

Strategic Investment Board Limited

Equality Impact Assessment of the
Equal Opportunities Policy

CONSULTATION DOCUMENT

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Consultation

Please submit all comments on this report to Julie Monahan at the above address. Comments will be accepted in any format.

The closing date for receipt of comments is **Friday, 12 December 2008**.

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Introduction

Section 75

Under Section 75 of the Northern Ireland Act 1998 the Strategic Investment Board Limited (SIB) is required **to have due regard to the need to promote equality of opportunity –**

- between persons of different
 - religious belief
 - political opinion
 - racial group
 - age
 - marital status
 - sexual orientation
- between men and women generally
- between persons with a disability and persons without and
- between persons with dependants and persons without.

Without prejudice to the obligations set out above, SIB is also required **to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.**

Schedule 9 of the Act sets out the detailed procedure for the implementation of this duty including the publication of an Equality Scheme and the conduct of Equality Impact Assessments (EQIA) of selected policies. In response to the Act, SIB prepared an Equality Scheme which was approved by the Equality Commission in November 2005.

Screening

The Equality Scheme includes a commitment to applying a systematic process known as “screening” to all new policies to determine whether they

are likely to have significant implications for equality of opportunity. If the conclusion reached at the end of the screening process is that the policy has (or is likely to have) a significant impact on equality of opportunity, then SIB may decide to undertake an Equality Impact Assessment (EQIA). This is a thorough review of a policy, including consultation with everyone affected by it, which can result in suggestions for change.

In accordance with the Equality Scheme, SIB screened the policy on Equal Opportunities and determined that an EQIA should be undertaken. The principal reason for this decision was the gender imbalance in the SIB workforce (90.9% male at the time when the screening was undertaken) which would potentially lead to a higher participation in the policy by women.

The EQIA process

When undertaking an EQIA, SIB closely follows the Guidance published by the Equality Commission in April 2001 (revised 2005). This recommends that there should be seven steps in the EQIA process –

- Step 1 : Definition of the aims of the policy
- Step 2 : Consideration of available data and research
- Step 3 : Assessment of potential and actual impacts
- Step 4 : Consideration of measures
- Step 5 : Formal consultation
- Step 6 : Decision and publication of the results of the EQIA
- Step 7 : Monitoring for adverse impact.

This report has been written primarily to provide information to consultees during the formal consultation phase and includes the findings of the first 4 steps of the process. The action to be taken under the remaining 3 steps is also outlined in the report.

1. Definition of the aims of the policy

The Equal Opportunities Policy is designed to communicate the commitment of the Chief Executive, the Board of Directors and the senior management team to the promotion of equality of opportunity. It contains clear statements of SIB's opposition to all forms of unlawful or unfair discrimination and the intention to select people for employment, promotion, training or any other benefits on an objective basis and without unlawful discrimination

The policy contains a number of measures to ensure effective implementation including –

- the provision of adequate resources;
- the provision of training and guidance on equality issues;
- incorporation of appropriate duties into the job descriptions of all staff;
- training in non-discriminatory selection techniques for all those involved in assessing candidates for recruitment;
- obtaining commitments from sub-contractors and other organisations that they will comply with the policy in their dealings with SIB;
- a system for monitoring and review of the policy.

In addition the policy states that SIB will take lawful affirmative or positive action, where appropriate.

SIB's Equal Opportunities Policy is closely based on the model policy issued by the Equality Commission.

Within SIB , the Human Resources Manager takes responsibility for the implementation of the policy but all managers and supervisory staff play a role in ensuring that the policy is effective. The policy is backed up by agreed procedures for the making and handling of complaints of discrimination. All staff and job applicants are affected by the policy.

2. Consideration of available data and research

2.1 SIB employee monitoring information

The Equal Opportunities Policy applies to all SIB employees and applicants for posts. SIB is a small organisation, although there are a number of officers on secondment from Government Departments/Agencies working alongside permanent employees. The total number of employees, applicants and appointees (excluding secondees) over the period 2003 –2007 is shown in Table 1 below.

