

Public Sector Equality & Human Rights Duty Implementation Plan



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1. Introduction

This implementation plan establishes the ambition, approach, and steps to be taken by SOLAS to implement the public sector equality and human rights duty (the Duty), across all of our function areas.

The Duty requires public bodies to have regard to the need to eliminate discrimination, promote equality, and protect human rights for service users, policy beneficiaries, and employees, across all function areas.

Section 42 of the Irish Human Rights and Equality Commission Act 2014.

(1) A public body shall, in the performance of its functions, have regard to the need to:

- Eliminate discrimination;
- Promote equality of opportunity and treatment of its staff and the persons to whom it provides services; and
- Protect the human rights of its members, staff and the persons to whom it provides services.

Public bodies are required to: undertake an "assessment of the equality and human rights issues" facing the identified groups for the Duty that would have a relevance for their functions; to identify the steps being taken or proposed to be taken to address the issues as assessed; and to report annually on their progress in addressing these issues and implementing the Duty.

S42.2 (a) and (b) establish three key steps that public bodies should follow, in regard to implementing the Duty

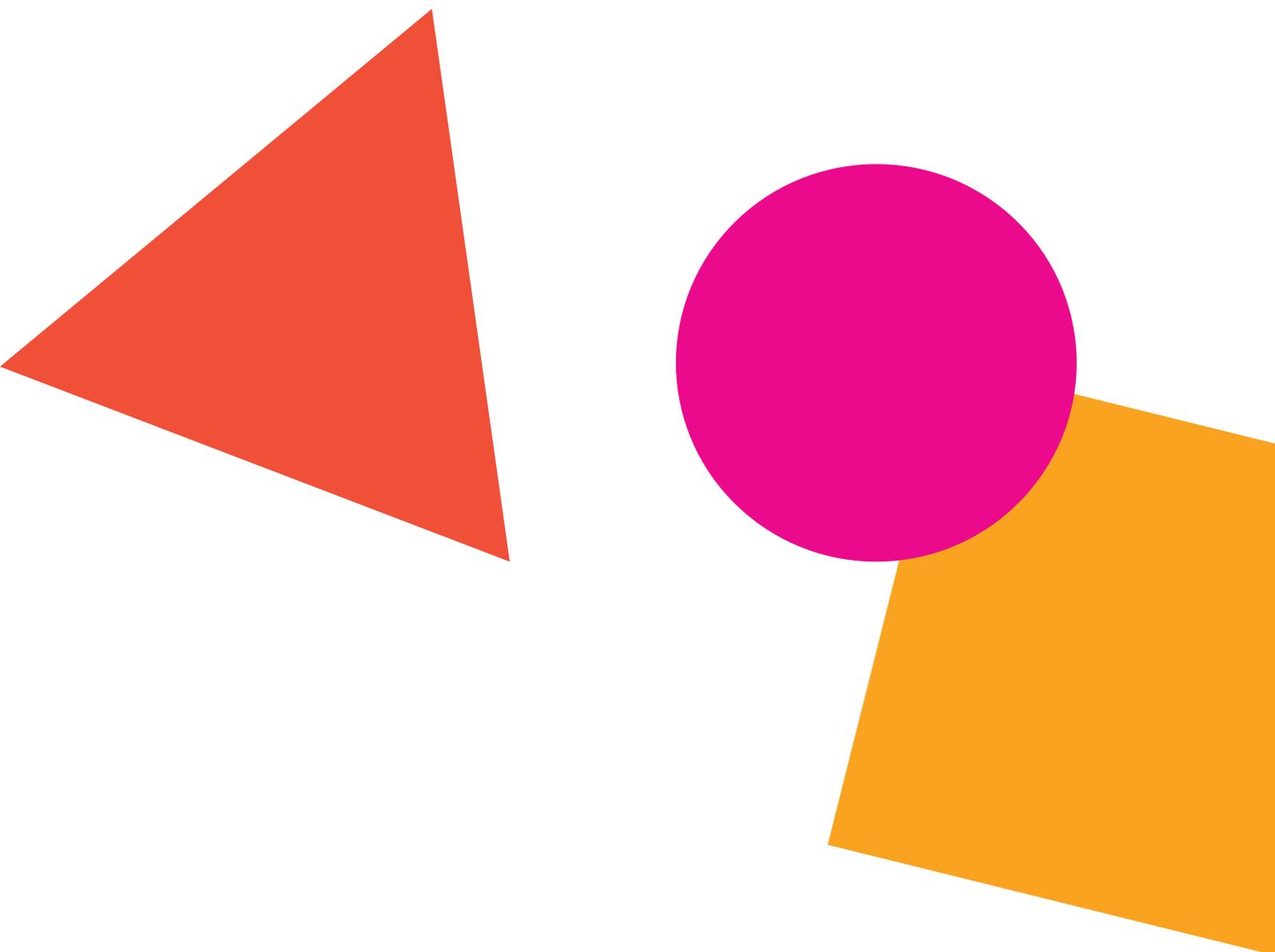
(2) (a) set out in a manner that is accessible to the public in its strategic plan (howsoever described) an **assessment** of the human rights and equality issues it believes to be relevant to the functions and purpose of the body and the policies, plans and actions in place or proposed to be put in place to **address** those issues, and

