

**Official Languages Act, 2003  
Draft Scheme under Section 11  
The Equality Tribunal**

**Chapter 1**

**Introduction and Background**

This Scheme was prepared under section 11 of the Official Languages Act, 2003 (the Act) by the Equality Tribunal. The Tribunal was requested to prepare a draft scheme by the Minister for Community, Rural and Gaeltacht Affairs on 22 March 2006.

Section 11 provides for the preparation by public bodies of a statutory scheme detailing the services they will provide

- through the medium of Irish
- through the medium of Irish and English and
- through the medium of English

and the measures to be adopted to ensure that any service not provided by the public body through Irish will be so provided within an agreed timeframe.

***1.1 Guidelines for preparation of a Scheme***

Section 12 of the Act provides for the preparation of guidelines by the Minister for Community, Rural and Gaeltacht Affairs and their issue to public bodies to assist in the preparation of draft schemes. This scheme has been drawn up having regard to those guidelines.

The Tribunal published notices under section 13 of the Act in August 2006, inviting interested parties to make submissions in relation to the preparation of the draft scheme. Four submissions were received from individuals and organisations. We also consulted with the Tribunal's Consultative Forum and asked users of the website for their views on the provision of bilingual versions of material on the site.

The content of the Scheme has been informed by these submissions and by views and suggestions put forward by the staff of the Tribunal. We appreciate these contributions to the process.

***1.2 The Content of the Language Scheme***

The Scheme aims to consolidate and improve the Tribunal's existing policy and practice in relation to delivery of its services in the Irish language. Our Statement of Strategy 2008 -2010 states that we will “ **support the implementation of the Irish Language Scheme**” and “**encourage staff to receive Irish language training**”. In line with this objective we aim to provide a high quality, easily accessible and efficient service. The provision of our services in the Irish language, where Irish is the client's language of choice, is a specified action in support of this goal.

The preparation of this Scheme was overseen by the Management Committee and responsibility for its monitoring and review will rest with the senior management within the Tribunal. The Scheme will be operated in conjunction with the Tribunal's Statement of Strategy and its objectives are consistent with the delivery of Quality Customer Service and the objectives of the Business Plans.

The Scheme builds on the extent to which our services are currently available through Irish. Areas for future enhancement of the service provided by the Tribunal are identified in the scheme. The Tribunal will implement a system of measuring the level of queries, complaints and requests to ensure that the demand can be met in a planned and accessible way.

### ***1.3 The Commencement Date of the Scheme***

This Scheme has been confirmed by the Minister for Community Rural and Gaeltacht Affairs. It is commenced with effect from 1 February 2009 and will remain in force for a period of three years from this date or until a new scheme has been confirmed by the Minister pursuant to Section 15 of the Act, whichever is the earlier.

### ***1.4 Overview of the Equality Tribunal***

#### **1.4.1 Mandate and Mission**

The Equality Tribunal is an independent statutory body which was established on 18 October 1999. Its core function is to decide and/or mediate claims of alleged unlawful discrimination in relation to employment and access to goods and services under the equality legislation and pensions legislation. It is funded and staffed by the Department of Justice, Equality and Law Reform, but acts independently in its service to customers. The Equality Tribunal as a whole has a budget of €2 million (2008) and a staff complement of 35.

The principal role of the Equality Tribunal is the hearing and mediation of claims of discrimination in relation to employment and in relation to access to goods and services, disposal of property and certain aspects of education. We also deal with claims of discrimination in relation to pensions.

#### **1.4.2 Who we serve**

The Equality Tribunal interacts with a wide range of users of its services on an ongoing basis. The Tribunal is committed to delivering its services in a manner which is prompt, professional and courteous and which respects the dignity of the individual. These commitments are outlined in the Tribunal's Customer Service Charter.