Table 1: Total number of employees, applicants and appointees

	2003	2004	2005	2006	2007
Employees ¹	12	12	11	20	24
Applicants ²	0	55	126 ³	84	93
Appointees ²	0	6	0	10	8

¹ At end of year ² Over 12 month period

³ Appointments made in 2006

When evaluating SIB employee monitoring information, account must be taken of the fact that the total workforce is only 24 and that significant differences between the composition of the workforce and that of the economically active population of Northern Ireland do not necessarily imply a lack of promotion of equality of opportunity.

2.1.1 Gender

Since its inception, SIB has monitored all applicants for posts in terms of community background and gender and made an annual fair employment monitoring return to the Equality Commission. Data on the gender of SIB employees, applicants and appointees over the last 5 years is set out in Tables 2-4 below.

Table 2: Gender – SIB employees

	2003	2004	2005	2006	2007
Male	66.7	91.7	90.9	75.0	75.0
Female	33.3	8.3	9.1	25.0	25.0

Table 3: Gender – applicants

	2003	2004	2005	2006	2007
Male	0	90.9	85.7	50.0	61.3
Female	0	9.1	14.3	50.0	38.7

Table 4: Gender – appointees

	2003	2004	2005	2006	2007
Male	0	100	0	60.0	75.0
Female	0	0	0	40.0	25.0

It can be seen from Tables 2 and 3 that, on the whole, there has been a steady increase in the percentage of female employees and applicants over the 5 year period. However, relative to the economically active population of Northern Ireland (which is 43.8% female) women are still under-represented in terms of both employees and applicants. In addition, as Table 5 below shows, the recent increase in female applicants has been mostly in respect of administrative and secretarial occupations (actual numbers shown). Of the workforce of 24, 20 posts are at manager/senior level or in professional occupations; only 4 posts are in administrative and secretarial occupations.

Table 5: Gender – applicants 2007

Standard Occupational Classification	Male applicants	Female applicants	Total applicants
Management and Professional	50	10	60
Administrative and Secretarial	7	26	33

In terms of current employees, 3 of the 6 women are in senior posts and 3 in administrative and secretarial occupations. This suggests that the main

problem is attracting sufficient women to apply for senior positions in SIB, especially to Strategic Adviser posts. Strategic Advisers account for 20 out of the workforce of 24 but in the past 5 years only one woman has ever been appointed at this level.

2.2.2 Community background

Data on the community background of SIB employees, applicants and appointees over the last 5 years is set out in Tables 6-8 below.

Table 6: Community background – employees

	2003	2004	2005	2006	2007
Protestant	41.7	25.0	27.3	35.0	29.2
Roman Catholic	16.6	41.7	45.4	50.0	54.2
Not determined	41.7	33.3	27.3	15.0	16.6

Table 7: Community background – applicants

	2003	2004	2005	2006	2007
Protestant	0	32.7	40.5	45.2	40.9
Roman Catholic	0	36.4	41.3	39.3	36.6
Not determined	0	30.9	18.2	15.5	22.5

Table 8: Community background – appointees

	2003	2004	2005	2006	2007
Protestant	0	16.7	0	40.0	25.0
Roman Catholic	0	50.0	0	50.0	50.0
Not determined	0	33.3	0	10.0	25.0

It can be seen from Table 6 that the majority of current employees are from a Roman Catholic community background. However, in terms of applicants, there is a fairly even proportion of people from Protestant and Roman Catholic backgrounds (Table 7). SIB applies the NI Civil Service Code of Practice when selecting candidates for posts and there is no evidence of any bias against people from a Protestant community background.

2.1.3 Additional information

Since adopting the Equality Scheme, SIB has expanded the monitoring form to include 8 of the 9 Section 75 equality categories (excluding political opinion). In addition, SIB recently requested all current staff to complete a detailed monitoring questionnaire on a voluntary basis in order to obtain full monitoring information on the workforce; to date 17 out of 24 staff have responded.

Table 9 below shows the breakdown by Section 75 category of the 17 respondents in percentages to one place of decimals.

