

# Public Sector Equality and Human Rights Duty Framework



South Dublin  
County Council

# Chief Executive's foreword



South Dublin County Council has always recognised the need to promote equality of opportunity, eliminate discrimination and protect the dignity and human rights of our Staff, Elected Members, and customers alike. We are committed to addressing these issues across all our functions and in the design and delivery of our services.

This commitment is now underpinned by a legal obligation, the Public Sector Equality and Human Rights Duty, provided for in the Irish Human Rights and Equality Act 2014.

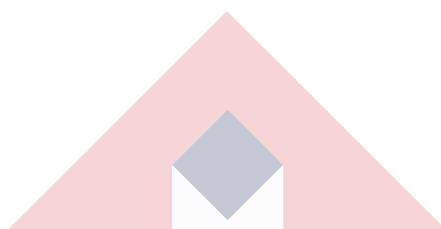
As a public body serving and supporting diverse communities, equality and human rights considerations apply across our full spectrum of functions. Organisationally we are fully committed to upholding these principles.

We will work together to implement this framework, through annual service delivery plans, and we will report our programmes and achievements in the Council's annual report.

I would like to extend my appreciation to everyone who has helped produce this Framework, particularly the Equality and Human Rights Working Group who will continue to guide, support, and monitor its implementation and the representatives from civil society who took part in the equality and human rights assessment validation process.

A handwritten signature in black ink, appearing to read 'Daniel McLoughlin'. The signature is stylized with large, sweeping loops.

**Daniel McLoughlin**  
Chief Executive



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# Introduction

South Dublin County Council has developed a framework to implement the public sector equality and human rights duty under Section 42 of the Irish Human Rights and Equality Commission Act 2014.

The public sector equality and human rights duty requires public bodies to undertake an assessment of the equality and human rights issues that are relevant to their functions.

The SDCC Corporate Plan 2020 - 2024 identifies a number of key areas in this regard: Housing, Community, Customer Services, Planning and development, Procurement, Policy and Development, Human Resources, Roads and transportation, Allocation of grants.

## Under the Duty, public bodies are required to take the following steps<sup>2</sup>:

- **Assess:** undertake an evidence-based and participative assessment of equality and human rights issues that face the identified group and have a relevance for the functions of the public body.
- **Address:** identify and implement actions in place or proposed to be put in place by the public body to address the equality and human rights issues as assessed, as part of its strategic planning cycle.
- **Report:** report annually on progress made in implementing the Duty and addressing the equality and human rights issues as assessed.

## The identified groups for the Duty are<sup>3</sup>:

- 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.

<sup>1</sup> Section 42, Irish Human Rights and Equality Commission Act 2014.

<sup>2</sup> Implementing the Public Sector Equality and Human Rights Duty, Irish Human Rights and Equality Commission, 2019.

<sup>3</sup> Ibid.

SDCC established a cross departmental working group to progress the implementation of the public sector equality and human rights duty, involving: Corporate Performance and Change Management; Housing, Social and Community Development; and Land Use, Planning and Transportation. Other relevant departments and external stakeholders will form part of this work as the implementation plan is developed and implemented.

## 1.1 Socio economic profile of the county

The county has a population of 278,767 people living in 92,363 homes according to the 2016 census. This represents just over a 5% population increase from the previous census in 2011. This is higher than the national population increase of just under 4% and is about equal with the level of growth in Dublin City.

The county is a significant contributor to Dublin's economy, with more people working in the county (84,627) than leaving it for work (55,870 people).



### Age profile:

The average age of people living in the county is 35.5 years, younger than the average for Leinster (36.6), Dublin City (37.9) and the State (37.4).

Although the county has a young age profile, there is an increasing number of older people living in the county, with a 34% increase in people aged 65 and over since the 2011 census.



### Disability:

Thirteen per cent (36,426) of the South Dublin County population are disabled persons according to Census 2016.



### Homeownership:

The homeownership rate is the second highest of the Dublin region at 68%.



### Non-Irish nationals:

Non-Irish nationals make up about 11% of the population (30,939), which is about half the number since 2011.

<sup>1</sup>Findings in response to survey of Arts Council funded organisations on impact of COVID-19 (<http://www.artscouncil.ie/COVID-19/>)

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# Equality and human rights values statement

## 2.1 Socio economic profile of the county

This equality and human rights values statement is a tool for the implementation of the public sector equality and human rights duty (the Duty). It identifies and defines the values that motivate our ambition for the Duty and establishes benchmarks for each of these values in terms of the priorities we pursue, statement of outcome, and the way we go about pursuing these priorities, statement of process.