The Equality Tribunal deals with a large number of individuals, groups and organisations in regard to its statutory role of deciding and/or mediating on claims of unlawful discrimination. These include –

#### **Parties involved in claims**

- complainants
- respondents
- employees
- jobseekers
- consumers
- service users
- representatives of employees including
  - trade unions
  - the Equality Authority
  - legal and other professionals
- representatives of the users of services including
  - consumer bodies

- the Equality Authority
- legal and other professionals

**People not parties to claims**

- witnesses
- comparators
- specialist witnesses
- persons making enquiries

The Equality Tribunal also has contact with the following organisations, bodies and groups:

**Legal Bodies**

- Labour Court – to which employment equality Decisions may be appealed
- Circuit Court – to which equal status Decisions may be appealed
- High and Supreme Courts – as sources of precedent case law
- European Court of Justice – as a source of precedent case law

**Groups, Organisations and bodies**

- Department of Justice, Equality and Law Reform
- other Government Departments, Offices and statutory bodies
- organisations representing employers or providers of goods and services
- organisations representing employees or the users of goods and services

**1.4.3 How we are organised**

The functional areas of the Tribunal comprise:

- Employment Equality Investigation Unit
- Equal Status Investigation Unit
- Mediation Service Unit
- Corporate Resources Unit
- Secretariat and IT Unit
- Legal Unit

**1.4.4 Extent to which services are already available through Irish**

- The Tribunal’s Customer Charter includes the commitment to provide services through the medium of the Irish language when requested.
- It has been the practice of the Tribunal to ensure that all correspondence in the Irish language is responded to in Irish.
- Annual Reports and Strategy Statements are published in bilingual format.
- Irish versions of leaflets including the Tribunal’s Customer Service Charter have been made available in hard copy.
- Irish versions of some forms are available for download on the website.
- An online facility for customers wishing to make a complaint in relation to employment is available in Irish on the website.
- The Tribunal has supported staff who studied Irish.
- Investigations have been carried out by Equality Officers proficient in Irish where such a request has been made and the Decision issued in Irish.

## **Chapter 2**

### **Provision of Services**

This chapter sets out the official language regime of the Equality Tribunal.

#### ***2.1 Means of Communication with the Public / Information to the Public***

The Tribunal communicates with the general public through:

- Information Leaflets
- Publications
- Press Releases
- Website
- Speeches and presentations to conferences by the Director/Senior Management/ Legal Advisor
- Media Interviews

Some, but not all, of these are currently available in both Irish and English. The Annual reports and Irish versions of information leaflets are available in hardcopy formats. Speeches and presentations by the Director and Legal Advisor or by senior officials of the Tribunal are made available in the language(s) in which they are delivered.

## **Chapter 3**

### **Summary of Services/Activities provided by units of the Tribunal**

None of the units operates wholly or almost wholly through the Irish language. At present, some of the units have staff members capable of providing oral and written services in the language of the customer's choice be that Irish or English. Where such staff are not available, arrangements are in place to put the client in touch with a member of staff of another unit who can provide the service in Irish.

### **3.1 Sections of the Tribunal dealing with case work**

There are three sections, each headed by a Unit Manager and comprising Equality Officers and Mediators dealing with complaints from the public in relation to discrimination.

- Employment Equality Investigation Unit
- Equal Status Investigation Unit
- Mediation Service Unit

These sections investigate and mediate complaints where individuals think they have been discriminated against. In 2007, the Tribunal received 852 complaints. The majority of complaints are made by post with some personal callers to the office. Support for these units is provided by

- Secretariat and IT Unit
- Corporate Resources Unit
- Legal Unit.

The Secretariat Unit deals with general queries from the public.

In relation to Decisions, the practice is to make these available on [www.equalitytribunal.ie](http://www.equalitytribunal.ie). In all cases, the Decision is communicated to parties to the investigation. Since the inception of the Tribunal, one Decision has issued in the Irish language where the applicant chose to have the investigation conducted entirely through Irish.

The Tribunal has no member of staff who is competent to provide a service through Irish, if required, and external assistance may be required.

