2004 Irish Presidency
Anti-Discrimination Conference

Closing the Gap: Systematic
Approaches to Promoting Equality
and Diversity in Europe

Conference Report

Radisson SAS Hotel, Limerick Ireland.

27 - 28 May 2004
Foreword

I am pleased to have this opportunity to introduce this Report of the anti-discrimination conference ‘Closing the Gap: Systematic Approaches to Promoting Equality and Diversity in Europe’. This is the fourth European anti-discrimination conference and it is timely in the context of the enlargement of the European Union to 25 Member States in May 2004. With this in mind, the aim of this conference was to promote a greater understanding and approach to the implementation of European anti-discrimination legislation, policies and practices among existing Member States and new Member States following enlargement. It was also a unique opportunity for the old Member States to review their achievements in terms of the Equality agenda as developed under Article 13 over the past five years.

Article 13 enables the European Community to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religious belief, disability or sexual orientation. Under Article 13, an extensive legislative framework has evolved which forms the basis upon which national equality legislation can be and has been developed. During the conference, many examples of the practical outcomes of national equality legislation were demonstrated showing that while approaches in different countries varied there was still a lot of commonality within the legislation itself. However there is still much work to be done in narrowing the gaps in the various national equality legislations which is part of the challenge in the future. The gaps highlighted during the Conference were as follows:

- Firstly, between Member States in terms of legal protection, which are closing.
- Secondly, between the groups covered by Article 13 which show signs of narrowing.
- Thirdly, between what the law provides and what is the reality on the ground for many groups.

The Irish experience suggested that adopting a planned and systematic approach to working towards a more holistic equality legislative and policy development framework will facilitate closing the gaps outlined. One way to meet this challenge is for all Member States to continue to exchange information, experiences and knowledge and to support each other along the way. Minister Willie O’Dea identified some of the core issues all of us must continue to keep a focus on our challenge to the ongoing work in further narrowing the gaps in the area of anti-discrimination policy making and legislation, these are:

- That legal prohibitions are insufficient on their own to combat discrimination;
- That genuine equality and diversity in the workplace requires a whole organisation approach which is comprehensive, planned and systematic and also involves senior management buy-in;
That co-operation is required between specialised bodies, EU institutions and member states at national and EU levels.

This Conference Report includes a summary of the main points from all the conference presentations which provides very useful information and can be used as a reference source for future work in the area of anti-discrimination legislation and policies.

I would like to thank all the participants, particularly those from the new Member States and beyond for coming to Limerick, Ireland and actively engaging in the conference and the social activities. As we are all aware, conference networking is an invaluable source of making contacts with fellow personnel in the field of equality and diversity. From meeting with you all, I believe that this equality conference has provided you with some new concepts to support your continued efforts to develop and implement the European and national legal frameworks for combating discriminations within your own Member States.

I am also appreciative of the engagement of the European Commission with this Conference and in particular for their funding which enabled this Conference to take place. I know you all would like to join with me in thanking the World Music Centre, University of Limerick for the multi-cultural entertainment provided at the Conference dinner. The music which you all so enjoyed was provided by students involved with the Sanctuary project with the University.

Niall McCutcheon,
Department of Justice, Equality and Law Reform
Conference Report

INTRODUCTION

The conference involved three sessions considering equality bodies, equality in the workplace and promoting equality in the provision of services. This report contains summaries of the sessions together with key learning points. In drawing up the report, what was interesting was the extent to which the separate sessions were in fact so closely inter-connected. It is clear from the sessions that achieving equality and accommodating diversity does not depend on one approach nor can it be said to be the responsibility of any particular body or section of society. The sessions strongly reflected the need for partnership, using a multifaceted approach and drawing on shared experience.

The conference began by considering equality bodies and the presentation demonstrated how the work of these bodies is greatly enhanced by their ability to interact with both the social partners and civil society. They need also to consult with those who should benefit from equality legislation. As well as informing policy, the results of these links also feed into businesses and organisations which are seeking to promote equality within the workplace and for their customers. We have, therefore, the creation of a process of exchange of information and experience that can move between organisations at national, local and transnational levels.

The partnership approach was further in evidence in relation to the task of achieving equality within organisations. The link between equality in the workplace and in the provision of services was strongly demonstrated by the need for a whole organisation approach. The examples from the sessions showed that the approach should be one that involves management, staff, trade unions, customers and suppliers.

