

Draft
(as at September 2019)



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

DRAFT
DISABILITY ACTION PLAN

DISABILITY ACTION PLAN

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It is also available on the Commission's website www.nihrc.org.

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1. Introduction

1.1 Under Section 49A of the Disability Discrimination Act 1995 (DDA 1995) (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006), the Northern Ireland Human Rights Commission (“the Commission”) is required when carrying out its functions to have due regard to the need to:

- promote positive attitudes towards disabled people; and
- encourage participation by disabled people in public life (‘the disability duties’).

Under Section 49B of the DDA 1995, the Commission is also required to submit to the Equality Commission a **disability action plan** showing how it proposes to fulfil these duties in relation to its functions.

Note: Throughout this document we have used the term ‘disabled people’ to reflect the Commission’s belief in the social model of disability (ie that it is the barriers that society puts in place, rather than the nature and severity of any impairment, that truly dis-able people) in accordance with the United Nations Convention on the Rights of Persons with Disabilities. However, we appreciate that this might not be the preferred term of some readers.

1.2 As the Commissioner and Chief Executive of the Commission, we are committed to implementing effectively the disability duties and this disability action plan. We will allocate all necessary resources (in terms of people, time and money) in order to implement effectively this plan and where appropriate, build objectives and targets relating to the disability duties into corporate and annual operating plans.

We will also put appropriate internal arrangements in place to ensure that the disability duties are complied with and this disability action plan effectively implemented. We will ensure the effective communication of the plan to staff and Commissioners and to providing all necessary training and guidance for them on the disability duties and the implementation of the plan.

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We confirm our commitment to submitting an annual report to the Equality Commission on the implementation of this plan as well as carrying out a five yearly review of this plan.

We confirm our commitment to consulting with people with disabilities and their representatives when implementing and reviewing this action plan.

Responsibility for implementing, reviewing and evaluating this disability action plan and the point of contact within the Commission will be:

Director (Finance, Personnel and Corporate Affairs)

Northern Ireland Human Rights Commission
Temple Court
39, North Street
Belfast
BT1 1NA

Telephone: 028 9024 3987
Textphone: 028 9024 9066
Fax: 028 9024 7844
Email: lorraine.hamill@nihrc.org
Website: www.nihrc.org

If you require this plan in an alternative format (such as in large print, in Braille, easy read or or minority languages to meet the needs of those for whom English is not their first language), please contact the above person to discuss your requirements.

- 1.3** We confirm our commitment to submitting an annual progress report on the implementation of this plan to the Equality Commission and carrying out a five year review of this plan, or plans submitted to the Equality Commission over the five year review period.

A copy of this plan, our annual progress to the Equality Commission and our five year review of this plan will be made available on our website www.nihrc.org.

Chief Commissioner

Chief Executive

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1.4 Functions of the Northern Ireland Human Rights Commission

Outlined below are the range of functions of the Commission:

The Commission was established as a result of the Belfast (Good Friday) Agreement. Our governing legislation is the Northern Ireland Act 1998, as amended by the Justice and Security (Northern Ireland) Act 2007.

The Commission is a National Human Rights Institution with A status accreditation from the United Nations. This recognition means that the organisation operates independently in full accordance with the United Nations General Assembly Resolution 48/134 (the Paris Principles).

The Commission is also a non-departmental public body, and receives grant-in-aid from the United Kingdom government through the Northern Ireland Office. We report to Parliament through the Secretary of State for Northern Ireland.

The Commission's role is to make sure government and public authorities protect, respect and fulfil the human rights of everyone in Northern Ireland. We help people understand what their human rights are and what they can do if their rights are violated or abused. To pursue this objective we consider the full range of civil, political, social, economic and cultural rights. Our work is principally based on the international human rights treaties ratified by the United Kingdom government and relevant soft law standards.