Table 9: Additional Section 75 monitoring information (17 employees)

		SIB	NI
Age	<20	0	6.6
	20-29	5.9	24.7
	30-39	35.3	27.9
	40-49	41.1	22.9
	50-59	11.8	15.8
	60+	5.9	2.1
Disability	Disabled	11.8	6.4
	Not disabled	88.2	93.6
Ethnic group	White	100	99.3
	Other	0	0.7
Marital status	Single	23.5	36.7
	Married	70.6	58.0
	Separated/Divorced	5.9	5.3
Dependants	Child or children	68.8	N/A
	None	31.2	N/A
Sexual orientation	Lesbian or Gay	0	N/A
	Heterosexual	100	N/A
	Bisexual	0	N/A

Again it should be noted that such a small sample is unlikely to reflect the composition of the economically active population of Northern Ireland, although this figure is provided for comparative purposes. (The NI figure is taken from the 2001 Census. The source of the Census information is the Northern Ireland Statistics website: www.nisra.gov.uk and Crown copyright material is reproduced with the permission of the Controller of HMSO.)

This limited sample shows that SIB has a slightly older age profile than the economically active population with approximately 60% of employees aged over 40. This is not unusual in workforces where the majority of posts are at senior level. There is also a high percentage of married people compared with the economically active population but this is to be expected in a workforce with an older age profile. The remaining percentages are fairly close to the NI averages.

2.2 Preliminary consultation

The Equal Opportunities Policy has a major impact on employees; a questionnaire seeking views on the policy was therefore circulated with the Section 75 monitoring form and responses were received from the same 17 employees.

The majority of the respondents indicated that they were fairly familiar with the policy and their responsibilities under it. Most had received training on equal opportunities within the last 5 years and all considered the current policy to be either very or fairly comprehensive.

When asked about the differential between males and females in the workforce, 14 of the respondents (10 males and 4 females) said that they considered that the differential had no particular effect. One female respondent commented that the differential tended to reinforce gender stereotyping in the office. One male respondent considered that an improved gender balance would change the tone of the company and help to address the unfair perception that SIB is very male and private sector oriented.

2.3 Literature review

This policy is being subjected to EQIA because of the gender imbalance in the workforce. It is generally accepted within the public sector that, because men and women have different ways of thinking, a greater gender balance will enable different thinking to be applied within an organisation resulting in higher levels of innovation and productivity.

A literature review has therefore been carried out to identify good practice in relation to the employment of women. (The reports accessed are listed in Appendix 1.) Good practice includes the development of flexible working arrangements which also benefit employees with dependents.

Research carried out by a number of organisations (including Opportunity Now and the Women & Work Commission) shows that women are under-represented in the workforce for a wide range of reasons. The ones which may apply specifically to SIB are that women are less likely than men to –

- apply for advertised positions;
- have the requisite qualifications and/or experience to be appointed;
- apply for posts if the employer does not have family friendly/flexible working policies in place.

2.3.1 Encouraging women to apply

Research indicates that an individual organisation can take a number of steps to encourage more women to apply for senior positions, including –

- specify in advertisements that women are encouraged to apply;
- include an indication in the advertisement that flexible working arrangements can be negotiated;

- ask senior managers in the organisation and other agencies to disseminate the information about the position to potential women candidates;
- ask professional associations and Trade Unions for the names of women working in the field and send these women the advertisement and the selection criteria;
- if recruitment agencies are used, make it clear that the organisation would like to see a gender balanced field of applicants;
- consider what the organisation can offer that would build a reputation as an employer of choice among women and attract female applicants to apply for senior positions and profile this prominently in advertisements, job information packs and on the organisation's website; examples might include family friendly policies, a values driven culture, a focus on people and innovation, opportunities for development etc.
- make it clear that the organisation is looking for transferable skills, ability and potential rather than highly specific experience and think laterally about where women may have gained valuable experience;
- do not require experience to have been gained within the last few years as this discriminates against women returnees;
- write job advertisements that emphasise a supportive, flexible culture as this will attract women applicants;
- use gender neutral wording for selection criteria;
- if graphics or photographs are used in the advertisements, ensure that they include both men and women;

- all recruitment materials should create a positive impression of the organisation as one which actively promotes equality of opportunity; they should present a distinctive, positive corporate image rather than just describing the organisation in functional terms and should speak directly to the prospective applicant, rather than merely describe the job.