(b) **report** in a manner that is accessible to the public on developments and achievements in that regard in its annual report (howsoever described).

The identified groups for the Duty are:¹

- groups covered by the nine protected grounds under equality legislation: gender (including gender identity); civil status; family status (including lone parents and carers); age; disability; sexual orientation; race (encompassing race, colour, nationality and ethnic or national origins); religion; and membership of the Traveller community; and
- groups covered by the ground of socio-economic status, who are at risk of or experiencing poverty and social exclusion, including working class people, people experiencing rural disadvantage, and ex-offenders.

Delivering on our statutory obligations to implement the Duty, provides an opportunity for SOLAS to celebrate its achievements, build on its work to-date, and apply the planned and systematic approach required to strengthen and further evolve our work on equality and human rights. SOLAS brings an ambition to contribute to equality outcomes and the fulfilment of human rights across the identified groups to this task.



¹ [Implementing the Public Sector Equality and Human Rights Duty](#), Irish Human Rights and Equality Commission, 2019.

2. Our Equality and Human Rights Benchmarks

2.1 Introduction

There are five benchmarks established for our ambitions for the Duty: dignity; voice; agency; inclusion; and social justice. We have defined each of these benchmarks, setting out:

- a statement of outcome – the implications of the benchmark for the change we seek to contribute to as an organisation; and
- a statement of process – the implications of the benchmark for the way we work in pursuing this change.

These benchmarks serve as a compass for the organisation, giving directions for our ambitions for equality and human rights, providing the frame within which we will implement the Duty, and offering a language for communicating and embedding the Duty across the organisation.

2.2 Our Equality and Human Rights Benchmarks



Dignity is about care, trust, and kindness, mutual respect and respect for the diversity of people across the identified groups. It involves fairness and equal treatment.

Statement of Outcome: SOLAS strives to be an organisation where the diversity of service-users, staff and policy beneficiaries from the identified groups, is recognised and valued, through our policies and procedures, and to cooperate with the sector to underpin this outcome more widely, including through SLA agreements.

Statement of Process: SOLAS works to ensure equal treatment for, and an awareness, understanding and celebration of this diversity of people within, and engaging with, the organisation.



Voice is about the diversity of people from the identified groups, being empowered and having a say in decisions. It involves clarity, transparency and openness in decision-making processes, and decision-makers being accountable.

Statement of Outcome: SOLAS strives to ensure structures and processes are in place that capture the voice and perspective of the diversity of staff, service-users and policy beneficiaries from the identified groups, and enable them to feed into decision-making and consultation, both within the organisation and across the wider sector.

Statement of Process: SOLAS works to ensure the voice of this diversity of people is included, heard and contributing to positive change, and to enable a safe environment for people to have a say and to challenge decisions, and support a confidence in making this contribution.



