

Equality & Human Rights in EU Funds THRIVE Scheme

Bernie Bradley
Public Sector Duty Team
Irish Human Rights and Equality Commission



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

Irish Human Rights and Equality Commission

- IHREC is an **independent public body**, appointed by the President and directly accountable to the Oireachtas.
- We have a **statutory remit** to protect and promote **human rights and equality** and build a culture of respect for human rights, equality and intercultural understanding in Ireland.
- IHREC have a role to **monitor** the adherence to **equality and human rights** in the ESIF as set in the regulations governing the EU Funds.



Supporting Equality and Human Right in ESIF

As part of that monitoring role IHREC have worked with the [Managing Authorities](#) in a number of key areas

- *Equality and Human Rights in EU Funds, 2021-27 Guidance and Supporting Checklist.*
- *Reporting Tool on Equality and Human Rights in EU Funds 2021-2027*
- *Equality & Human Rights in the Public Service eLearning.*
- *Training workshops with Managing Authorities*



Common Provision Regulation

In the 2021- 2027 period the Common Provision Regulations has an intensified focus on **equality and human rights**.

The focus on equality and human rights is contained in:

- **Enabling conditions** -conditions that must be met and remain fulfilled throughout the programming period. Five of these enabling conditions relate to **equality and human rights** issues.
- **Horizontal principle**- horizontal principles on equality and human rights is cross-cutting policy objective.



Enabling conditions

Two of these five **enabling conditions** relate to all the specific objectives of the funds:

- Effective application and implementation of the EU Charter of Fundamental Rights
- Implementation and application of the UN Convention on the Rights of Persons with Disabilities



Enabling conditions

Three of the five **enabling conditions** relate to specific named objectives of the funds.

- National strategic framework for gender equality in place
- National strategic policy framework for social inclusion and poverty reduction in place
- National Roma Integration strategy in place





Horizontal Principle

The **horizontal principle** requires that in the preparation, implementation, monitoring, reporting and evaluation of programmes member states must:

- Ensure respect for **fundamental rights** and compliance with the Charter of Fundamental Rights of the European Union.
- Ensure **equality between men and women**, gender mainstreaming.
- Take any appropriate **steps to prevent any discrimination**. based on gender, racial or ethnic origin, religion or belief, disability, age, and sexual orientation





Compliance Mechanisms

IHREC worked jointly with the Managing Authorities to agree a **guidance** for Intermediate Bodies and Beneficiary Bodies to **support their compliance** with the EU regulations governing the Funds.

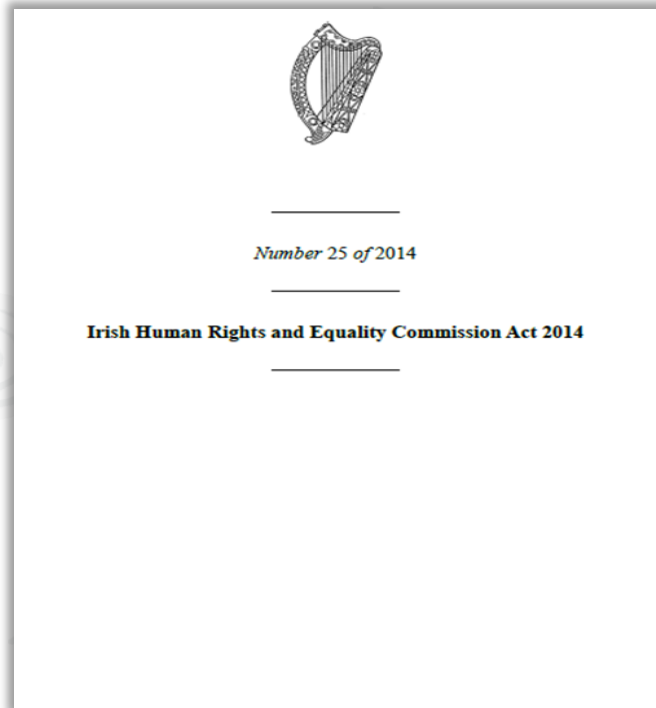
- The guidance identifies **two elements to support compliance** with the equality and human rights regulations in CPR.
 - The Public Sector Equality and Human Rights Duty
 - National Policy Strategies





What is the Public Sector Equality and Human Rights Duty?

S42 of the Irish Human Rights and Equality Commission Act 2014



Public bodies

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

National Policy Strategies

- A range of **national policy strategies** provide the second key element in the strategy to respond to the regulations that relate to equality and human rights.
- The development and implementation of these national policy strategies respond to the requirements of the **enabling conditions** and assist in the implementation of the **horizontal equality and human rights principle**.



