consumer Focus Post NI  
Department of Agriculture and Rural Development  
Department of Culture, Arts and Leisure  
Department of Education  
Department for Employment and Learning  
Department of Enterprise, Trade & Investment  
Department of Health, Social Services & Public Safety  
Department of Social Development  
Disability Action  
DUP  
EGSA  
Equality Commission for Northern Ireland  
Federation of Small Businesses  
Foras na Gaeilge  
Free Presbyterian Church  
General Synod of the Church of Ireland  
Green Party  
Indian Community Centre  
Institute of Directors  
Irish Catholic Bishops Conference  
Irish Congress of Trade Unions  
Methodist Church in Ireland  
NI Chamber of Commerce & Industry  
NICCY  
NICVA

NI Association for the Care and Resettlement of Offenders  
NI Commissioner for Older People  
NI Council for Ethnic Minorities  
NI Human Rights Commission  
NI Local Government Association  
NI Screen  
Northern Media Group  
Ofcom Advisory Committee for Northern Ireland  
Ofcom Advisory Committee on Older and Disabled People  
OFMDFM  
Parenting NI  
POBAL  
Presbyterian Church in Ireland  
Regional Mail Services  
Radio Failte  
Rainbow Project  
RNIB NI  
Royal Mail NI  
Rural Community Network  
Rural Development Council  
Save the Children Fund  
SDLP  
Sinn Féin  
TNT  
Traditional Unionist Voice  
Training for Women Network  
U105  
Ulster Farmers' Union  
Ulster Scots Agency  
Ulster Scots Community Network  
Ulster Unionist Party  
Ultach  
UTV Media plc  
Women's Aid Federation  
Youth Council for Northern Ireland

## Appendix 4

# Timetable for measures proposed

(Schedule 9, paragraph 4(3)(b))

Measure	Lead responsibility	Timetable
Section 75 Annual Progress Report	Secretary to the Corporation	31 August (annually)
Delivery of Section 75 duties reflected in our Annual Plan and report	Director, Northern Ireland	Annually
Action plan		
Consultation on draft action plan	Director, Northern Ireland	[in line with consultation on equality scheme]
Finalised action plan published	Director, Northern Ireland	January 2014
Arrangements for monitoring progress in place	Director, Northern Ireland	January 2014
Consultation list reviewed and updated	Director, Northern Ireland	July (annually)
Stage 1 EIA timetable [Chapter 4]		
Stage 1 Reports published bi-annually	Secretary to the Corporation	August & February (biannually)
Stage 2 EIA timetable [Chapter 4]		[in line with policies outlined in Ofcom Annual Plan and notified to consultees and ongoing]
Monitoring [Chapter 4]		
Review of monitoring information	Secretary to the Corporation	August (annually)
Publication of monitoring information	Secretary to the Corporation	August (annually)
Training [Chapter 5]		
Development of overall	Director, Northern Ireland	Annually

training programme		
Focussed training	Director, Northern Ireland	Annually
Evaluation of training	Director, Northern Ireland	Annually
Assessing access to information and services [Chapter 6]	Director, Northern Ireland	Annually
Communication of equality scheme [Chapter 9]	Director, Northern Ireland	Within three months of approval
Notification of consultees	Director, Northern Ireland	Within three months of approval
Review of equality scheme [Chapter 10]	Director, Northern Ireland	2018

## Appendix 5

# Glossary of terms

For this glossary we have replicated the Northern Ireland Equality Commission's model scheme glossary and included additional Ofcom-related references.

### **Action measures and outcomes**

Specific measures to promote equality and good relations for the relevant Section 75 and good relations categories, linked to achievable outcomes, which should be realistic and timely.

### **Action plan**

A plan which sets out actions a public authority will take to implement its Section 75 statutory duties. It is a mechanism for the realisation of measures to achieve equality outcomes for the Section 75 equality and good relations categories.

### **Adverse impact**

Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.

### **Affirmative action**

In general terms, affirmative action can be defined as being anything consistent with the legislation which is necessary to bring about positive change. It is a phrase used in the Fair Employment and Treatment Order (NI) 1998 to describe lawful action that is aimed at promoting equality of opportunity and fair participation in employment between members of the Protestant and Roman Catholic communities in Northern Ireland.