Agency is about the diversity of people from the identified groups having choices and autonomy in making and acting on their choices. It involves people being informed and confident in making choices, and having capacity to exercise their rights.

Statement of Outcome: SOLAS strives to ensure the provision of options and access routes that offer real choices to the diversity of employees and learners from the identified groups, within the organisation and across the sector.

Statement of Process: SOLAS works to ensure the options made available are accessible to and appropriate for this diversity of people, supporting and enabling them to be informed of, identify, and take up available options, and to be aware of and exercise their rights.



Inclusion is about ensuring access and participation in services and employment for the diversity of people from the identified groups. It involves making adaptations, being flexible, and making reasonable accommodations for the diversity of people.

Statement of Outcome: SOLAS strives to promote and achieve a design for policies, procedures, and infrastructure that takes account of and responds to the practical implications of the diversity of learners and employees from the identified groups, within the organisation and across the sector.

Statement of Process: SOLAS works to ensure a strong sense of belonging for this diversity of people within the organisation, and an engagement with this diversity of people that enables a proactive and consistent provision, adaptation and support for specific needs.



Social Justice is about the diversity of people from the identified groups achieving similar outcomes to the general population across a range of fields including education and employment. It involves creating the conditions for such outcomes.

Statement of Outcome: SOLAS strives to advance and promote equal access to, participation in, and outcomes from further education and training for the diversity of people from the identified groups, through its own work and its collaboration with the sector, and to achieve higher levels of diversity within its staff group, with the diversity of employees enabled to participate at the levels they might aspire to.

Statement of Process: SOLAS works to identify and target this diversity of people, to break down barriers they experience, provide additional support and positive action they might require, and track and measure the outcomes they achieve.

3. Assessment of Equality and Human Rights Issues

3.1 Introduction

The “assessment of equality and human rights issues” required under the public sector equality and human rights duty involves the identification of equality and human rights issues for the identified groups for the Duty, specifically those that are relevant to the functions of the public body. These are equality and human rights issues that the public body could already be taking action on, or planning to take action on, or have taken action on in the past. It is not an assessment of the public body or its performance, it is only the foundation stone for the planned and systematic approach to equality and human rights required by the Duty.

The “assessment of equality and human rights issues”, therefore, involves an examination of the situation, experience, and identity of the identified groups for the Duty, to identify the key equality and human rights issues they face, and which have relevance for the work of SOLAS.

The **situation** of the group refers to disadvantage in the level and quality of resources the group can access, including education and training; and employment opportunities. The **experience** of the group refers to the quality of the group’s engagement with wider society, including their engagement with public services, both as employees, service participants and policy beneficiaries. The **identity** of the group refers to the manner in which the group gives expression to its identity and to any lack of recognition for diversity leading to unmet needs that are specific to the identity of the group.

The identified groups are: those covered by the nine grounds under equality legislation: gender (including gender identity), civil status, family status (including lone parents, carers), age, sexual orientation, disability, race (including nationality, skin colour, and ethnicity), religion, and membership of the Traveller community; and those at risk of poverty and social exclusion, including working class people, people experiencing rural disadvantage, and ex-offenders.

In undertaking this assessment, SOLAS has ensured alignment with guidance issued by the Irish Human Rights and Equality Commission, including that the assessment is evidence-based and involves engagement with relevant stakeholders.² A validation exercise was facilitated to which a range of civil society organisations, representative of groups covered by the Duty were invited.³

² Irish Human Rights and Equality Commission (2019) [Implementing the Public Sector Equality and Human Rights Duty](#).

³ The validation meeting was attended by Aikidwa, BeLonG To, Dublin Interfaith Forum, Pavee Point, and TENI.

3.2 Assessment of Equality and Human Rights Issues

The five benchmarks established by SOLAS for implementing the Duty provide the framework to set out our assessment of the equality and human rights issues relevant to our functions.