### **Corporate Resources including Reception and Switchboard**

The reception area is normally the first point of contact with the public. This section handles the calls and visitors for the Tribunal. As things stand, this area does not have staff competent to provide a full service to clients through the Irish language. The policy is that callers are directed with the minimum of delay to an appropriate member of staff who can deal with their business in Irish. Reception staff have a list of those staff members competent in Irish and to whom such callers may be directed.

## **Chapter 4**

### **Enhancement of Services**

#### ***1. Statutory obligations and commitments***

Section 11(1) (b) requires that each public body sets out the measures that it proposes to take to ensure that any services that are not provided through the medium of the Irish language will be so provided.

The Tribunal is committed to a progressive improvement of the Irish language service offered to our clients. This commitment will result in identifiable actions to be taken over the lifetime of this Scheme and in future schemes. These actions are proposed in the context of the following policy, legislative and pragmatic considerations -

- immediate legislative obligations;
- commitment to providing a high quality customer service as set out in our Customer Service Charter (published in 2005 - see [www.equalitytribunal.ie](http://www.equalitytribunal.ie));
- adherence to the Ombudsman's Standards of Best Practice for Public Servants (see [www.ombudsman.gov.ie](http://www.ombudsman.gov.ie));
- the priorities identified in the consultative process;
- demand for Irish language services as identified by the Tribunal; and
- the availability of, and access to, resources necessary to support the actions, both within the Tribunal, the public service and within the community at large.

The Scheme will enable delivery of specific improvements across the range of media through which the Tribunal communicates with its customers including publications; electronic and written communication; and face to face / personal contact.

#### **2. Communication with the public**

##### ***2.1 Publications***

- Irish versions of all new leaflets will be published from *December 2009*. They will be as readily available as the versions of the leaflets that are in English and other languages.
- New guides and application forms available to the public will be published bilingually from *December 2009*. These will be made available bilingually within the one cover except where this is not practicable because of the size or nature of the document.
- Existing guides and application forms available to the public will be published bilingually *as they are reprinted or restocked*. These will be made available bilingually within the one cover except where this is not practicable because of the size or nature of the document.
- Speeches will be made available in the language or languages in which they have been given *from the commencement of the Scheme*.

##### ***2.2 Website and On-line Services***

The Tribunal will provide an enhanced service in Irish on the website, subject to any technical restrictions which may emerge in the course of re-design and including the following services:

- It is likely that the Tribunal's website will be completely designed during the lifetime of this scheme. Any re-design of the website will provide for a version of the website which is navigable in Irish.

- Information of interest to the general public will be made available bilingually on the new website by the end of the scheme. This information will include items such as the background to the Tribunal, the legislation which is enforced by the Tribunal, how to make a complaint, and contact details.
- Where a document is published on the website (i.e. Annual Report) for which there is a requirement under the Official Languages Act to have a published version in Irish, the Irish version will be published on the website at the same time as the English version.
- In the context of proposals to make the Tribunal more accessible to our clients, where on-line interactive services are being provided in the future, they will be introduced simultaneously in both languages. The Tribunal does not currently have any such interactive services.
- In the case of Decisions of the Tribunal, these will be put on the website in the language that the investigation was carried out.
- The Tribunal will ensure that any new computer systems/software it purchases is fully capable of handling the Irish language and that existing systems will be made compatible at the next suitable planned maintenance or upgrade work.

### 3. Personal Contact

#### 3.1 Reception/Telephone Services

The Reception service will be enhanced as follows:

- First response/greeting service – It is the practice in this Tribunal to provide reception services, on a rotating basis, with the assistance of 2 members of staff. *Within six months of the commencement of the scheme*, a bilingual telephone greeting will be given by reception staff.
- They will be familiar with the basic greetings in Irish by *within six months of the commencement of the scheme*.
- Reception staff will route callers requesting an Irish or bilingual service to staff competent to provide this. Reception staff will have a list to hand of staff competent in Irish, *from the commencement of the Scheme*.