### **Annual plan**

Ofcom document published annually to outline our strategic purposes, proposed priorities and work programme. Each plan covers a specific financial year, ie. the twelve months from 1 April to 31 March.

### **Article 55 Review**

Under the Fair Employment and Treatment (NI) Order 1998, all registered employers must conduct periodic reviews of the composition of their workforces and of their employment practices for the purposes of determining whether members of the Protestant and Roman Catholic communities are enjoying, and are likely to continue to enjoy, fair participation in employment in each employer's concern. These reviews, which are commonly known as Article 55 Reviews, must be conducted at least once every three years.

### **Audit of inequalities**

An audit of inequalities is a systematic review and analysis of inequalities which exist for service users and those affected by a public authority's policies. An audit can be used by a public authority to inform its work in relation to the Section 75 equality and good relations duties. It can also enable public authorities to assess progress on the implementation of the

Section 75 statutory duties, as it provides baseline information on existing inequalities relevant to a public authority's functions.

### **Colleagues**

All people Ofcom employs.

### **Communications Market Report (CMR)**

An annual Ofcom publication containing research on the delivery of and people's use and attitudes towards a range of communications services. Reports are published for each devolved nation and for the UK as a whole.

### **Consultation**

In the context of Section 75, consultation is the process of asking those affected by a policy (ie, service users, staff, the general public) for their views on how the policy could be implemented more effectively to promote equality of opportunity across the 9 categories. Different circumstances will call for different types of consultation. Consultations could, for example, include meetings, focus groups, surveys and questionnaires.

### **Corporate Responsibility Steering Group (CRSG)**

Ofcom's Corporate Responsibility Steering Group, which is responsible, amongst other things, for delivering and implementing Ofcom's Single Equality Scheme.

### **Council of Europe**

The Council of Europe, based in Strasbourg, covers virtually the entire European continent, with its 47 member countries. Founded on 5 May 1949 by 10 countries, the Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

### **Desk audit**

An audit of a draft equality scheme to ensure that the scheme conforms with the requirements on form and content as detailed in the Commission's Guidelines (the Guide).

### **Differential impact**

Differential impact occurs where a Section 75 group has been affected differently by a policy. This effect could either be positive, neutral or negative. A public authority must make a judgement as to whether a policy has a differential impact and then it must determine whether the impact is adverse, based on a systematic appraisal of the accumulated information.

### **Discrimination**

The anti-discrimination laws prohibit the following forms of discrimination:

- Direct discrimination
- Indirect Discrimination
- Disability Discrimination
- Victimisation
- Harassment

Brief descriptions of these above terms follow:

#### *Direct discrimination*

This generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds. A decision or action that is directly discriminatory will

normally be unlawful unless: (a) in an age discrimination case, the decision can be objectively justified, or (b) in any other case, the public authority can rely on a statutory exception that permits it – such as a *genuine occupational requirement exception*; or, a *positive action exception* which permits an employer to use “welcoming statements” or to take other lawful positive action to encourage participation by under-represented or otherwise disadvantaged groups.

#### *Indirect discrimination*

The definition of this term varies across some of the anti-discrimination laws, but indirect discrimination generally occurs where a public authority applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people. A provision, criterion or practice that is indirectly discriminatory will normally be unlawful unless (a) it can be objectively justified, or (b) the public authority can rely on a statutory exception that permits it.

#### *Disability discrimination*

In addition to direct discrimination and victimisation and harassment, discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

- a) *Disability-related discrimination* generally occurs where a public authority, without lawful justification, and for a reason which relates to a disabled person’s disability, treats that person less favourably than it treats (or, would treat) other people to whom that reason does not (or, would not) apply.
- b) *Failure to comply with a duty to make reasonable adjustments*: One of the most notable features of the disability discrimination legislation is that in prescribed circumstances it imposes a duty on employers, service providers and public authorities to take such steps as are reasonable to remove or reduce particular disadvantages experienced by disabled people in those circumstances.

#### *Victimisation*

This form of discrimination generally occurs where a public authority treats a person less favourably than it treats (or, would treat) another person, in the same or similar circumstances, because the person has previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so. Victimisation cannot be justified and is always unlawful.

#### *Harassment*

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. Harassment cannot be justified and is always unlawful.