The equality and human rights issues identified below relate to all of the identified groups unless otherwise indicated. In some instances, specific examples are given for particular groups.

In assessing these issues cognisance is taken of the specific oppressions involved in situations and experiences, direct and indirect, of racism, classism, ableism, homophobia, transphobia, sectarianism, sexism, and ageism.



Dignity

Dignity is about care, trust, and kindness, mutual respect and respect for the diversity of people across the identified groups. It involves fairness and equal treatment.

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of SOLAS, are:

- Discrimination, both individual and systemic, in recruitment and progression in employment, including in particular:
 - in-work barriers for women, and disabled people;
 - access barriers for transgender people due to vetting requirements, and in-work barriers if transitioning; and
 - high levels of discrimination, when seeking employment, in particular for: Black and minority ethnic groups, including Travellers and Roma, and disabled people.
- Discrimination, both individual and systemic, experienced in accessing, participating in, and securing outcomes from education, including in particular:
 - Travellers; and people with disabilities.
- Harassment, sexual harassment, and other abusive behaviours, including bullying, which prevent access to and participation in employment and key services, such as education, including in particular:
 - identity-based harassment and bullying experienced by LGBTIQ+ people, minority ethnic groups including Travellers and Roma, and religious minorities; and
 - gender-based violence and sexual assault, including domestic violence.
- Unwelcoming environments where people from the identified groups feel they have to hide their identity, including in particular:
 - Travellers, people with disabilities, and LGBTIQ+ people.
- Stigma, stereotypes and assumptions about difference across the identified groups.
- Under-reporting of discrimination, harassment and sexual harassment, including in work and in learning environments, and lack of knowledge of rights under legislation

and capacity to exercise these rights. Limited understanding and/or capacity of employers and service providers, in relation to equality and human rights issues for identified groups, including in particular:

- limited education on human rights and equality provided for the general public; and
- lack of training on equality and diversity issues for employers and service providers.

Voice



Voice is about the diversity of people from the identified groups, being empowered and having a say in decisions. It involves clarity, transparency and openness in decision-making processes, and decision-makers being accountable.

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of SOLAS, are:

- Under-representation of people from the identified groups in decision-making positions and in structures to shape and make decisions.
- Lack of spaces and opportunities for the voice of identified groups to be effectively articulated, including in particular:
 - failure by service providers and employers to ensure the perspective and lived experience of people experiencing inequality, discrimination, and social exclusion is informing priorities and approaches in employment and service provision.
- Lack of engagement with organisations representative of the identified groups.
- Lack of encouragement, support, resources, advocacy, and organisational space for the identified groups to participate effectively in and have influence on decision-making.

Agency



Agency is about the diversity of people from the identified groups having choices and autonomy in making and acting on their choices. It involves people being informed and confident in making choices, and having capacity to exercise their rights.

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of SOLAS, are:

- Specific negative impacts of COVID-19 and its management⁴, on choice and agency for some learners across the identified groups, including in particular:
 - learners with disabilities being less able to participate in learning due to limitations in supports, including for independent living;
 - older people's access to learning opportunities being diminished due to shielding requirements; and
 - people from the identified groups who are unable to engage remotely.

⁴ The immediate contextual nature of COVID-19 is acknowledged, with the hope that it is transient in nature and impact, in which case associated issues could be reviewed.

- Stereotyping affecting subject and course choices available to, pushed towards, and made, including in particular:
 - gender stereotyping and gender segregation in education and training courses.
- Limited articulation of individual perspectives and preferences by members of the identified groups, due to barriers that include:
 - low levels of confidence and limited ambition in making choices and accessing options available, and in exercising rights;
 - lack of autonomy afforded and disempowerment, including in particular for people with literacy issues, people with learning difficulties, people with intellectual disabilities, and people with language barriers; and
 - lack of information and barriers to access information on options available and to ensure informed choices.



Inclusion

Inclusion is about ensuring access and participation in services and employment for the diversity of people from the identified groups. It involves making adaptations, being flexible, and making reasonable accommodations for the diversity of people.