#### 3.2 Press/Publicity

- We will ensure that at least 10% of our press releases will issue in both Irish and English by the end of the lifetime of the Scheme.
- Every effort will be made to make available a spokesperson for the organisation to the media to provide an Irish service, if advance notice is provided, from the commencement of the Scheme.

Formáidithe: Urchair agus uimhriú

### 4. Provision of Services

#### 4.1 Delivery of services

It will continue to be the case that members of the public will be able to make a complaint to the Tribunal in Irish and to have their case conducted through Irish.

### 5. Developing Staff Competence

#### 5.1 Resources

In the Tribunal we depend upon a relatively small number of staff with the requisite skills to provide a service in the Irish Language. While we are fortunate in currently having some staff who have competency in the language, these staff are not available in all grades and areas of responsibility. One limitation we face is that we cannot readily recruit or replace staff with the requisite skills. (The Tribunal is currently staffed by the Department of Justice, Equality and Law Reform.) A major refocusing of recruitment policies would be required and, taking account of the staff mobility and development policies, it might not be feasible to retain an individual with the requisite skills in one area indefinitely.

### **5.2 Commitment**

The Tribunal will take steps to ensure that staff appreciate the thrust of the Act, understand the immediate legal requirements and the commitment to deliver a progressively enhanced service and see the service as an integral part of the commitment to quality client service. The Tribunal will encourage staff to use their existing competence; we will train and support staff so that existing competence can be improved and we will provide the appropriate administrative supports required ensuring that the identified standards/actions can be met.

- Language Awareness Training - Training policy within the organisation will promote an informed and positive attitude towards the right of the customer to a service in Irish. This will be affected through appropriate induction training, to be reinforced through regular training *from the commencement of the Scheme*.
- Staff who have passed the civil service Irish language competence test will be encouraged to use and build on their existing skills *from the commencement of the Scheme*.
- Volunteers will be sought across the Tribunal to participate in providing services through Irish *from the commencement of the Scheme*.
- Staff will continue to be encouraged to attend language training courses during or outside office hours.
- Irish language templates of frequently used letters/documents will be developed to encourage staff to participate in providing the Irish service, *within the lifetime of the Scheme*.

### **6. Assessing Demand**

In order to accurately assess the demand for services in Irish, the Tribunal will examine, *by December 2009*, existing procedures for recording enquiries and cases to ensure the accurate and comprehensive recording of the following:

- all complaints concerning the use of Irish and/or
- complaints put forward in the Irish language.

## **Chapter 5**

### **Monitoring and Revision**

The Senior Management Team (SMT) comprising Senior Management in the Tribunal and chaired by the Director will keep the operation of the scheme under review. It is proposed that this will be done by way of progress reports to the SMT by the Corporate Resources Manager on a twice yearly basis *beginning six months after the commencement of this Scheme*.



The day to day operation of the Scheme together with ongoing monitoring of the level of demand in the various areas is the responsibility of the line managers in the sections who report to the relevant Senior Manager.

## Chapter 6

### Publicising of Agreed Scheme

The provisions of the Scheme will be brought to the attention of the public by means of the following:

- The Scheme itself and subsequent updates on the delivery of commitments on particular services will be published on the website and reported upon in the Annual Reports.
- Press release and advertising of the Scheme's publication and availability *possibly to be carried out in conjunction with the launch of the other schemes due to be approved by the DCRGA*
- Circulation to those who made submissions on the Scheme, to Irish Language organisations, Citizens' Information Centres and relevant public bodies.

We welcome the commitments you make here in relation to publicising the scheme. We would be grateful if you could consider making some additional commitments, for example that the scheme was be referred to in a prominent place on your new website and that signs be placed in your reception area advising of the availability of an Irish language service.

A copy of this Scheme has been forwarded to Oifig Choimisinéir na dTeangacha Oifigiúla.

Scríosta: ¶

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