### **Diversity and Equality Working Group (DEWG)**

Ofcom’s Diversity and Equality Working Group, promoting diversity and equality across Ofcom.

### **Economic appraisal**

An economic appraisal is a systematic process for examining alternative uses of resources, focusing on assessment of needs, objectives, options, costs benefits, risks, funding and affordability and other factors relevant to decisions.

### **Equality impact assessment**

The mechanism underpinning Section 75, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories. Equality impact assessments require the analysis of both quantitative and qualitative data.

### **Equality of opportunity**

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation. The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity between the categories identified under Section 75.

### **Equality scheme**

A document which outlines a public authority's arrangements for complying with its Section 75 obligations. An equality scheme must include an outline of the public authority's arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for ensuring access to information and services.

### **Exco**

The Ofcom Committee consisting of the Chief Executive and his direct reports, which meets monthly to consider, and decide, operational issues affecting the organisation.

### **Good relations**

Although not defined in the legislation, the Commission has agreed the following working definition of good relations: 'the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms'.

### **Groups**

Ofcom departments.

### **Mainstreaming equality**

The integration of equal opportunities principles, strategies and practices into the every day work of public authorities from the outset. In other words, mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end. Mainstreaming can help improve methods of working by increasing a public authority's accountability, responsiveness to need and relations with the public. It can bring added value at many levels.

### **Mitigation of adverse impact**

Where an equality impact assessment reveals that a particular policy has an adverse impact on equality of opportunity, a public authority must consider ways of delivering the policy outcomes which have a less adverse effect on the relevant Section 75 categories; this is known as mitigating adverse impact.

### **Monitoring**

Monitoring consists of continuously scrutinising and evaluating a policy to assess its impact on the Section 75 categories. Monitoring must be sensitive to the issues associated with human rights and privacy. Public authorities should seek advice from consultees and Section 75 representative groups when setting up monitoring systems. Monitoring consists of the collection of relevant information and evaluation of policies. It is not solely about the collection of data, it can also take the form of regular meetings and reporting of research undertaken. Monitoring is not an end in itself but provides the data for the next cycle of policy screening.

### **Northern Ireland Act**

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

### **Northern Ireland Human Rights Commission**

A statutory body established under Section 68 of the Northern Ireland Act 1998, which works to ensure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

### **Northern Ireland Statistics & Research Agency (NISRA)**

The Northern Ireland Statistics and Research Agency (NISRA) is an Executive Agency within the Department of Finance and Personnel (DFP). They provide statistical and research information regarding Northern Ireland issues and provide registration services to the public in the most effective and efficient way.

### **OFMdFM**

The Office of the First Minister and Deputy First Minister is responsible for providing advice, guidance, challenge and support to other NI Civil Service Departments on Section 75 issues.

### **Operations Board**

The senior executives in Ofcom who, from time to time, review and decide certain operational and non-policy issues.

### **PAFT**

The Policy Appraisal and Fair Treatment (PAFT) Guidelines constituted the first non-statutory attempt at mainstreaming equality in Northern Ireland in January 1994. The aim of the PAFT Guidelines was to ensure that issues of equality and equity informed policy making and activity in all spheres and at all levels of government. PAFT has now been superseded by Section 75 of the Northern Ireland Act 1998.

### **Policy**

The formal and informal decisions a public authority makes in relation to carrying out its duties. Defined in the New Oxford English Dictionary as 'a course or principle of action adopted or proposed by a government party, business or individual'. In the context of Section 75, the term **policies** covers all the ways in which a public authority carries out or proposes to carry out its functions relating to Northern Ireland. Policies include unwritten as well as written policies.

### **Positive action**

This phrase is not defined in any statute, but the Equality Commission understands it to mean any lawful action that a public authority might take for the purpose of promoting equality of opportunity for all persons in relation to employment or in accessing goods, facilities or services (such as health services, housing, education, justice, policing). It may involve adopting new policies, practices, or procedures; or changing or abandoning old ones. *Positive action* is not the same as *positive discrimination*.

Positive discrimination differs from positive action in that *positive action* involves the taking of lawful actions whereas *positive discrimination* involves the taking of unlawful actions. Consequently, *positive action* is by definition lawful whereas *positive discrimination* is unlawful.