The other thread that ran through the conference was that while legislation, such as the Equality Directives, makes a key contribution, it does not provide the whole answer. Parallel with legislation there has to be promotion, education, positive action and practical support in achieving change.

Finally the issue of monitoring and data collection was raised on a number of occasions. How to handle this issue was of concern to many participants and clearly requires further debate and exchange of experience.

Dave Ellis, Conference Rapporteur.

Opening Session

Chair:
Sylda Langford, Assistant Secretary, Department of Justice, Equality and Law Reform

Opening Address
Willie O’Dea, T.D. Minister of State, Department of Justice, Equality and Law Reform
Keynote Speech
Bernhard Jansen, Director, Adaptability, Social Dialogue and Social Rights Directorate, European Commission

Summary of presentations

Sylda Langford welcomed the delegates to the conference and thanked the speakers. She pointed to the truly diverse nature of the conference with delegates coming from 30 countries.

The Minister outlined the thinking behind the conference as being:

- The gaps between countries in terms of legal protection are closing
- The gaps between the groups covered by Article 13 are narrowing
- A less welcome gap - the gap between what the law provides and the reality on the ground for many groups

The Minister also addressed the issues which arise now for the Union as being:

- Safeguarding the independence of action of specialised bodies
- Giving appropriate protection to all the groups covered by Article 13
- Giving real effect in Member States to those protections
- The machinery needed to create dialogue and partnership at all levels
- Involving non-governmental organisations effectively at EU and national level

The Minister concluded by stating; "At EU and at national level we are approaching a time for reflection on how we are to advance the equality agenda. Much progress has already been made on legislation. The need for, or the scope of, further legislation at EU level is a matter for consideration. The Community Action Programme expires at the end of 2006 and planning for its replacement must start soon."

Bernhard Jansen considered that in many Member States the fight against discrimination, particularly involving ethnic and racial discrimination had slid down the policy agenda. It had been replaced by a debate on immigration with scare stories mainly in relation to Roma in the light of EU enlargement. He stressed that Europe needs immigration to cope with the shrinking labour market but that it is not just about economics - "it's about giving people equal rights and equal opportunities." The Director noted the Commission’s concern at the delays in implementing the Directives and stressed the commitment to ensuring compliance. There was a recognition that putting legislation in place is one thing but that effective implementation depends on the commitment of national authorities and civil society with support for non-legislative measures. There was reference to the five year information campaign ‘For Diversity - Against Discrimination”. The Director concluded; "A wise person once said we can judge our societies by how they treat their minorities. It is only by working together that we can get the message across that the promotion of diversity, and the fight against discrimination, are in everyone’s interest.”
Session 1  
The Role of Independent Equality Bodies in the Promotion of Equal Treatment

Chair:

Barbara Nolan, Head of Anti-Discrimination Unit, DG Employment and Social Affairs, European Commission

Speakers:

"Engaging with Change: The Equality Authority's Approach to Promoting Equality and Combating Discrimination"

Niall Crowley, Chief Executive Officer, Equality Authority, Ireland

"The Experience of the Equality Commission for Northern Ireland in Developing an Inclusive Equality Agenda"

Evelyn Collins, Chief Executive Officer, Equality Commission, Northern Ireland

"The Role of the National Council for Combating Discrimination in the Context of the Romanian Legal System"

Adrian Camarasan, President of the National Council for Combating Discrimination, Romania

"Redress for Discrimination: The Experience of the Irish Equality Tribunal"

Melanie Pine, Director, Office of the Director of Equality Investigations, Ireland

Summary of the presentations

Barbara Nolan opened the session by highlighting the obligation to designate equality bodies as being a crucial provision of the Racial Equality Directive. These bodies should be the linchpin between the EU anti-discrimination legislation and effective implementation. Concerning the question of the independence of the bodies, the Commission proposed that the test should be how they actually carried out their work. The bodies should have independence guaranteed by statute, a broad mandate and sufficient resources to do their job properly.

The common threads that ran through the presentations included the importance of independence for equality bodies. Niall Crowley summarised independence as follows "[t] is about control over staffing and resources. It is about being a critical voice and deploying functions and powers wherever situations of discrimination require. It is about credibility with those who experience inequality and discrimination and a respect across all stakeholders in the search for a more equal society."

For both the Equality Authority and the Equality Commission the centrality of the dual mandate of combating discrimination while also promoting equality of opportunity was stressed. In addition both bodies place an emphasis on the role of partnership and consultation.