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of SOLAS, are:

- Invisibility of diversity, including in particular:
 - lack of equality data (in employment, education and training) to measure diversity and monitor progress in regard to equality outcomes for specific groups, including in particular a lack of data on ethnicity, and disability; and
 - lack of visibility for diverse identities in education curricula across the identified groups.
- Failure to make adaptations for diversity and to address the specific needs arising from this diversity across the identified groups, including in particular:
 - inflexibility in the design and provision of services and opportunities;
 - inflexibility in the organisation of work and the design of the work environment;
 - limited capacity and knowledge, among employers, service providers, and policy makers, to appreciate and respond to the practical implications of difference and diversity;
 - lack of universal design for accessibility and disabling physical environments; and
 - the absence of a diversity of provision of school type within educational catchment to reflect the diversity of religious and non- religious convictions; and lack of accommodation for the practices of religious faiths in workplace and education settings.

- Inadequate response to caring responsibilities, including in particular to:
 - the unequal sharing of caring responsibilities between women and men;
 - the lack of affordable and accessible childcare;
 - inflexibilities in the provision of education and training; and
 - the absence of adequate work life balance workplace arrangements.
- Inadequate understanding, among employers, service providers, and policy makers, of diversity within the identified groups and failure to respond to the particular needs of people at the intersections of these groups.



Social Justice

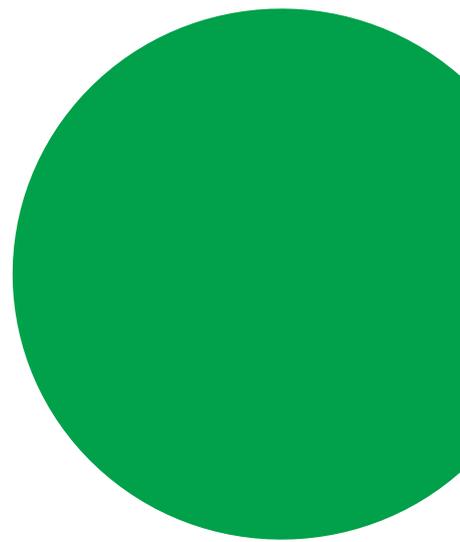
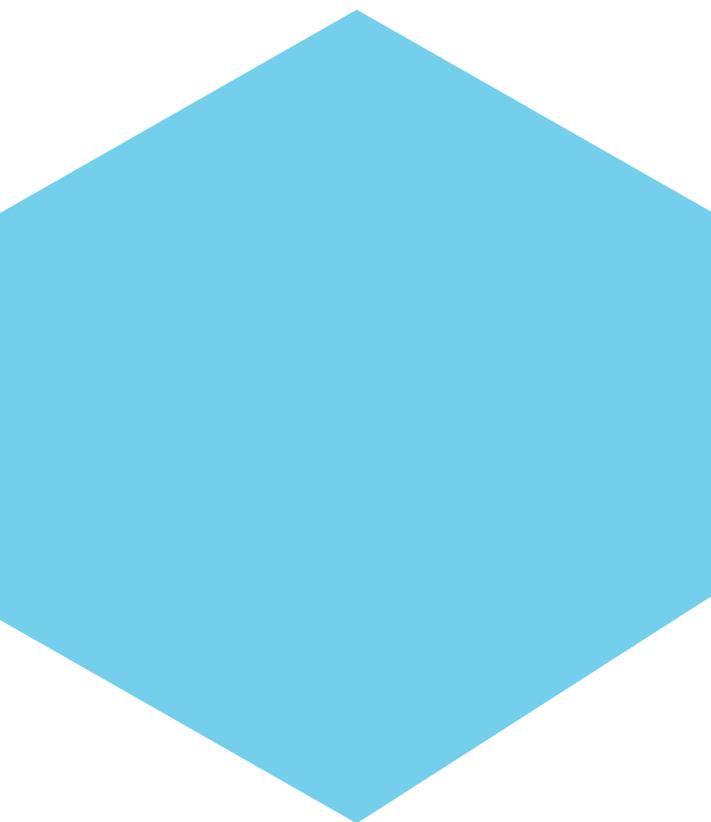
Social Justice is about the diversity of people from the identified groups achieving similar outcomes to the general population across a range of fields including education and employment. It involves creating the conditions for such outcomes.