### **Qualitative data**

Qualitative data refers to the experiences of individuals from their perspective, most often with less emphasis on numbers or statistical analysis. Consultations are more likely to yield qualitative than quantitative data.

### **Quantitative data**

Quantitative data refers to numbers, typically derived from either a population in general or samples of that population. This information is often analysed by either using descriptive statistics, which consider general profiles, distributions and trends in the data, or inferential statistics, which are used to determine 'significance' either in relationships or differences in the data.

### **SACHR**

The Standing Advisory Commission on Human Rights (SACHR) has now been replaced by the Northern Ireland Human Rights Commission. SACHR, as part of its review of mechanisms in place to promote employment equality and reduce the unemployment differential, recommended that the PAFT Guidelines should be made a statutory requirement.

### **Screening**

The procedure for identifying which policies will be subject to equality impact assessment, and how these equality impact assessments will be prioritised. The purpose of screening is to identify the policies which are likely to have a minor/major impact on equality of opportunity so that greatest resources can be devoted to improving these policies. Screening requires a systematic review of existing and proposed policies.

### **Schedule 9**

Schedule 9 of the Northern Ireland Act 1998 sets out detailed provisions for the enforcement of the Section 75 statutory duties, including an outline of what should be included in an equality scheme.

### **Secretariat**

Ofcom team responsible for our compliance duties. It is led by the Secretary to the Corporation.

### **Section 75**

Section 75 of the Northern Ireland Act provides that each public authority is required, in carrying out 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 and sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

Without prejudice to these obligations, each public authority in carrying out its functions relating to Northern Ireland must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

### **Section 75 investigation**

An investigation carried out by the Equality Commission, under Schedule 9 of the NI Act 1998, arising from the failure of a public authority to comply with the commitments set out in its approved equality scheme.

There are two types of Commission investigation, these are as follows:

1. An investigation of a complaint by an individual who claims to have been directly affected by the failure of a public authority to comply with its approved equality scheme;
2. An investigation initiated by the Commission, where it believes that a public authority may have failed to comply with its approved equality scheme.

**SES**

Ofcom's Single Equality Scheme

**Superfast broadband**

A broadband connection with a download speed in excess of 30Mb/s. Usually provided over a fibre network.

## Appendix 6

# Action plan for Northern Ireland

- A6.1 The Northern Ireland Action Plan, outlined below, should be considered in conjunction with the objectives and action plan which we have already published as part of our SES, in line with the Equality Act.
- A6.2 The action plan for the SES is shown in Appendix 7.
- A6.3 The Northern Ireland Action Plan is also designed to fit with the planning cycle for our SES, which runs from 2011-2014.
- A6.4 Our SES can be found on our website, at:

[www.ofcom.org.uk](http://www.ofcom.org.uk)

A copy of the SES can also be obtained in writing:

Ofcom Northern Ireland  
 Landmark House  
 5 Cromac Quay  
 The Gasworks  
 Belfast  
 BT7 2JD

Telephone: 028 90 417500  
 Fax: 028 90 417533  
 Textphone: 0207 981 3043  
 Email: [ofcomnorthernirelandoffice@ofcom.org.uk](mailto:ofcomnorthernirelandoffice@ofcom.org.uk)

- A6.5 The Northern Ireland Action plan is based on an Audit of Inequalities and for this we have drawn mainly on our own research of the communications market in Northern Ireland.

Inequality	Section 75 categories	Actions
The availability of communications services can vary across Northern Ireland <sup>12</sup> . Consumers in rural areas generally face lower levels of service than their urban neighbours.	<ul style="list-style-type: none"> <li>• Religious belief</li> <li>• Political opinion</li> <li>• Men and women generally</li> <li>• Age</li> <li>• Persons with a disability</li> </ul>	<p>We will assess the provision of communications services in the nations, focussing on the availability of core networks, including those providing mobile telephony, broadband and radio services.</p> <p>This work will be used to better inform decision-making by policy-makers</p>