2.3.2 Competencies and selection

The NICS Code of Practice on recruitment and selection emphasises that selection must be made on the basis of merit and that the candidate who is the best match to the competencies required should be appointed. However, there is evidence that men and women who take part in selection processes assess certain competencies in different ways. For example, research has shown that men and women understand terms such as 'leadership skills' differently. It is therefore important that selection panels develop a shared understanding of the qualities they are seeking in candidates. Best practice suggests that –

- selection panels should be briefed clearly on the need to be alert for skills and competencies that are transferable to the position; they should not be locked into thinking there is only one career path to the top and that years of experience are paramount;
- selection panels also need to be aware that men and women behave differently in interview situations; women have a tendency to down play their certainty whereas men have a tendency to minimise their doubts; women are often self deprecating rather than self enhancing and tend to give team focussed answers (for example, by using collective pronouns);
- the organisation should consider alternatives to traditional interviews; for example, interviewing a candidate's superiors, peers and the staff they currently manage;

- all managers should be regularly trained on diversity and flexibility issues, especially those who are regularly involved in recruitment and selection.

2.3.3 Flexible working

Research in the UK has shown that 38% of mothers, 11% of fathers and 18% of carers have given up or turned down a job owing to their caring responsibilities. Making work more flexible enables all staff to balance their work and caring responsibilities more effectively. There is evidence that allowing staff to work flexibly can reduce sickness absence and increase productivity, especially where unsocial hours are required. Having flexible policies may also enable the organisation to employ qualified staff who would not otherwise be able to work because of caring responsibilities.

There are a wide range of flexible working schemes such as job sharing, part time working, flexible hours, compressed working weeks, annualised hours, home working, distance working, family leave, short term leave, employment breaks, unpaid leave during school holidays. However, it is important that each organisation should select the types of flexible working which are appropriate to its size and structure; a number of management tools have been developed to assist in determining which jobs are suitable for flexible working. Once this has been determined, the organisation should promote the options to all employees and applicants and develop practical guidelines on how to manage flexible working.

Good practice also suggests that, once flexible working options have been introduced, the organisation should monitor take up and hold regular focus groups to listen to staff opinions.

2.3.4 Other aspects of best practice

The literature review suggested a number of other initiatives which will assist in promoting equality of opportunity for women –

- identify senior women role models (especially those working part time or job sharing) who will champion the spread of best practice among managers;
- ensure all sub-contractors promote gender equality and comply with equal pay legislation;
- benchmark against employers who have been awarded exemplar employer status by Opportunity Now; in Northern Ireland these include DEL, Local Government Staff Commission, Belfast City Council, Northern Health & Social Care Trust and the Royal Hospitals.

2.4 Equality Commission Statement on Key Inequalities in NI

The recent Equality Commission Statement on Key Inequalities in Northern Ireland identified several issues in relation to employment for people in various Section 75 categories.

- There are particular barriers to employment for disabled people. The employment rate for those without disabilities (79%) is over twice that of people with disabilities (32%). Moreover, only 21% of people with mental ill health or learning disability are in employment although research has shown that up to 58% of adults with severe and enduring ill health are able to work. Key barriers impacting on disabled people's access to employment include lower levels of educational achievement, attitudes of employers and access to transport. In one research study 45% of employers indicated that they considered it would be quite/very difficult to employ a disabled person; this was significantly higher than for employing older people, women or those from minority ethnic groups.
- Negative assumptions about capacity are an issue for both older people and younger people; the former are thought to be less capable of meeting the demands of the job and the latter are often

unable to demonstrate the level of experience deemed essential for particular jobs. Both these assumptions tend to be the result of stereotyping rather than the objective assessment of evidence and members of selection panels need to be aware of the possibility of making such assumptions.

- With regard to harassment, the highest number of complaints to the Equality Commission are from women and relate to sexual harassment but there have been recent increases in cases of homophobic and racist harassment.

