



An Roinn Iompair
Department of Transport

Public Sector Duty Assessment and Action Plan



Department of Transport Assessment under Section 42 of the Irish Human Rights and Equality Act 2014

Public Sector Duty Assessment and Action Plan

All public bodies in Ireland have responsibility, under the Public Sector Equality and Human Rights Duty or Public Sector Duty, to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users, and everyone affected by their policies and plans. This is a legal obligation and is contained in Section 42 of [the Irish Human Rights and Equality Act 2014](#).

Section 42 states:

A public body shall, in the performance of its functions, have regard to the need to:

1. Eliminate discrimination,
2. Promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
3. Protect the human rights of its members, staff and the persons to whom it provides services.

Section 42 of the Act also sets out three core steps to be taken by public bodies. These are:

1. In preparing strategic plans, public sector bodies must assess and identify the human rights and equality issues that are relevant to their functions. These issues must relate to all of its functions as policy maker, employer and service provider.
2. Public bodies must then identify the policies and practices that they have in place or that they plan to put in place to address these issues.
3. In their annual reports, or equivalent documents, public bodies must report in a manner accessible to the public on their developments and achievement in that regard.

This Department is committed to ensuring that there is a culture of respect for human rights and equality among our staff and for the people to whom we provide services.

A Departmental Working Group was established by the Management Board in January 2020 to drive implementation of our Public Sector Duty. The cross-sector, cross-grade working group reports to Management Board on a quarterly basis and will assess what human rights and equality issues are relevant to our functions and identify the policies, plans and actions in place to address those issues.

Key actions to date include:

- **October 2019:** seminar held with Senior Management of the Department, with presentations from the Irish Human Rights and Equality Commission (IHREC) and the Irish Probation Service (one of the six bodies who participated in IHREC's pilot on the process of implementing the Duty).
- **February 2020:** Staff survey circulated to all staff to ascertain their awareness of the Public Sector Duty and of Equality and Human Rights
- **February 2020:** IHREC presentation to the Department's Legal and Regulatory Network.
- **April 2020:** we noted our Public Sector Duty obligations in the Department's *Customer Service Action Plan and Customer Charter 2020-2022*.
- **July 2020:** we presented at an IHREC webinar on implementing the Public Sector Equality and Human Rights Duty, outlining our journey so far.

Current actions and activity in the Department relating to human rights and equality

The Department actively participates on a number of interdepartmental implementation groups and has actions under many existing national policies and strategies, namely,

- [National Disability Inclusion Strategy \(NDIS\) 2017-2021](#)
- [The Migrant Integration Strategy 2017-2020](#)
- [National Strategy for Women and Girls 2017-2020](#)
- [National LGBTI+ Inclusion Strategy 2019-2021](#)
- [National Positive Ageing Strategy](#)

Accessibility Consultative Committee

Under the NDIS every Department is required to have a departmental consultative committee and this Department's is called the Accessibility Consultative Committee (ACC). The main purpose of the departmental consultative committees is to oversee and monitor each Department's and its agencies actions under the NDIS. The Department chairs and provides the secretariat for the ACC. The ACC comprises representatives of the Disability Stakeholders Group (who are appointed by the Minister for Disability), disability organisations and relevant State agencies and meets quarterly to review progress on the Department's Accessibility Work Programme.

Department of Transport HR Development Strategy 2020-2022

Under the HR Development Strategy 2020 – 2022, we have committed to “nurturing an attractive, rewarding and inclusive work environment” so that “By 2022, we will have built a more attractive, rewarding, inclusive and innovative Department which continues to effectively lead and address public policy challenges across the sectors for which we have responsibility”.

Relevant actions include:

- **Investing in and promoting wellness initiatives for staff:** this is on-going.

- **Actively promoting inclusion and diversity in the Department through initiatives such as the LGBT+ and Disability Networks.** The LGBT+ network was established in early 2020 and the Department is in the process of establishing a Diversity & Inclusion Network. The Department actively participated in Pride 2019 and 2020 and has facilitated “lunch and learn” seminars for both LGBT+ and disability issues. We marked International’s Women’s Day in March 2020, and we will mark International Men’s Day in November and International Day of Persons with Disabilities in December 2020.
- **Facilitating the introduction of networks at all grades to be led by staff with appropriate support where required:** the Department is examining options to expand on the number and variety of its networks
- **The Department of Transport runs all of its recruitment and promotions competitive processes in line with Commission for Public Service Appointments (CPSA) [Code of Practice](#).** The principles established by the Commission in this Code of Practice are underpinned by the core values that define probity such as integrity, impartiality, fairness, reliability and ethical conduct.