National Policy Strategies



The two national policy strategies relevant for **all specific objectives** are:

- Comprehensive Employment Strategy for People with Disabilities 2015–2024¹²
- National Disability Inclusion Strategy 2017–2021¹³

The three national policy strategies relevant for named **specific objectives** are:

- National Strategy for Women and Girls 2017–2020
- Roadmap for Social Inclusion 2020–2025
- National Traveller and Roma Inclusion Strategy 2017–2021



What do Public Sector Bodies have to do?



1. To assess

Set out in its strategic plan an assessment of the human rights and equality issues it believes to be relevant to the functions and purpose of the body, in a manner that is accessible to the public.

2. To address

Set out in its strategic plan the policies, plans and actions in place or proposed to be put in place to address those issues, in a manner that is accessible to the public.

3. To report

Report on developments and achievements in relation to 1 and 2 above in its annual report, in a manner that is accessible to the public.

Public Sector Equality and Human Rights Duty



Implementation of the **Public Sector Equality and Human Rights Duty** in relation to their functions under the EU Regulations will involve public bodies in:

- **Step 1 Assess** Identifying and assessing the equality and human rights issues relevant to the plan, programme scheme or initiative.
- **Step 2 Address**– Ensuring that these issues are adequately and appropriately addressed in the plan, programme, scheme or initiative.
- **Step 3 Report**– Reporting annually on the progress made.



Concepts underpinning the Duty



Discrimination, Equality of opportunity, and Human rights

- In the **preparation, development, implementation** and **evaluation** of a project you **should consider** how you will deliver the project in way that individuals or groups of individuals are not treated less favourably because of their characteristics or identity.
- **Equality** does not mean treating everyone the same. It can, for example, mean understanding and taking steps to **remove barriers** to ensure **equality of opportunity**.
- You should ensure that **every individual has an equal opportunity** to access, avail of and enjoy any service or function provided under the programme/scheme.



Concepts underpinning the Duty



Discrimination, Equality of opportunity and Human rights

Protecting Human Rights

Human rights are defined as the **rights, liberties** and **freedoms** that are guaranteed to persons by the Irish Constitution, and by any agreement, convention or treaty to which the State.

You should ensure in the **design, development, implementation** and project every individual engaging with or employed by the public body have their **human rights protected**.



Any questions?



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



Town Centre First Heritage Revival Scheme



THRIVE

THRIVE supports locally developed plans that assist in creating town centres that function as viable, vibrant, and attractive locations for people to live, work and visit while also functioning as the business, service, social, cultural and recreational hub for the local community.



Equality and Human Rights in Town Centre First Heritage Revival Scheme



THRIVE supports town centres that function for people to live, work and visit while also functioning for the local community.