3. Assessment of actual and potential impacts

The aim of this EQIA is to identify aspects of the Equal Opportunities policy which have a differential impact on some people because they belong to a particular group within the Section 75 categories. Where the differential impact is potentially adverse, SIB will seek to revise its policies or take mitigating action to eliminate or substantially reduce the adverse impacts. SIB will also seek to identify opportunities to further promote equality of opportunity.

This section of the report therefore brings together the information from the data analysis and research cited above and identifies the impacts on the various groups under the Section 75 categories. Generally SIB believes that the policy is in line with best practice and significantly enhances the ability of the organisation to promote equality of opportunity. However, equal opportunities initiatives generally have a greater impact on people in groups which are in the minority in the workforce and there is therefore potential for differential impacts.

SIB has no reason to believe that the policy has caused actual adverse differential impacts; for example, there have been no complaints under the equal opportunities policy since SIB was established.

3.1 Religious belief/political opinion

The current workforce includes a majority of people from a Roman Catholic community background, whilst analysis of applicants for recent posts shows a fairly even proportion of applicants from the two main communities and a higher than average proportion of applicants who do not have a background in either of these communities.

The high level of non-determined applicants and employees is explained by the fact that senior SIB posts are advertised widely across GB and RoI. The skills required in the Strategic Adviser posts are relatively new to Northern Ireland and, especially in the early years, SIB recruited Strategic Advisers from GB with direct experience of PPP projects.

Although the recent data suggest that more people from a Roman Catholic community background are being appointed than might be expected, the very small numbers mean that the differential is less significant than it might be in a larger organisation. SIB follows the NICS Code of Practice on recruitment and selection which is rigorous in terms of its objectivity regarding community background and there is no evidence to suggest that people from a Protestant community background are suffering an adverse differential impact.

SIB will continue to monitor the situation.

3.2 Ethnic background

The current workforce are all from a white European ethnic background and, since monitoring of applicants was extended to include ethnic background, there have been very few who were not white. There is no reason to believe that the policy creates an adverse differential impact for people from the BME community, but SIB needs to give consideration to attracting more applicants from this community.

3.3 Age

The majority of SIB employees are in the 40+ age ranges. However, this is not unusual in an organisation where the majority of posts (20 out of 24) are at a senior level. There are some younger people in administrative and secretarial posts.

There is no reason to believe that younger people are subject to an adverse differential impact.

3.4 Marital status

The majority of SIB employees are married but this is not unusual in an organisation with this kind of age profile.

There is no reason to believe that people of different marital status are subject to an adverse differential impact.

3.5 Sexual orientation

The recent Section 75 monitoring questionnaire circulated to SIB employees included questions on sexual orientation but this is the first time such information has been requested and the data from the returned questionnaires does not provide a profile which could be compared with the results of other research. (In any case, at present there is little reliable data on the Northern Ireland population.)

There is no reason to believe that people of different sexual orientation are subject to an adverse differential impact.

3.6 Gender

The main reason for undertaking this EQIA was the perceived gender imbalance in the current workforce. SIB has an unusually high percentage of senior positions (20 posts representing 83% of the total) only 3 of which (15%) are currently filled by women. Research by Opportunity Now across the UK as a whole suggests that in the public sector approximately 40% of senior posts are held by women.

Actions to address the imbalance are considered in section 4 below.

3.7 Disability

In terms of data analysis, the SIB workforce appears to be reasonably representative of people with and without a disability. The SIB offices are in new, purpose built accommodation with good access for disabled people and the IT system which is widely used by employees has been designed to be accessible to all.

There is no reason to believe that people with/without a disability are subject to an adverse differential impact.

3.8 Dependants

The SIB workforce appears to have a high level of people with dependant children; however, this is not unusual given the age and marital status profile.

Many of the mitigating actions considered below to address the gender imbalance will also potentially benefit those with dependants.