This equality and human rights values statement provides a frame for implementing the different steps of the Duty and offers a language to support an embedding of the Duty across the organisation. It is anchored in our corporate values, in particular that of: **Inclusiveness, equality and accessibility: We will prioritise social inclusion, equality of access and opportunity, and the needs of the most vulnerable people in society when we design and deliver services.**

## 2.2 Our equality and human rights values

Respect is about equal treatment, fairness and dignity. It involves having and exercising rights, and accountability and consequences where rights are breached.



**Statement of outcome:** SDCC promotes and advances respect for, fulfilment of, and exercise of the rights of those we provide services to, staff and policy beneficiaries from the identified groups.



**Statement of process:** SDCC works to ensure that: adequate policies and procedures are in place to prevent and address issues of discrimination or harassment that might be experienced by those we provide services to, staff and policy beneficiaries from the identified groups; and that these groups are enabled to know and exercise their rights in this regard.



**Participation** is about being consulted, having one's voice heard, and exercising influence. It involves engaging people in decision-making processes and strengthening their capacity to make an impact.



**Statement of outcome:**

SDCC works to strengthen the voice of those we provide services to, staff, and policy beneficiaries from the identified groups and to ensure their capacity to participate actively and make an impact on decisions that impact on them.



**Statement of process:**

SDCC works in a manner that: involves those we provide services to, staff, and policy beneficiaries from the identified groups in its consultation and decision-making structures and processes; and ensures they get feedback as to the impact of their involvement.

**Accessibility** is about diversity and the specific needs that arise from diversity and the manner in which people choose to live out their identity. It involves knowledge of, and flexibility and adaptability in responding to, these specific needs.



**Statement of outcome:**

SDCC works to ensure that buildings and infrastructure are accessible, and that access is enabled in the workplace, through services delivered, and communicated for those from across the identified groups, engaging with all stakeholders to ensure this outcome is supported and resourced.



**Statement of process:**

SDCC works in a manner that: engages with those we provide services to, staff, and policy beneficiaries from the identified groups to identify and establish an effective response to their specific needs; reaches out to and ensures a welcome for these groups in its work and premises; and promotes accessibility in standards set and funding criteria.

**Inclusion** is about being visible, involved, and a valued and active part of society, community, the workplace, and civil society. It involves achieving change and enhancing outcomes, and informing and enabling choices between real options.



**Statement of outcome:**

SDCC gives leadership for, contributes to, resources, and seeks to achieve change and improved outcomes for those we provide services to, staff, and policy beneficiaries from the identified groups, and to ensure relevant options are available to them that reflect their informed choices.



**Statement of process:**

SDCC works in a manner: that provides additional supports for those we provide services to, staff, and policy beneficiaries from the identified groups to enable them to be a valued and active part of society, community, the workplace, and civil society, including by targeting and reaching out to these groups; and that enables these groups to showcase their diversity and potential.



Pig Sty - mud play area, Tymon Park

## 3

## Assessment of equality and human rights issues

### 3.1 Introduction

This assessment of equality and human rights is required under the 'assess' step of the Duty<sup>4</sup>. It establishes those issues that face the different groups identified the Duty and that South Dublin County Council needs to have regard to in carrying out our functions. The functions of SDCC include employer, service provider, corporate, policy-making, representative, and developmental.

These issues can relate to the:

**Situation** of the group in terms of their access to resources and any particular disadvantage they experience; **Experience** of the group in terms of the quality of their interaction with employers and service providers and the wider society; and **Identity** of the group in terms of how they chose to give expression to their identity and specific needs that arise from this.

The equality and human rights issues identified below relate to all of the identified groups unless otherwise indicated. The four values of respect, participation, accessibility, and inclusion are used as a framework to set out the assessment of the equality and human rights issues.

### 3.2 Assessment of equality and human rights issues

**Respect** is about equal treatment, fairness and dignity. It involves having and exercising rights, and accountability and consequences where rights are breached.

Relevant equality and human rights issues identified that face the identified groups are:

- Discrimination, both at an individual level and a systemic level.
- Experiences of bullying, harassment and sexual harassment.
- Stereotyping, bias, incorrect assumptions, and prejudice that shape:
  - Decision-making;
  - Expectations; and
  - Choices made.
- Fear and issues of personal safety in public spaces.
- Issues of violence, including:
  - Domestic violence;
  - Elder abuse; and
  - Hate crime and hate speech.

<sup>4</sup> This was an evidence-based and participative exercise. The evidence base is available in a separate document, and includes a report on a review meeting on the draft assessment with civil society organisations.