<sup>12</sup> <http://stakeholders.ofcom.org.uk/market-data-research/market-data/communications-market-reports/cmr11/northern-ireland/>

		across the UK.
The number of television programmes produced in Northern Ireland and shown on UK television networks has been low <sup>13</sup> . This can affect how Northern Ireland is portrayed to the rest of the UK.	<ul style="list-style-type: none"> <li>• Religious belief</li> <li>• Political opinion</li> </ul>	We will monitor and produce reports on the amount of network programming produced in Northern Ireland.
There is significant demand from community-based groups, including Irish language and Ulster Scots groups, from across Northern Ireland to acquire broadcasting licences.	<ul style="list-style-type: none"> <li>• Religious belief</li> <li>• Political opinion</li> </ul>	We will seek to provide interested groups with appropriate information on relevant licensing processes.
<p>It is important that Ofcom keeps in touch with the views and opinions of citizens and consumers in Northern Ireland and understands their particular needs and concerns.</p> <p>It is also important that Ofcom understands the political, social and economic landscape in Northern Ireland.</p>	<ul style="list-style-type: none"> <li>• Religious belief</li> <li>• Political opinion</li> <li>• Age</li> <li>• Persons with a disability</li> </ul>	<p>We will seek to ensure that any research programmes include representative samples from Northern Ireland.</p> <p>We will seek to ensure that colleagues in the Belfast office, and members of advisory committees, remain reflective of Northern Ireland society.</p> <p>We will continue to use specific Northern Ireland Diversity Monitoring Forms for any recruitment in Northern Ireland.</p>

<sup>13</sup> <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmniaf/237/237.pdf>

## Appendix 7

# Single Equality Scheme – action plan

### ACTION PLAN 1: New objectives

Objective 1: Having a diverse mix of people at all levels of our organisation

OBJECTIVE	ACTIVITY	OUTCOME
<b>Ensure that we represent the wider community we work with.</b>	Understand the diverse mix of people in Ofcom by reviewing the diversity profile of the organisation, Use Ofcom's employment statistics to evaluate the representation of the various diversity strands in all Ofcom groups, and at all levels across the organisation. Compare the diversity make-up with historic data to establish trends. Improve our monitoring systems so that we can understand the range of disabilities within the organisation and how best to support our colleagues.	Use the data to review the impact of Ofcom's initiatives, and help to determine whether further action should be taken (e.g. in recruitment, with the communities we work with, and training and development). Seek to recruit from the widest possible candidate pool.
<b>Understand the gender profile of engineering and technical roles.</b>	Benchmark the proportion of women recruited into technical and engineering roles and compare against the UK industry sectors. Review the data on the mix of Policy versus Engineering roles in the Group. Changes to recruitment processes if necessary.	A better understanding of the diverse make up of technical and engineering roles across Ofcom and the UK industry sector. Potentially, a more representative mix of colleagues.
<b>Understand whether Ofcom is perceived as a good place to work for colleagues from ethnic backgrounds, who have a disability or are women.</b>	Review formal exit interview process to ensure that alongside other questions colleagues leaving us are encouraged to share their experiences of working for Ofcom and whether they view Ofcom as a diverse place to work and in which diversity is valued and encouraged	Identify any obstacles or specific problems to achieving a diverse mix of colleagues Potentially, a more representative mix of colleagues

Objective 2: Considering the different needs and interests of all individuals and stakeholders when carrying out our work