4. Consideration of measures

Having identified the potential differential impacts of the policy, the EQIA process requires that SIB should consider alternative policies and opportunities to better achieve the promotion of equality of opportunity and measures which might mitigate any adverse impact. The following measures have been identified from the assessment undertaken to date, but consideration will be given to further actions suggested as a result of the consultation process.

The current policy is considered to be fairly comprehensive and no specific changes are proposed. However, SIB will consider taking the following actions to further promote equality of opportunity, principally by addressing the gender imbalance and improving work life balance for all employees –

- take steps to increase the number of applications from women for senior posts;
- review the training/guidance for members of recruitment and selection panels;
- assess the potential for flexible working in relation to all posts;
- work towards the Investors in People standard;
- continue to monitor all applicants against a wide range of Section 75 categories;
- benchmark against employers who have been awarded exemplar employer status by Opportunity Now.

5. Consultation

5.1 Equality Scheme consultees

Consultation on this report will be carried out in accordance with SIB's Equality Scheme. The Scheme sets out SIB's commitment to the following principles :

- consultation will be carried out in accordance with the Equality Commission Guiding Principles;
- consultation with groups and individuals will begin as early as possible;
- there will be different means of consultation for different groups;
- information will be made available to ensure meaningful consultation.

A letter summarising the findings of the EQIA to date will be circulated to all the organisations and individuals on SIB's consultation list; this list was set out in the Equality Scheme and has been updated on a regular basis. The letter will make it clear that a copy of the full EQIA report can be found on the SIB website and that alternative formats (such as Braille, large print, disk and audiocassette and minority languages) will be made available on a timely basis on request. The letter will invite consultees to comment in writing, by e mail, by telephone or at specially arranged meetings with appropriate officers.

5.2 Staff

The key people affected by the policies are all SIB employees. They will be informed about the findings of the EQIA to date (using SIB's usual communication channels) and provided with access to the EQIA report. They will be invited to comment on the findings and, in particular, the proposed actions which affect them.

Responses from employees will be confidential and the report of the findings will not identify any individuals.

5.3 Consultation period

SIB recognises the importance of allowing adequate time for consultation and on this occasion will provide a period of response of 12 weeks.

5.4 Results of the consultation

All responses received will be taken into account when decisions are being made. A report of the consultation process will be prepared setting out the comments received and the proposed response. The EQIA report will also be amended to take account of the points made.

6. Decision and publication of the results of the EQIA

At the end of the consultation period SIB will prepare a revised version of this EQIA report amended as a result of the comments received and including a full report of the consultation process.

This report will be evaluated and considered by the Chief Executive and Chief Operating Officer. Their decisions on actions to be taken will be incorporated into a final EQIA report which will set out the consideration given to the impact of alternative policies and mitigating actions.

The final EQIA report will be made available through the SIB website and, if requested, SIB will produce the report in Braille, on disk and to meet the needs of those who are not fluent in English.

Information will also be made available to publications and media associated with the section 75 categories.

7. Monitoring for adverse impact

SIB already carries out extensive equal opportunities monitoring, both of applicants and current employees. This will be continued and the information obtained will be evaluated on an annual basis.

The particular impact of the actions taken as a result of this EQIA will also be monitored (in terms of uptake and through qualitative research where appropriate); further details of the monitoring systems to be put in place will be included in the final EQIA report when the specific actions to be taken have been agreed. The results of this monitoring will be also be evaluated on an annual basis and will be published annually.

Appendix A

Literature Review: Main Sources of Information

Statement on Key Inequalities in Northern Ireland
Equality Commission for Northern Ireland, 2007

Best Practice Recommendations: Flexible Working
Opportunity Now, 2008

Shaping a Fairer Future
Women & Work Commission, 2006

Government Action Plan: Implementing the Women & Work Commission
Recommendations
Department for Communities and Local Government, 2006

Facts about Women and Men in Great Britain
Equal Opportunities Commission, 2007

Fairness and Freedom: Final Report of the Equalities Review
Equalities Review Panel, 2007

Executive and Management Recruitment: Encouraging Women Applicants
Office of Equal Employment Opportunity, GWA, 2002

Review of Government Advertising in Northern Ireland
OFMDFM, 2005