

# Galway City Council: Implementing the Public Sector Equality and Human Rights Duty – Assessment of Equality and Human Rights Issues

October 2024

## Introduction

**The Public Sector Equality and Human Rights Duty (the Duty)** requires public bodies to have regard to the need to eliminate discrimination, promote equality of opportunity, and protect human rights, for employees, service users, members and policy beneficiaries, across all their function areas<sup>1</sup>.

To give effect to the Duty, Section 42 of the Irish Human Rights and Equality Commission Act 2014, requires public bodies, as a first step, to undertake an assessment of the equality and human rights issues for the identified groups covered by the Duty that are relevant to their functions.

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.
- **Identity** of the group in terms of how they chose to give expression to their identity and the specific needs that arise from their identity.

**The groups identified for the Duty** are those:

- covered by the nine grounds under equality legislation of gender (including gender expression, gender identity and sex characteristics), civil status, family status (including lone parents and carers), age, disability (broadly defined to include all impairment groups and certain medical conditions), sexual orientation, race (including migrants and international protection applicants), religion, and membership of the Traveller community;
- covered by the ground of socio-economic status (specifically those at risk of or experiencing poverty and exclusion)<sup>2</sup>.
- at the intersections of these ten grounds; and
- individual rights holders under the various human rights instruments relevant to the functions of the public body.

**The functions** of Galway City Council encompass: housing; community; business and the economy; environment; climate action; water; heritage and conservation; arts and culture; libraries; leisure and recreation; roads and transport; active travel and sustainable transport; planning; human resources; and finance.

**This assessment** is framed by the six values adopted by Galway City Council to progress implementation of the Duty: dignity; autonomy; participation; inclusion; social justice; and environmental justice.

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<sup>1</sup> [Section 42](#), Irish Human Rights and Equality Commission Act 2014.

<sup>2</sup> These are the nine grounds covered under equality legislation alongside a ‘tenth ground’ that is recommended by the Irish Human Rights and Equality Commission in its [2019 Duty Guidance](#).

This assessment has been compiled from an evidence base of current equality and human rights research and reports. This evidence base is provided in an appendix to our implementation plan for the Duty, identifying sources used, and key relevant data from each.

It has been compiled in a participative matter with the assistance of the Galway City LCDC social inclusion subgroup.

It has been undertaken in alignment with the guidance issued by the Irish Human Rights and Equality Commission.<sup>3</sup>

### **3.2 Assessment of Equality and Human Rights Issues**

*The equality and human rights issues identified below relate to all of the identified groups unless otherwise indicated.*

#### **Dignity**

*Dignity is about care and respect for people. It involves embracing diversity and protecting, promoting, and fulfilling people's rights. It means working with people in a non-judgmental and fair manner, based on a parity of esteem.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECP, are:

Discrimination, both individual and systemic, across the identified groups, including such as:

- High levels of discrimination in work, in accessing work, and in accessing and participating in services.
- Systemic discrimination in terms of racism, ageism, homophobia, transphobia, sexism, disabilism, sectarianism, and classism.
- Violence and harassment across the identified groups, including such as:
  - Gender-based violence, including sexual and domestic violence, and lack of adequate and appropriate support provision.
  - Abuse of older people.
  - Harassment and sexual harassment at work, in service provision, and in public spaces.
  - Bullying, with particular regard to young people.
  - Lack of safety and feelings of insecurity and not being welcome, including in public spaces, in particular for women, older people and LGBT people.
- Stereotyping, attitudinal barriers, misinformation, and false assumptions that diminish expectations, limit understanding, dis-respectful engagement, and lead to poor decision-making.
- Lack of initiative to address experiences of discrimination, and ensure effective redress, across the grounds, including such as:
  - Under-reporting of discrimination due to fear of victimisation, lack of information, and belief that change is not possible.
  - Lack of procedures to address and enable a challenge discrimination, harassment and sexual harassment, including at work and in service provision.

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<sup>3</sup> [Tool for an Evidence-Based Assessment of Equality and Human Rights Issues](#), IHREC, 2020.

- Lack of awareness of discrimination, understanding how to respond to discrimination, and training to develop knowledge and skills for effective engagement by managers and staff with these issues in the workplace and in service provision.

## **Autonomy**

*Autonomy is about independence, self-determination, choice and a bottom-up approach. It involves being flexible in meeting changing, emerging and contextual needs and supporting a capacity to make choices and be involved in decision-making.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECP, are:

- Lack of options made available to enable real and informed choices, free from sanction, for people and communities across the identified groups.
- Lack of autonomy in making one's own decisions, including such as:
  - Dependence, with particular regard to economic dependence due to such as gendered roles, the additional cost of disability, and the lack of independent means available to young people (in accordance with capacity) and to older people.
  - Lack of knowledge about and support for supported decision-making processes for disabled people.
  - Criteria attached to services and lack of trust and valuing of decisions of people dependent on unemployment supports.
  - Lack of supports to enable informed choices.
- Settings that limits agency and choice including such as:
  - Congregated settings in provision of care for people with disabilities, with lack of supports for independent living.
  - Residential care for older people, with lack of services available to enable them to remain at home.
  - Direct provision settings for refugees and asylum seekers and lack of provision to enable their participation.
- Barriers to cultural integrity, access to, and giving expression to culture, with particular regard to Black and minority ethnic communities, including the Traveller community.