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of SOLAS, are:

- Low educational status, including in particular:
 - early school leaving due to negative experiences of school and the education system, in particular for Travellers, and LGBTIQ+ students;
 - poor educational outcomes for Travellers, and people with disabilities;
 - low levels of literacy;
 - children with disabilities from socio-economically disadvantaged backgrounds disproportionately placed in special education;
 - limited access to adult learning for older people; and
 - Travellers missing out on educational supports due to hiding their ethnic identity.
- Low skills status, including in particular:
 - lack of access to and outcomes from training provision across the identified groups;
 - gender imbalance in STEM and apprenticeships; and
 - lack of progression for Travellers, and people with disabilities from training experiences; and
- Unemployment and under-employment, including in particular:
 - high levels of discrimination, when seeking employment, in particular for Travellers, Roma, and Black (non-Irish national) migrants;
 - low levels of labour market participation, in particular for: young people; people with disabilities; Black and minority ethnic groups including Travellers and Roma; working class people, and lone parents;
 - lack of networks and connections regarding employment and course-related placements, in particular for Travellers; and
 - lower overall employment rate for women and higher concentration of women in part-time and precarious work.

- Lack of access to promotion, including in particular:
 - lack of women in management positions;
 - impact of caring responsibilities on promotion and other career opportunities, in particular for women; and
 - lack of progression within the workplace for the identified groups and of diversity in management positions.
- Digital exclusion and inequality, including in particular:
 - limited IT competency, in particular for people living in poverty, Travellers, Roma, people in over-crowded accommodation, people with disabilities; and older people; and
 - lack of access to devices or internet services presenting barriers to availing of services that require online engagement, and to fully engage with remote working, in particular for people living in poverty, Travellers, Roma, people in over-crowded accommodation; people with disabilities; and older people.
- Lack of positive action to address accumulated disadvantage across the identified groups.
- Low income, including in particular:
 - low paid work;
 - additional costs of disability;
 - concentration of women in low-paid, part-time work;
 - pay gaps and pension gaps, in particular on the gender ground and for Black and minority ethnic groups; and
 - dependence on social welfare payments.
- Poverty, including in particular:
 - situations of socio-economic disadvantage across the identified groups;
 - imperative to be able to retain the medical card in accessing employment for those on low income; and
 - intersection of socio-economic disadvantage with identity-based inequality, in particular for lone parents, Black and minority ethnic groups including Travellers and Roma, disabled people, older people, and transgender people.
- Homelessness and insecure accommodation status, including in particular:
 - poor living conditions, overcrowding, evictions, and high risk of homelessness, in particular for Black and minority ethnic groups, including Travellers and Roma;
 - unsuitability of direct provision accommodation for families, and lack of accommodation options for those exiting direct provision; and
 - poor quality of accommodation and increased risk of homelessness for: disabled people, and lone parents.
- Unequal health status and access to health services, including in particular:
 - mental health issues, in particular for young people, Travellers, and LGBTIQ+ people;

- addiction issues;
- limited availability of, and access to mental health supports and services;
- limited availability of and access to health services for transgender people;
- high mortality rates and suicide levels in the Traveller community; and
- suicide rates among young men.
- Isolation, including in particular that experienced by:
 - people with disabilities where there are barriers to their full participation in workplace and education settings;
 - migrants, particularly those whose first language is not English, from local community services and supports; and
 - people in rural areas with lack of access to public transport (in particular for older people, and those living in poverty).
- Specific barriers for some minority ethnic migrants in accessing education and training due to: lack of information and knowledge; language barriers; eligibility requirements; lack of recognition of qualification from other jurisdictions, interpretation and manner of application of Habitual Residence Condition, and legal status requirements.