<b>2.1 External diversity groups are made aware of when a project or policy may particularly impact them.</b>	Communicate directly with media outlets for diversity groups, where policies or projects have a specific impact on them. Take the lead in briefing specialist diversity media	A higher profile for Ofcom's projects and policies among diversity groups, which in turn encourages greater participation in our consultations. Ofcom's projects and policies are promoted amongst diversity groups.
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<p><b>2.2 As part of our responsibilities under the Communications Act, encourage broadcasters to create equal opportunities for everyone they employ, including freelancers, regardless of age, gender, ethnicity or disability by working with Ofcom's co-regulator, the Broadcast Equality Training Regulator (BETR).</b></p>	<p>Make sure that the BETR: produces a report in Summer 2011 on broadcasters' equal opportunities arrangements in 2010 assess the industry's progress; and provides guidance on how to improve.</p>	<p>Progress towards equal access to employment and training regardless of age, gender, ethnicity or disability A suitable legacy is left to the broadcasting industry when BETR closes in 2011.</p>
<p><b>2.3 Ensure that TV channels meeting the affordability and audience share criteria, laid out in the Access Services code, provide access services (subtitling, signing and audio description) in line with their obligations</b></p>	<p>Conduct annual assessments of audience share and revenue data to determine which channels are obliged to provide access services. Notify broadcasters of their obligations for the following year. Publish half yearly data on the broadcasters' delivery of access services.</p>	<p>Hearing impaired and visually impaired viewers are able to enjoy more television.</p>
<p><b>2.4 Ensure that Ofcom colleagues are well informed about the protected groups, as defined in equality legislation</b></p>	<p>Build an online resource for consumer and market data relating to protected groups and make this data available to the public through the Ofcom website.</p>	<p>Policy development work is better informed across all groups, and colleagues have an understanding of equality.</p>
<p><b>2.5 Use our research to widen awareness and understanding of media literacy among ethnic minority groups, people with disabilities and the elderly.</b></p>	<p>Publish technology tracking study and media literacy tracker datasets showing media literacy among people from ethnic minority groups and among people with disabilities. Report on media literacy trends over time for older people in Media Literacy reports.</p>	<p>Diversity information is available for use across a wider audience which contributes to understanding of equality issues.</p>
<p><b>2.6 Create an environment in Ofcom where colleagues feel able to ask for a reasonable adjustment.</b></p>	<p>Capture Ofcom's commitment towards reasonable adjustments in a formal statement and raise awareness with managers and colleagues. Track the number of colleagues requesting a reasonable adjustment. Monitor feedback in the Colleague Survey.</p>	<p>Disabled colleagues feel able to ask for assistance and the work environment becomes more open. Disabled citizens feel that Ofcom is place where they could work.</p>
<p><b>2.7 Ofcom will use its procurement activities to further equality objectives.</b></p>	<p>Check the vendor has an acceptable diversity policy in place before we sign any contract with them Check whether the vendor has had any claims of discrimination upheld by an employment tribunal and how they have changed their policy and practice to address this.</p>	<p>We work with organisations that share our vision and support and promote diversity.</p>

<p><b>2.8 Understand the nature of the wholesale obligations and the relationship with the protected groups, as defined in equality legislation.</b></p>	<p>Ensure appropriate training for project managers and specialists. Share best practice. Develop evidence base to establish potential linkages between policies and the protected groups.</p>	<p>Colleagues have a better understanding of how projects and policies impact on equality groups.</p>
<p><b>2.9 Ensure that the Broadcasting Code guidance we provide to broadcasters is up to date and reflects the Equality Act 2010.</b></p>	<p>Review the guidance to the Broadcasting Code to ensure that it is up to date and fit for purpose. In particular, ensuring that our Broadcasting Code guidance on generally accepted standards reflects current views and attitudes to equality issues. Compare the wording and scope of our guidance against the protected groups in the Equality Act 2010 and seek advice from the Legal Team where appropriate.</p>	<p>Broadcasters will be provided with any further information that we determine is necessary and appropriate. This will assist them in ensuring that they apply 'generally accepted standards' to content involving equality issues, so as to provide adequate protection for members of the public from the inclusion of harmful and/or offensive material in programmes. Our guidance appropriately reflects the Equality Act 2010.</p>

Objective 3: Creating a culture where everyone's contribution is valued on its merits

<p><b>3.1 Ensure consistency across internal pay levels.</b></p>	<p>Conduct an equal pay audit to investigate whether there are any disparities in the pay of male and female colleagues doing equal work. Investigate the causes of any gender pay gaps that cannot be satisfactorily explained on grounds other than sex. Set out how we intend to address any pay inequalities</p>	<p>Greater consistency across internal pay levels.</p>
<p><b>3.2 Ensure our National and Regional offices are included in our policy making decisions.</b></p>	<p>Broaden the colleague induction modules Include a question in the PRD format asking whether there are any potential regional issues and encourage project teams to contact the national and regional offices if they are unsure Monitor the feedback in the Colleague Survey</p>	<p>Colleagues in our national and regional offices feel more included in the organisation. Our proposed policies better reflect regional issues where appropriate</p>
<p><b>3.3 Ofcom and its colleagues contribute to the local community through its Corporate Responsibility activities.</b></p>	<p>Colleagues take part in Corporate Responsibility activities, and managers ensure that these are recognised as an important part of career development, incorporated in personal development plans. Provide Team Volunteering opportunities as an option for Team development. Such as assisting with Silver Surfers day, the reading mentoring scheme and Partners in Business.</p>	<p>Colleagues develop skills by taking part in volunteering activities. The local community benefits from Ofcom being located in the area Increase colleague's understanding of citizen issues</p>
<p><b>3.4 Ofcom colleagues are supported with regards to paternity provisions.</b></p>	<p>Implement a new paternity leave policy that takes into account changes in legislation for paternity leave and pay.</p>	<p>A new paternity policy which is understood by colleagues, and compliant with legislation.</p>