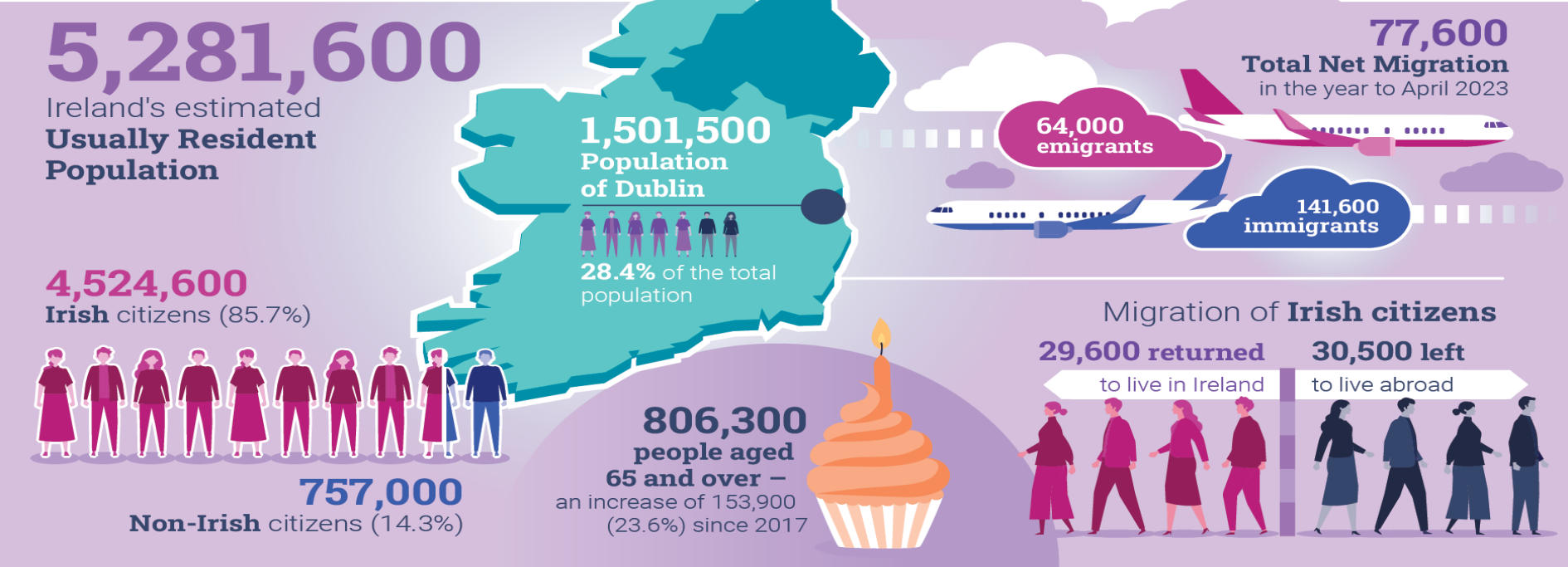
The Public in the Public Sector Duty



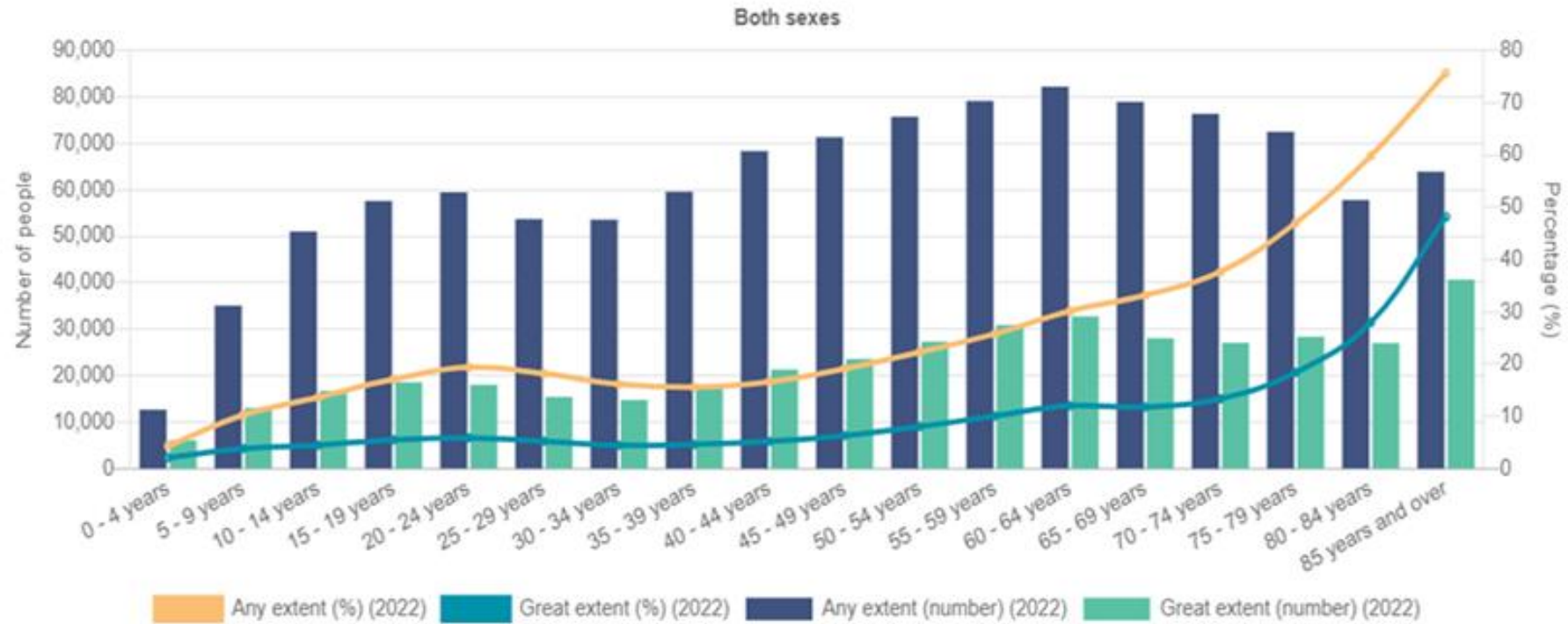
An Phríomh-Oifig Staidrimh

Central Statistics Office

Population & Migration Estimates April 2023



The Public in the Public Sector Duty



May 30, 2023 11:00:00 UTC

People with a disability in Ireland 2022

The Public in the Public Sector Duty

- 1 in 6 Irish Adults have **difficulty with written word.**
- 1 in 4 Irish adults have **difficulty with numbers and basic maths**
- 42% of Irish adults describe themselves as being below average for **digital skills.**
- 17% of the total population were **born outside Ireland.**
- 13% of the population **don' t speak English** well.
- 22 % of the population has a **disability.**
- Over 1 million people over 65 an **increase of 19%** since 2016