- Experience of isolation, including:

- Older people without access to public transport and with mobility issues;
- Children from migrant families in education settings; and
- Disabled people without access to public transport and being distanced from amenities.

- Lack of knowledge of relevant organisational policies on these issues, and of redress mechanisms.

- Inadequate implementation of relevant policies on these issues, and of redress mechanisms.

**Participation** is about being consulted, having one's voice heard, and exercising influence. It involves engaging people in decision-making processes and strengthening their capacity to make an impact.

Relevant equality and human rights issues identified that face the identified groups are:

- Inadequate or inappropriate consultation processes and lack of consultation.
- Under-representation on structures and committees that influence or make decisions.

- Lack of feedback from involvement in consultation or participative processes.

- Under-representation in politics and in leadership positions within politics and political arenas.

- Lack of participation in electoral voting.

- Lack of confidence, skills or resources to enable effective involvement in consultative and participative processes.

- Absence of organisation or under-resourced organisation within identified groups to enable effective involvement in consultative and representation in participative processes.

**Accessibility** is about diversity and the specific needs that arise from diversity and the manner in which people choose to live out their identity. It involves knowledge of, and flexibility and adaptability in responding to, these specific needs.

Relevant equality and human rights issues identified that face the identified groups are:

- Failure to take account of difference and to adapt for and respond to specific needs of people from the identified groups in:

- the workplace;
- the design and delivery of services;
- the design and adaptation of physical infrastructure and buildings including housing;
- communication and information provision, including issues of translation and interpretation; and
- consultative and participative processes.

- Inadequate or inappropriate engagement with people from the identified groups to identify specific needs and how best to address these.
- Lack of recognition for and response to intersectionality and diversity within the identified groups and within measures targeted on these groups.
- Failure to promote diversity as a criterion in grant making and funding applications to ensure involvement of and benefits to people from the identified groups.
- Pressure to hide one's identity in the workplace, education settings, and in the provision of services, including:

- Travellers;
- Disabled people; and
- LGB and Trans people.

- Lack of knowledge and understanding of diversity and of how to respond to its practical implications.
- Lack of trust in institutions or organisations to respond appropriately to diversity.

**Inclusion** is about being visible, involved, and a valued and active part of society, community, the workplace, and civil society. It involves achieving change, enhancing outcomes, and informing and enabling choices between real options.

Relevant equality and human rights issues identified that face the identified groups are:

- Low levels of employment, and high levels of unemployment, under-employment, and long-term unemployment, including:

- Disabled people;
- Black and minority ethnic people, including Travellers;
- Young people; and
- Socio-economic status ground.

- Barriers to access to promotion and progression in employment, including women and Black and minority ethnic people.

- Homelessness, poor living conditions, inappropriate housing, and overcrowding, including:

- Older people;
- Black and minority ethnic people, including Roma and Travellers; and
- Disabled people.

- Poverty, deprivation, and low income, including

- Young people;
- Women;
- Disabled people;
- Black and minority ethnic people, including Roma and Travellers; and
- Socio-economic status ground.

- Lack of accessible, adequate and appropriate facilities.

- Educational disadvantage, including:

- Disabled people;
- Travellers;
- Roma; and
- Socio-economic status ground.

- Lack of access to and progression from education and training opportunities, including:

- Older people and issues of affordability, transport availability, and accessibility of venue; and
- Lack of lifelong learning opportunities.

- Low levels of literacy.

- Health inequalities, including:

- High mortality rates and low life expectancy among the Traveller community;
- Access to and outcomes from health services for Black and minority ethnic people, including Roma; and
- Incidence and experience of mental health issues and lack of mental health services.

- Lack of accessible, affordable and flexible public transport services.

- Lack of investment targeting the needs of identified groups and ensuring outcomes for the identified groups.

- Lack of coordination of services and supports to meet the needs of people from the identified groups, including:



Selina Bonnie, SDCC and Caroline Young, South Dublin County Disability Advisory and Consultative Panel

- Independent living for disabled people.
- Lack of autonomy, agency and self-determination, including:
  - Confinement in congregated settings, including:
    - Older people in residential care settings;
    - Disabled people in institutional care settings; and
    - Refugees and asylum seekers in direct provision settings.
  - Dependency on parents for young people.
- Digital exclusion and inequality in terms of lack of equipment and infrastructure and of lack of skills and knowledge.
- Lack of options and pathways to progress aspirations and ambitions.
- Lack of information and advice in relation to entitlements, services, support and activities to enable choice and control over one's life.



