



20 August 2021

Ms Karen Pearson  
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By email only: [CovidRecovery@executiveoffice-ni.gov.uk](mailto:CovidRecovery@executiveoffice-ni.gov.uk)

Dear Ms Pearson

### **Building Forward - Consolidated COVID-19 Recovery Plan**

Thank you for your notification to the Chief Commissioner on 2 August 2021 that the Building Forward – Consolidated Covid-19 Recovery Plan (the Plan) has been published. I write now to follow up on the concerns we raised about the application of the Section 75 duties and the advice we provided during consultation on the draft Plan.

You will recall that, in our letter (2 July), we welcomed the development of the Plan, but also expressed concern that the Final Draft Recovery Plan did not include any indication that TEO or the other Departments had paid due regard to the need to promote equality of opportunity between persons across the range of protected statutory equality grounds, as required by the Section 75 duties set out in the Northern Ireland Act 1998. We noted that the Final Draft Plan did not contain any equality assessment (screening/EQIA) and did not demonstrate how the duties impacted on the development of the Plan. Further, the Plan did not present evidence of impacts and opportunities to promote equality across the Section 75 grounds, and mitigation measures were not identified or alternate policies considered.

The letter stressed that in making decisions about actions, Ministers and officials would need to weigh carefully potential impacts that such decisions have on those who are already disadvantaged, ensuring that any inequalities are not exacerbated, and that individuals are not exposed

unnecessarily to direct or indirect risks or further disadvantaged. It also advised that where more than one public authority has some responsibility for developing policy, each public authority should satisfy itself that it has paid the appropriate level of regard to the statutory duties and adhered to its equality scheme arrangements. We stressed that the Section 75 statutory duties are continuing duties, with considerations of equality and/or good relations required as policies arising from the Plan are further reviewed and developed.

Contact was also made with the Department during the very short consultation period, to request information demonstrating application of the Section 75 statutory duties in developing this Plan and we were advised that TEO would engage with the Commission on the Section 75 duties once the relevant information was available. We also attended an information session on the Plan and reiterated Section 75 advice, with a similar response. We noted and welcomed that TEO feedback on the consultation (published on 6 July) advised that Section 75 considerations would be prioritised as the policy is progressed.

We were therefore very concerned that the published Plan does not include any information on TEO's application of the Section 75 duties. You will appreciate that all of the concerns raised at the time of consultation remain.

I write now to request information on how TEO has applied its Section 75 duties and adhered to the arrangements set out in its equality scheme when developing this Plan to date.

I look forward to hearing from you.

Yours sincerely

Personal Data

**Jacqui McKee**  
**Director, Advice and Compliance**



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