The Public in the Public Sector Duty



Oksana

- Oksana is living in an accommodation centre with other families from Ukraine.
- She is a users a wheelchair to assist her mobility.
- She does not read, write or speak English.
- Ireland' s culture is different she doesn' t really understand how access, or how to join local activities and events.



Adam

- Adam is legally blind and has a mild intellectual disability.
- Adam would like to go College and get a job like his older brothers.
- There doesn' t seem to be many opportunities for Adam when he finishes school and he is worried he will be left behind.



The Public in the Public Sector Duty

Tadqua

- Tadqua lives in a Direct Provision centre with his family 5 miles outside the nearest town.
- He speaks some English but he can't read or write in English yet
- He has a smart phone, but there is very poor broadband at the centre.
- Tadqua would love to find supports and services but he isn't really sure where to look.



Maggie

- Maggie is a 40 year old Traveller woman.
- Like many Traveller women her age Maggie left school very early and her reading and writing skills aren't great.
- Sometimes her kids help her.
- She sees leaflets and posters in her local health centre, but she doesn't understand them so she never takes them home.



THRIVE – Programme

Assessing equality and human rights issues

- What is the aim or the **purpose** of the project?
- Is the project aimed at a **specific group** or groups?
- Who are its **beneficiaries**?
- Have you engaged with **representatives** from groups protected under the Duty?
- Did you provide **equality of opportunity** to engage in public consultation exercises?
- Have you ensured the project has considered and accommodated the **needs of all people** in the community?



What is an Equality Impact Assessment



- **An Impact Assessment** involves analysing the data gathered in order to establish the potential impact of what you are planning in a project on any of the groups and their individual members protected under the regulations.
- **An Impact assessment** should explore the manner in which the activities planned ensure there is no discrimination and seeks to promote equality of opportunity.



What is an Equality Impact Assessment



- Is a group or individual protected under any of the nine grounds **at a disadvantage** compared with either other groups or the population generally within the project?
- Have the **particular needs** of any group under any of the nine grounds been considered within the project?
- Have you ensured **accessibility** and **reasonable accommodation** is made for people with disabilities?
- Do the planned activities promote **equality of opportunity** for all?





Informing yourself

What relevant information/data is currently held about the impact on those who are impacted or will benefit from the strategy?

What further information is needed to ensure that the perspectives of all groups are taken into account in particular intersectionality?

Where data suggests under representation of groups in services/programmes etc. do you have information on barriers to engagement/participation?



THRIVE - Programme



Assessing equality and human rights issues

Consultation

Have you identified the key groups/organisations you need to engage with to ensure the needs of the groups across the nine grounds are considered?

Have you ensure that the consultation approaches are inclusive appropriate for enabling participation providing a variety of opportunities for people to share their views?

Does consultation include a feedback mechanism to outline where views and suggestions how been considered?



THRIVE - Programme

Some questions to consider

- Have you considered **cultural, language, technological** or other barriers that may be relevant to the project?
- Have you considered the needs of **people with disabilities**— sensory, physical, intellectual, mental health?
- Have you considered that different needs of older or younger people relevant to the project?
- Is the language used in communications and promotions inclusive of the **LGBTQ+ community**?





Addressing equality and human rights issues

Have you reviewed all the relevant information and data collected that will inform the development of objectives/actions and outcomes for the project?

Are there issues identified within the information gathering process that should be prioritised for action in this project?

Have issues identified through impact assessment and consultation been considered and accommodated where appropriate?

Have you ensured relevant equality and human rights issues are included in budgets and procurements where appropriate?



If you don't know **ASK**



Reporting on equality and human rights issues

Progress reports and evaluation of project should include progress and achievements in relation to equality and human rights.

How has the project met the equality and human rights requirements set out the CPR?

Focus on **outcomes**, taking into account the positive impact of the project for different groups of people identified in the **Duty** and ESIF regulations.

Thank you for listening

Any Questions?

Bernie Bradley

Public Sector Duty

Irish Human Rights and Equality Commission



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