The statutory functions of the Commission include:

- (i) providing advice on legislative Bills introduced in the Northern Ireland Assembly and on policy proposals made by Ministers in the Northern Ireland Executive. We also provide advice to the United Kingdom government and Parliament on matters affecting human rights in Northern Ireland.
- (ii) conducting investigations on systemic human rights issues. To do so, we may enter places of detention, and can compel individuals and agencies to give oral testimony or to produce documents.
- (iii) promoting understanding and awareness of the importance of human rights in Northern Ireland. To do so, we may undertake or support research and educational activities.
- (iv) providing assistance to individuals and initiating strategic legal cases.

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- (v) monitoring the implementation of international human rights treaties and reporting to the United Nations and Council of Europe.
- (vi) engaging with other National Human Rights Institutions in the United Kingdom and working in partnership with the Irish Human Rights and Equality Commission.

The Commission, with the Equality Commission, has been designated under the United Nations Convention on the Rights of Disabled Persons as the independent mechanism tasked with promoting, protecting and monitoring implementation of Convention in Northern Ireland.

Our Annual Statement, published in December each year, records how much progress has been made towards meeting human rights obligations in Northern Ireland. This strongly informs our future work priorities.

The Commission's partnership with the Irish Human Rights and Equality Commission is through a Joint Committee established under the Belfast (Good Friday) Agreement. This considers human rights issues in the island of Ireland.

Further information about work of the Commission can be found in our three-year Strategic Plan and current annual Business Plan. Details about our activities can also be found in the Commission's Annual Report and Accounts. These documents are available from the Commission's website – www.nihrc.org.

1.5 Public Life Positions

The range of public life positions over which the Commission has responsibility for, are as follows:

There are seven Commissioners (a full time Chief Commissioner and six part-time Commissioners) appointed by the Secretary of State. As far as practicable, the Commissioners, as a group, are representative of the community in Northern Ireland.

An Audit and Risk Management Committee, comprised of an Independent Chairperson and three Commissioners, supports the Accounting Officer, and the Commission, by monitoring and reviewing the risk, control and governance systems, and the associated assurance processes.

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From time to time, the Commission is invited to participate in working groups formed by other public bodies, such as government departments. The Commission will use its influence in such fora to raise issues concerning the participation of disabled people where under-representation is apparent.

2. Promoting positive attitudes towards disabled people

The Commission has always worked closely with disabled people and disability groups. Notable examples include:

- the ongoing work of the Commission as a member of the UK Independent Mechanism for the purposes of the UN Convention on the Rights of Persons with Disabilities. In this role the Commission, along with the other UK national human rights institutions and the Equality Commission, has made submissions to the UN Committee on the Rights of Persons with Disabilities.
- advising government and the legislature on public policy initiatives the Commission seeks to highlight the rights of persons with disabilities.
- engaging with the NI Executive and NI Assembly during the development of the Mental Capacity (NI) Act 2016.
- Promoting the rights of persons with disabilities through our role in the Joint Committee with the Irish Human Rights and Equality Commission, in particular in light of the ratification of the UN CRPD by Ireland.

As an employer and service provider, the Commission has invested in making its services accessible to disabled people. This has included:

- Improved accessibility of the Commission's offices at Temple Court, North Street, Belfast, in line with best practice.
- Redesigning the Commission's website – www.nihrc.org – so that it complies with specifications in respect of accessibility
- The use of accessible venues only for public events that we hold, and human rights training courses we deliver, across Northern Ireland, ensuring that British and Irish sign language interpreters are available as requested and checking other access requirements

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- Monitoring applications for employment with the Commission, by disabled people.
- Making all publications available in other formats on request.

This action plan enables the Commission's ongoing commitment to disability rights to be articulated in a single document, makes it easier for the Commission to account to disabled people and the disability sector for its work to promote disability equality, and evaluate the effectiveness of this work.

3. Action measures

Outlined below are the measures which we propose to take over the period (April 2019 – March 2024) of this disability action plan, together with performance indicators or targets.