## **Participation**

*Participation is about meaningful participation in decision-making and processes of accountability. It involves the right to be heard and to pose a challenge. It includes open debate in building shared visions with space for differences and compromise.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECP, are:

- Lack of voice and platforms to impact on decision-making, across the identified groups, including such as:
  - Lack of adequate and appropriate mechanisms to enable and facilitate participation in planning and policy making.
  - Lack of representation from the identified groups and lack of gender balance on organisational structures and committees.
  - Lack of feedback to positions put forward, on foot of consultation or engagement.

- Lack of influence sufficient to impact on decision-making, across the identified groups, including such as:
  - Lack of resources for identified groups to organise in a collective manner.
  - Lack of meaningful engagement with, and equal recognition for the input of, the identified groups.
  - Lack of capacity on all sides to engage as equal partners in decision-making mechanisms.
- Lack of voice and mechanisms to hear the voice of service-users and employees from across the identified groups.

## **Inclusion**

*Inclusion is about enabling and recognising the right of people, in particular those experiencing disadvantage and exclusion, to participate.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECP, are:

- Lack of universal design, flexibility and adaptations to cater for diverse and specific needs across the identified groups, including such as:
  - Inaccessible environments including, buildings, workplaces, places to access services, and public spaces, with particular regard to disabled people.
  - Non-adaptive workplaces that fail to accommodate the practical implications of diversity for all the identified groups, with particular regard to disabled people, Black and minority ethnic people including Travellers, parents and carers, older people, and people with caring responsibilities.
  - Inflexibility in and non-adaptive services that fail to accommodate the practical implications of diversity for all the identified groups, with particular regard to disabled people, older people, Black and minority ethnic people including Travellers, and people with caring responsibilities.
- Inaccessible communication and failure to adapt for communications needs of the identified groups, including such as:
  - Lack of translation and interpretation for the diversity of languages.
  - Lack of ISL interpretation.
  - Failure to take account of literacy barriers.
- Invisibility for diversity and lack of capacity to respond to diversity and its practical implications for the identified groups, including such as:
  - Hiding one's identity due to fears about revealing identity, with particular regard to those gender transitioning at work, LGBT+ people, people with hidden disabilities, Roma, and Travellers.
  - Lack of equality data and limited capacity in effectively and appropriately gathering such data.
  - Lack of initiative to build and sustain inclusive and integrated diverse communities, addressing divisions in communities.
- Lack of understanding of and capacity to respond to diversity and its practical implications for the identified groups, including in relation to intersectionality and the specific needs of those at the intersections of the identified groups.

## **Social Justice**

*Social Justice is about transparency and fairness in the distribution of economic, educational, cultural and other resources. It involves proactive targeted approaches to support those experiencing injustice.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECP, are:

- Poverty across the identified grounds, including such as:
  - Issues of consistent poverty and being at risk of poverty on the socio-economic status ground.
  - Inadequate income and deprivation, with particular regard to the socio-economic status ground, Travellers and Roma.
  - Additional cost of living for people with disabilities.
  - Increasing cost of living.
- Employment inequalities and barriers to employment across the identified groups, including such as:
  - High levels of unemployment and low levels of employment, with particular regard to Travellers, Roma, people with disabilities, and the socio-economic status ground.
  - Underemployment, with particular regard to Black and minority ethnic people due to lack of recognition for qualifications or experience.
  - Lack of representation in management and leadership positions, with barriers to promotion and career progression, with particular regard to women, people with disabilities, and the socio-economic status ground.
  - Pay gaps, including a gender pay gap.
- Housing deprivation and disadvantage, including such as:
  - Lack of social housing to meet the needs of the identified groups, with particular regard to the socio-economic status ground.
  - Homelessness, overcrowding and risk of homelessness, with particular regard to Black and minority ethnic people including Travellers and Roma, the socio-economic status ground, disabled people, lone parents, young people and LGBT+ people.
  - Poor housing conditions for the identified groups with particular regard to lone parents, younger people, Black and minority ethnic people including Travellers and Roma, older people, disabled people, and on the socio-economic status ground.
  - Housing insecurity for the identified groups, with particular regard to older people and the socio-economic status ground.
  - Housing provision that fails to address the needs specific to the identified groups, with particular regard to accessible housing for disabled people, culturally appropriate accommodation for Traveller, and age-appropriate housing for older people.
  - Community environments in need of regeneration.
  - Lack of community facilities and infrastructure, including youth clubs and play spaces.
  - Lack of understanding of and response to requirements for sustainable communities.
- Digital disadvantage across the identified groups, including such as:
  - Lack of access to infrastructure and connectivity.
  - Lack of equipment and lack of skills.
  - Inaccessible websites.

- Barriers to engaging with the arts experienced by the identified groups.
- Lack of positive action to redress disadvantage and inequality across the identified groups.

### **Environmental Justice**

*Environmental Justice is about recognising the right to a clean, safe, and sustained environment for this and future generations. It involves a concern for climate change and its impacts, in particular on marginalised groups and communities.*

**The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the LECF, are:

- Uneven distribution of impacts of climate disruption and of pollution, and lack of a just transition focus.
- Lack of inclusion in adaptation opportunities and new employment opportunities.
- Energy poverty due to cost of energy, low level of household income, and lack of energy efficiency of the home, with particular regard to Travellers, older people, and the socio-economic status ground.
- Lack of access to nature, public open spaces, and play in public spaces.
- Lack of attention to a just transition in a context of climate disruption.

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