<b>3.5 As a new Group, SCET will work to develop a culture in which colleagues from all backgrounds feel included and where contributions from all perspectives are valued.</b>	Develop our mission statement as a Group Increase collaboration across the teams within the Group Develop better ways of brainstorming and sharing ideas, taking into account a range of views but recognising when a decision needs to be made. Focus on cross Group professional development	Colleagues feel included in the Group and that their contributions are valued.
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## ACTION PLAN 2 – Business As Usual

Objective 1: Having a diverse mix of people at all levels of our organisation

<b>1.1 Ofcom operates in line with diversity and equality best practice.</b>	Work with organisations such as Race for Opportunity, Stonewall and Employers Forum on Disability, to ensure that we are adopting best practice and make improvements where possible. Undertake external benchmarking surveys and measure our scores against best practice.	Change policy and practice based on advice, and measure our scores against best practice. We use the benchmarking survey results to determine where further action should be taken.
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Objective 2: Considering the different needs and interests of all individuals and stakeholders when carrying out our work

<b>2.1 Make sure that Ofcom's Market Research Team is fully briefed on equality obligations</b>	Include diversity and equality updates at departmental meetings.	Ofcom's Market Research Team are able to; take diversity groups into account as a matter of course and are able to press project Teams on matters relating to protected groups; ensure that research agencies understand our need for data on equality groups.
<b>2.2 Ofcom projects and policies are undertaken with due consideration for any negative or positive impacts they may have on equality.</b>	Colleagues assess Ofcom policies and projects using the Equality Impact Assessment (EIAs) Toolkit. EIAs are monitored on a monthly basis to ensure they are completed at the beginning of the project lifecycle. The Legal Team will ensure that when advising on any project, colleagues are advised of the need to complete an EIA as early as possible. EIA completion rates are reported on a monthly basis to the Operations board.	Colleague awareness of EIAs is high and completion rates are 100%.

<p><b>2.3 Consumers and citizen's needs are met appropriately when they contact Ofcom.</b></p>	<p>Every colleague whose role involves direct contact with citizens and consumers are provided with mandatory specific training on disability. Ensure that colleagues who work with the public are trained in their responsibilities under the Equality Act 2010. Quality assurance fed back to colleagues.</p>	<p>Front line colleagues particularly those in Consumer Contact, Spectrum Engineering and Enforcement, and Facilities are trained and aware of the disability legislation and provided with appropriate support to be able to support the needs of citizens and consumers.</p>
<p><b>2.4 Protect the interests of people with disabilities, and of older people, in relation to the communications markets</b></p>	<p>Publish ongoing policy development initiatives designed to target their needs. Evaluate the experiences of disabled consumers and where practicable, the Consumer Experience report sets out findings on different protected groups.</p>	<p>Disabled and older people are engaged with the market, and able to make informed choices regarding services. Organisation is better informed about how people with disabilities experience communications market</p>
<p><b>2.5 Consumers and Stakeholders understand the content that Ofcom produces.</b></p>	<p>News stories on the home page of our website, and summaries of key public consultation documents, will be written in plain English. All documents, that are circulated both internally and externally, are in an appropriate font and format. Publications will be made available in alternative formats (where appropriate to do so) on request.</p>	<p>The content Ofcom produces is clear and easy to understand so that Stakeholders and countries outside of the UK are better able to understand that work that Ofcom does.</p>
<p><b>2.6 The ongoing development of the Ofcom website meets current accessibility standards.</b></p>	<p>Attend relevant accessibility seminars and advise on improvements we need to make.</p>	<p>The material we publish on the Ofcom website is accessible.</p>
<p><b>2.7 Diversity within society is reflected in our communications</b></p>	<p>Where we use photos of video clips, we'll make sure diversity groups are represented.</p>	<p>Publications are more inclusive and reflect the diversity of society.</p>
<p><b>2.8 Evaluate wider equality and diversity issues raised by MPs.</b></p>	<p>Monitor correspondence from MPs. Analyse equality issues raised with Ofcom via this correspondence. Report on issues raised and submit to the CRSG.</p>	<p>Understanding of wider equality issues.</p>
<p><b>2.9 Ofcom gives proper weight to diversity, accessibility and equality when contributing to international policy debates</b></p>	<p>The International Team sparks debate and highlight diversity and global citizenship – for example, in disability access in EU Framework/ Universal Service Obligation policy; EU initiatives on Media diversity; internet regulation and cross-border enforcement</p>	<p>Ofcom makes a real and positive contribution to improving diversity policies, both at EU-level and internationally</p>