4. Enabling Implementation

4.1 Leadership

The SOLAS Board will provide leadership for implementation of the Duty in:

- acting as a champion for implementation of the Duty, including a focus on its implementation as an agenda item, periodically;
- seeking a report on implementation of the Duty in relation to any plan, strategy, policy, or programme that comes before the Board for consideration; and
- being familiar with the Duty and its requirements.

The Chief Executive Officer will continue to act as sponsor for the working group on the Duty and for the implementation of the Duty across the organisation.

The Senior Leadership Team will provide leadership for implementation of the Duty in:

- promoting implementation of the Duty and communicating its importance across the organisation;
- considering and acting on reports from the Duty working group in relation to implementation of the Duty, achievements realised, and issues emerging; and
- being familiar with the Duty and its requirements.

A cross-organisational working group provides a key driver for implementation of the Duty in:

- preparing an annual plan of enabling initiatives, and of key moments and processes which are to be a focus for the implementation of the Duty;
- tracking progress on the implementation of the annual plan and the results achieved;
- keeping under review the quality of actions taken to implement the Duty;
- updating the assessment of equality and human rights issues with new evidence that comes available;
- identifying, highlighting significant achievements on foot of implementing the Duty;
- preparing an annual report on implementation of the Duty and progress made on foot of this; and
- holding expertise on the Duty and its requirements, the ten identified groups for the Duty, and the benchmarks for its ambition in SOLAS.

4.2 Capacity

The Learning and Development Strategy will incorporate action on developing skills, understanding and awareness for implementation of the Duty and embedding the Duty and its ambitions across the organisation.

Specific training will be provided to:

- build familiarity across the organisation with the Duty and its requirements, the benchmarks that shape SOLAS's ambition for the Duty, and the ten identified groups for the Duty; and
- develop skills to implement the address step of the Duty for those with responsibility for the development and review of plans, internal policies, external strategies, and programmes.

4.3 Communication

The Duty and its requirements, the benchmarks that shape ambition for the Duty, the ten identified groups for the Duty, and significant achievements under the Duty will be a focus for sustained internal communication work, including:

- development of clear, simple, and accessible messages for this communication;
- incorporating a regular focus on these in key communication channels: the 12@12 with the Chief Executive Officer; Spotlight Newsletter; Staff Intranet; Brunch and learn event; all-staff meetings; and emails to staff.

4.4 Equality and human rights reviews

An equality and human rights review process will be developed and applied as useful to examine particular areas of SOLAS activity with a view to strengthening the focus on equality and human rights.

4.5 Monitoring progress

A range of output and outcome indicators, with associated targets, will be developed to monitor progress on implementation of the Duty. These indicators will seek to measure progress across the leadership, capacity, communication, and review action areas outlined in section 4, above.

Highlights in relation to achievements on foot of implementation of the Duty will be tracked and recorded.

To assist in monitoring the Duty and progress on foot of the Duty:

- Data systems will be kept under review with a view to strengthening the focus on the ten identified groups; and
- Internal surveys will be reviewed to include a focus on the Duty, including: the employee engagement survey and the internal communications survey.

Quantitative data trends in relation to outcomes being realised across the ten identified groups, where data allows, will be tracked and recorded.



5. Implementation

5.1 The Address Step

The 'address' step of the Duty is implemented as part of the development, monitoring, and review of plans, internal policies, strategies, and programmes.

At the commencement of the development/monitoring/review process:

- Review the assessment of equality and human rights issues to establish those equality and human rights issues that are relevant to the particular plan, internal policy, strategy, or programme.
- Gather the data and information available in relation to the equality and human rights issues identified as relevant.
- Review the equality and human rights values statement to extract the statements of outcome (if for a plan, strategy, or programme) or statements of process (if for an internal policy) that are relevant.
- Include this material in any brief for the development/monitoring/review process.