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**Measures to promote positive attitudes towards disabled people
and encourage the participation of disabled people in public life**

Measures	Timescale	Performance Indicators/Target
Training and Guidance for Staff and Commissioners on the disability legislation and disability awareness		
Ensure that training and guidance on the disability equality legislation and disability awareness is provided to Commissioners and staff	All Commissioners and staff to receive disability equality legislation and disability awareness training by March 2020	All Commissioners and staff will be aware of disability equality legislation and disability awareness and familiar with the provisions of the <i>Disability Code of Practice on Employment and Occupation</i> under DDA 1995.
Ensure, through the provision of training and guidance, that frontline staff, when dealing with people with a disability, service users, or members of the public, display positive attitudes towards the disabled person.	Frontline staff receive training and guidance on positive attitudes towards disabled people by March 2020	Staff awareness of issues affecting people with disabilities.

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<p>Train Corporate Services Team members, who greet visitors to the Commission, in basic sign language</p>	<p>Training to be begin in 2019/20.</p>	<p>At least two members of staff assessed as competent in the use of sign language</p>
<p>Ensure training on the Disability Discrimination Act 1995, Section 74 of the Northern Ireland Act 1998 and Disability Discrimination Order (NI) 2006 is provided for staff involved in recruitment and selection panels and is covered in refresher training</p>	<p>As and when recruitment conducted.</p>	<p>All staff who are involved in recruitment and selection panels will have training recorded on their Personal Development Plan.</p> <p>Increased knowledge of legislation.</p> <p>Monitoring of refresher training to ensure compliance with best practice.</p>
<p>Mental health training</p>	<p>To be completed by the end of March 2020</p>	<p>The Commission has signed up to the ECNI Mental Health Charter and will undertake to promote good mental health which will be beneficial to the Commission, employees and the whole community in Northern Ireland.</p> <p>The Commission has also developed a policy on Managing Unacceptable Behaviour from Members of the Public. This includes being able to identify and support those who present in a</p>

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		mental health crisis. Training is being sourced to assist staff in being able to make appropriate responses.
Other measures		
Mainstreaming measures		
Through the Commission's role in the dedicated mechanism the Commission will highlight any negative implications for persons with disabilities emerging as a result of Brexit.	This work will be ongoing and will be dependent upon action by Government.	
In the context of constitutional change, including reform of the Human Rights Act 1998 the Commission will highlight any potential negative implications upon the	This work will be ongoing and will be dependent upon action by Government	Positive feedback on accessibility of the guide

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rights of persons with disabilities.		
Explore with key stakeholders in the disability sector the potential of outreach work to raise awareness of human rights with greater numbers of disabled people		Initiation of outreach activity if feasible Level of awareness among disabled people of human rights
The Commission is designated alongside ECNI as the Independent Monitoring Mechanism in Northern Ireland for UNCRPD	Ongoing	IMNI has an agreed programme of work delivered on an annual basis which includes participatory fora for sectoral organisations representing disabled persons.
Measures relating to the recruitment, selection and participation of disabled people		
Make representations to the Northern Ireland Office to adopt positive action measures to encourage applications from disabled	As and when recruitment conducted for Commissioners	Positive action measures in place.

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people when recruiting Commissioners		
Survey Commissioners and staff each year to update equality monitoring information, which provides an opportunity for disabilities to be declared and/or reasonable adjustments to be identified.	Annually	Disabled Commissioners and staff and/or requirements for reasonable adjustments identified.
Recruitment of disabled employees		
Continue positive action measures to encourage applications from disabled people when recruiting new staff, including a statement on all advertisements welcoming applications from disabled people, guaranteeing interviews to all disabled people who meet the essential criteria specified for each vacant post.	Positive action measures implemented as and when recruitment undertaken	Positive action measures in place Increase in the number of disabled people employed by the Commission

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Measures which encourages others to adopt/promote positive attitudes towards disabled people		
Promote the effective implementation in Northern Ireland of the recommendations of the UN Convention on the Rights of Persons with Disabilities, including those arising as a result of the Committee's inquiry	Ongoing	Compliance with recommendations
Review opportunities with relevant partners to promote positive images of disabled people, through short films and pod casts on human rights themes.	Ongoing	Positive images of disabled people used

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Signed:

**David Russell
Chief Executive**

**Lorraine Hamill
Director (Finance, Personnel &
Corporate Affairs)**

Date: _____

Date: _____

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CONSULTATION RESPONSES

Respondent	Comment	Commission response
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