## 4

## Addressing the issues

The ‘**address**’ step of the Duty is implemented as part of the development or review of plans, policy strategies, programmes, schemes, internal policies, and procedures.

### At the start of the development / review process:

- Review the assessment of equality and human rights issues to establish, from the list under each value, those equality and human rights issues that are relevant to the particular plan, policy strategy, programme, scheme, internal policy or procedure.
- 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, policy strategy, programme or scheme) or statements of process (if for an internal policy or procedure) that are relevant.
- Include this material in any brief for the development / review process.

### In implementing the development / review process:

- Include an examination of the relevant equality and human rights issues in any evaluation or contextual review conducted for the plan, policy strategy, programme, scheme, internal policy or procedure.



SDCC Bealtaine Festival Table Quiz, County Library, Tallaght

- 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.

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

- The working group will check:
  - Does the draft adequately and appropriately take up and address each of the equality and human rights issues identified as relevant and appropriate to SDCC?
  - Does the draft adequately and appropriately progress the statement of priority / statement of process for each of the values within the remit of SDCC?
  - 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 civil society organisations representative of the identified groups to check that the equality and human rights issues are sufficiently identified and addressed.

#### After the development / 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

# Implementation

## 5.1 Enabling implementation

### Leadership

The Senior Management Team (SMT) have the central role in giving leadership for actioning this implementation plan. The SMT will:

- be fully informed of the Duty and its requirements;
- engage in messaging that promotes the Duty, its potential, and the SDCC ambitions for its implementation; and
- include a focus on the Duty in staff presentations and communications.

The Extended Management Team will: be fully informed of the Duty and give leadership for its implementation across all areas of SDCC.

### Drive

Corporate services will coordinate and enable implementation of the Duty across SDCC.

Corporate services will lead the cross-organisational equality and human rights working group to support implementation of the Duty, including to:

- prepare an annual workplan of plans, policy strategies, programmes, schemes, internal policies and procedure that will

be developed or reviewed, to be prioritised for implementing the address step of the Duty;

- champion, advise on, and act as contact points for implementation of the Duty in their respective sections of SDCC;
- support the development and application of monitoring systems across SDCC to track progress made on the equality and human rights issues on foot of implementation of the Duty in relation to plans, policy strategies, programmes, schemes, internal policies, and procedures;
- ensure the assessment of equality and human rights issues is made publicly available, take ongoing feedback on this, and keep it under review on an annual basis; and
- promote and support annual reflection on progress made on implementing the Duty and develop a report on this for the Annual Report.

### Capacity

Further training will be provided for the cross-organisation equality and human rights Working Group members in applying the Equality and Human Rights framework.

A training module on implementing the Duty will be provided and facilitated each year for those responsible for the plans, policy strategies, programmes, schemes, internal policies, and procedures being developed and reviewed, where the address step of the Duty is to be implemented.

Equality, human rights, and the Duty will be a focus in the training needs analysis and in any training strategy that emerges from this for SDCC.

Equality, human rights, and the Duty will be included as a focus in management training, in induction training and Elected Member training.

### Communication

The SDCC Communications Strategy will include communication initiatives to launch and give impetus to this implementation plan, and, on a longer-term basis, to keep a focus on the Duty through:

- celebrating achievements,
- engaging the values benchmarks, and
- stimulating debate on equality and human rights issues.

Councillors will be briefed on the Duty and its implications and on this implementation plan, on an ongoing basis through Council structures.

A communications campaign to include staff conference workshops / presentations will be delivered.

A dedicated page on the Intranet as a resource for staff, and a page on the SDCC website to inform the public about the Equality and Human Rights framework in SDCC will be developed.

## 5.2 Key moments for implementation

The key moments for the implementation of the address step of the Duty are the development or review of:

- Plans, including such as the corporate plan,
- Policy strategies, including such as the Local Economic and Community Plan (LECP),
- Programmes and schemes, and
- Internal policies and procedures.

This will involve the actions outlined in section 4 above.

## 6 Reporting

The **report** step of the Duty will be implemented through a focus on the steps taken to implement the Duty and the progress achieved on foot of implementing the Duty, in the annual report.

The preparation of this report will be preceded by reflection on the progress made across the plans, policy strategies, programmes,

schemes, internal policies, and procedures where the Duty has been implemented during the year, with refinements made to these where progress is found to be lacking.

Implementation of the annual Equality and Human Rights Action Plan will be reported on in the annual report.



Example of inclusive play - Basket Swing, Hermitage Park in Lucan



Pride pedestrian crossing, Clondalkin

# Public Sector Equality and Human Rights Duty Framework



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