<b>2.10 The community radio sector serves a diverse range of communities around the UK</b>	Invite applications for community radio in a third round of licensing. (The application paperwork for this round has been changed and simplified. It reduces the amount of information required and is easier for applicants to complete). The licence decision process will take into account diversity issues	A community radio licensing system that's open and accessible, so that community radio serves a diverse audience
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## Objective 3: Creating a culture where everyone's contribution is valued on its merits

<b>3.1 Monitor equality and diversity at Ofcom.</b>	Provide colleagues an opportunity to share their views in the Colleague Survey. Ask a series of diversity related questions and act on the feedback.	Colleagues have an opportunity to comment and make suggestions. Better understanding of the issues and concerns of colleagues. Improve policies, working practices based on the feedback.
<b>3.2 Ofcom continues to give due consideration to the faith and beliefs of colleagues from different religions</b>	Where possible, accommodate colleagues' religious leave requests. Publish guidance on our intranet and publish a calendar of religious holidays on the intranet.	Colleagues feel happy to work for an organisation that respects a diverse mix of religions and beliefs.
<b>3.3 SE&amp;E Management Team continues to ensure colleagues from their area, particularly those with flexible working arrangements and those that work in the Regional offices, feel included within the organisation.</b>	Establish regular, clear communication channels in the form of team or departmental meetings, email or other remote method, utilising technology as appropriate, to ensure that colleagues feel supported and are able to provide input/feedback.  Liaise with Professional Development and/or other relevant areas so that needs of non-Riverside House based staff are taken into account for training and development purposes. This includes prompt cancellation of events/meetings to save unnecessary travel and cost.  Continue to support colleagues with remote working arrangements as necessary.  Make sure, if possible, that important meetings are held at times and locations that take into consideration travel from across the UK.  Work with SE&E welfare representatives for team building/CR volunteering activities.	All colleagues, including those that work from home or in the regional offices, feel included within the organisation.

## Appendix 8

# Complaints procedures

## How to complain about Ofcom

We always do our best to meet the needs of businesses, consumers, viewers and listeners. But sometimes things can go wrong – or we can fall short of our own high standards. If this happens we have procedures to handle your complaints.

If you have a complaint about our consultation process, please read our guidelines on Ofcom consultation which are available on the Ofcom website: [www.ofcom.org.uk](http://www.ofcom.org.uk).

These include details of how to complain to our Consultation Champion.

The Consultation Champion can only investigate complaints about how Ofcom has managed a particular consultation – for example, whether we have allowed enough time for people to respond.

They cannot investigate the substance of policy proposals. If you have a concern about specific Ofcom proposals, please contact the policy team directly.

## Complaint escalations

There is a two stage process if you are not satisfied with the way your complaint has been handled, or with the response that you have been given.

In the first instance, please contact the person or team that dealt with you and discuss your concerns directly with them. They will often be in the best position to understand your situation and give you an explanation as to what has happened.

If this does not resolve your concerns, please contact the office of the Secretary to the Corporation Graham Howell ([graham.howell@ofcom.org.uk](mailto:graham.howell@ofcom.org.uk)) or telephone 020 7981 3000 who will review your case and respond to you as quickly as possible.

We will treat your complaint in confidence and will investigate it carefully as quickly as possible.

Every effort will be made to send a full and clear reply within 20 working days of your complaint being received. If we cannot investigate your complaint fully within that time, we will let you know and keep you informed of progress.

Should you remain dissatisfied with the response you have been given you can raise a complaint with the Parliamentary Ombudsman via your Member of Parliament.