As part of aligning and integrating our Public Sector Duty with our strategic planning processes, our initial Assessment and Action Plan for 2021-2023 is detailed below. We will continue to ensure organisational commitment with senior management and, through our Working Group, we will continue to work with all staff in delivering on our commitments identified in this Action Plan. The Action Plan will be integrated into our business planning process and we will report progress in our Department’s Annual Reports. Our assessment and action plan will continue to evolve with the functions and activities of the Department, reflecting the fact that this is an ongoing duty that must be continuously monitored, reviewed and developed. To this end, following the initial awareness raising actions over Year 1, we will commence a review of the Assessment and Action Plan within 18 months.

DEPARTMENT OF TRANSPORT PUBLIC SECTOR DUTY ASSESSMENT AND ACTION PLAN

	Assessment	Evidence	Action Required	Timeline in 3 year SOS Cycle
1.	There is a low level of awareness of the Public Sector Equality and Human Rights Duty and of IHREC in the Department	<p>80% of respondents to the staff survey had either never heard of, or had heard of but were unfamiliar with, the Public Sector Equality and Human Rights Duty.</p> <p>67% of respondents had either never heard of or had heard of but were unfamiliar with the work of IHREC.</p>	<p>Awareness-raising of our Public Sector Duty and IHREC for all staff.</p> <p>Set up a dedicated internal site that Department staff can access information on; advise of new information via email and Hub notices.</p> <p>Encourage staff to view and use IHREC's online guidance tools and resources.</p> <p>Information sessions at Divisional Meetings</p> <p>Build into Business Planning process</p>	Year 1
2.	Awareness of Human Rights obligations among staff of the Department needs to be raised	<p>53% of respondents had either never heard of, or had heard of but were unfamiliar with the human rights provided for by the Constitution;</p> <p>57% of respondents had either never heard of, or had heard of but were unfamiliar with the European Convention of Human Rights.</p>	See Point 4	Year 1 and 2
3.	There is a high level of awareness of 9 of the 10 grounds on which it is unlawful to discriminate. The		See Point 1 and 4	

	exception being, people in receipt of Housing Assistance payment			
4.	While staff appear to have confidence in their own abilities to perform particular functions without discriminating against or infringing on human rights of colleagues and customers, the Department needs to ensure that this confidence is grounded in an appropriate awareness of equality and human rights obligations and supported by necessary skills development.	When those who do not perform the functions listed are disregarded, there is a high level of confidence among respondents in their own abilities to perform particular functions without discriminating or infringing on human rights of colleagues and customers: ranging from 58% on drafting policy and legislation to 86% in providing customer service.	<p>Training to be piloted with the Working Group , on equality and human rights obligations and on how to equality and human rights proof –</p> <ul style="list-style-type: none"> • legislation and policy making, • formulation and enforcement of regulatory standards, • budgets and procurement, • service provision, • customer service, or • HR. <p>This training would then be rolled out to all staff.</p>	Year 1 and 2
5.	<p>There is a need to consider human rights and equality obligations at a Divisional level. The aim of these assessments will be to identify the human rights and equality issues relevant to the division's functions, to the services it provides, or regulates or oversees, and to its employees.</p> <p>As part of this we will engage with our external stakeholders and service users.</p>		<p>Analyse each Division to obtain the following:</p> <ul style="list-style-type: none"> • Description of work • Public Sector Duty / Equality and Human Rights issues • Current measures in place in relation to PSD, equality and Human Rights • Gaps and planned measures to mitigate gaps 	Year 2 and 3
6.	There is a need to ensure that the Agencies under the remit of the Department are aware of their		Explore approaches to promoting the implementation	Year 1

	obligations in relation to the Public Sector Duty.		of the Public Sector Duty with public bodies under the aegis of our Department.	
7.	Opportunities will arise on an ongoing basis during this action plan where our Public Sector Duty can be promoted and implemented.		The timelines associated with the Assessment and Action Plan will not restrict the Department in promoting and implementing its Public Sector Duty when opportunities arise.	Ongoing



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