In implementing the development/monitoring/review process:

- Include an examination of the relevant equality and human rights issues in any evaluation or contextual review conducted for the plan, internal policy, strategy, and programme.
- Transmit the obligations under the Duty to any external consultants contracted and ensure they are fully briefed in this regard.
- Track the relevant equality and human rights issues to ensure they are addressed and the values benchmarks to ensure they are respected during the development /monitoring/review process.

At final draft stage of the development/monitoring/review process:

- Convene a meeting of relevant staff to check:
 - Does the draft adequately and appropriately take up and address each of the equality and human rights issues identified as relevant?
 - Does the draft adequately and appropriately progress the statement of priority/ statement of process for each of the values?
 - Does the draft include any provision that might run counter to our equality and human rights values or to an effective response to the equality and human rights issues identified as relevant?
- Conduct a participative exercise, for initiatives of scale, with the working group for the duty and, possibly, with civil society organisations representative of the identified groups to check that the equality and human rights issues are adequately and appropriately identified and addressed.

After the development/monitoring/review process:

- Establish and implement systems to track progress on the equality and human rights issues identified as relevant.
- Report annually on progress made in addressing the equality and human rights issues and advancing the statement of priority/statement of process for each of our equality and human rights values.
- Use this report to reflect on this progress and to strengthen the plan, programme, policy or procedure as found to be necessary.

5.2 Key Moments and Processes

Key moments that would be a focus for implementing the address step of the Duty will be the development, monitoring, or review of:

- The SOLAS Corporate Plan;
- The FET Strategy;
- The business plans in each unit of the organisation;
- Internal policies;
- External policy frameworks;
- Programmes; and
- Guidelines and good practice frameworks.

Key processes that would be a focus for implementing the address step of the Duty include the development, monitoring or review of:

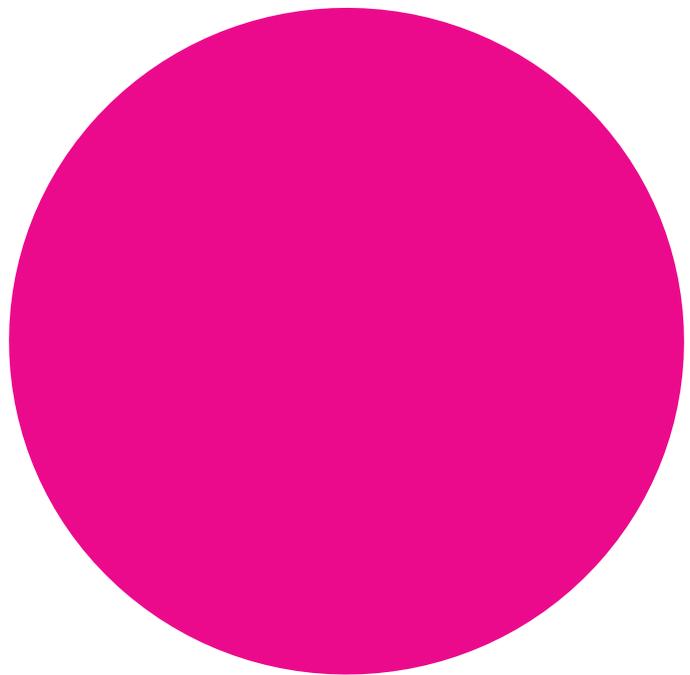
- Funding processes, with a focus on:
 - the parameters for Strategic Performance Agreements; Annual Performance Agreements; and Service Level Agreements.
- Procurement processes, with a focus on:
 - the elements of the Duty to be passed on to contractors; and
 - the parameters of tenders and contracts.
- Implementation and monitoring processes and systems for SOLAS strategies for the sector.

The specific moments or processes for such initiative would be identified each year in the plan developed by the working group.

6. Reporting

SOLAS will include a report on the implementation of the Duty and progress achieved on foot of this in each Annual Report.

Every three years, in the lead up to the development of the Corporate Plan, SOLAS will review the data it has available to establish the progress made across the groups on foot of implementing the Duty.



SOLAS

Block 1

Castleforbes House

Castleforbes Road

Dublin 1

D01 A8N0