Both of the enforcement bodies, the Irish Equality Tribunal and the Romanian National Council for Combating Discrimination, adopt the dual approach of the formal investigation and hearings of complaints coupled with the availability of mediation. The
experience of both bodies has been that mediation is a very worthwhile approach. Melanie Pine stated that the Equality Tribunal saw mediation as a way forward and referred to the Tribunal's experience of people making "creative and innovative solutions which in some cases go well beyond the confines of the legislation." She also stressed the need to have professional mediators and a real division between the mediator and any subsequent judge, "otherwise the parties will not be frank and the mediation will not work."

Both the Equality Commission and the Equality Authority identified the importance of an integrated approach. For example, the Equality Authority's work was described as involving a focus on all nine grounds covered by the Irish legislation; a focus on each ground and a focus on groups at the intersection of different grounds. Evelyn Collins stressed the benefits of the multi-strand approach as bringing about "a much stronger, holistic vision for change". In addition the approach allows for lessons from one area to enhance other equality strands and an "easier engagement with multi-identity issues".

Niall Crowley developed a theme which would be echoed in many of the remaining inputs at the conference. One of the core principles of the Equality Authority is "planned and systematic approaches" with a focus on organisations as both employers and service providers. Organisations should develop an equality infrastructure which includes; (1) equality policies; (2) equality and diversity training; (3) equality action plans; (4) equality officers and committees; and (5) systems of dialogue. In addition the presentation made reference to the work of the Equality Authority in relation to supporting sources of advocacy for claimants in partnership with, for example, trade unions and Travellers.

Evelyn Collins introduced the concept of a statutory duty on public bodies to promote equality of opportunity through all public policy making. In Northern Ireland this duty was established through the Northern Ireland Act of July 1998, Section 75. Under this legislation, public authorities are required to draw up Equality Schemes. They are also required to screen their policies for likely equality impact, to undertake equality impact assessments of their policies and to consider changing aspects of the policies if there is evidence of actual or potential adverse impact on any of the Section 75 equality categories. Consultation and public participation underpin the mainstreaming process and should be "meaningful and inclusive". The assessment of the approach was that "while it is early days in the implementation of the duties, there is evidence of good practice by public authorities and positive outcomes..."

Adrian Camarsan described the work of the National Council for Combating Discrimination. Its role is to investigate complaints of discrimination under the 15 grounds covered by Romanian legislation. These grounds are; race, nationality, ethnicity, language, religion, social status, beliefs, gender, sexual orientation, age, disability, HIV/AIDS, chronic non-infectious diseases, refugees and asylum seekers. A board comprising of seven jurists hears complaints. People who have their complaints of discrimination upheld may go to court for a ruling on the amount of damages due. The Council is also involved in wider work, for example, promoting a National Plan for Combating Discrimination. It is involved in co-operating with a range of other bodies and organisations. These include universities in order to develop think tanks and to create new specialists in the fields of discrimination. In addition the Council, as a new organisation with limited resources and without regional offices, enlists the help of interested NGOs.
Melanie Pine outlined the role of the Equality Tribunal and listed its core values of impartiality, professionalism, access and timeliness. She also referred to other aspects of the experience of the Tribunal. Firstly the importance of the Tribunal being able, in addition to awarding compensation, to direct that a specific action be taken. An example was given of ordering that a person who engaged in harassment be transferred. Secondly the importance of the investigative function as a means of giving the unrepresented party the best chance of presenting their case. Thirdly the fact that Equality officers are not required to be legally qualified was seen as bringing the benefit of accessibility and making the Tribunal and its processes less legalistic. Finally the fact that the Tribunal covers all grounds and covers both employment and service provision “means that precedent transfers easily between the two strands and between grounds”. For example, this assisted the Equality Tribunal to apply the principle of the shift in the burden of proof in all its cases from 1999.

Outcome of the general discussion - main points

The discussion that followed the presentations included issues in relation to hierarchies of discrimination, accountability of equality bodies, access to redress, implementation of legislation at grass roots level and particular difficulties of combating discrimination in hiring patterns.

In regard to hierarchies of discrimination, it was pointed out that while the equality bodies strive to avoid such an approach, sometimes legislation includes provisions which result in such hierarchies. The distinction was also drawn between hierarchies of discrimination and invisibility, for example, a fear of “coming out” in relation to sexual orientation. In addressing the issue of invisibility, the idea of advisory committees or consultative councils was put forward as a means of engaging with particular groups and allowing them inform the policies of the bodies.

Accountability of equality bodies was seen not just as an issue in relation to finances, but also involving partnerships to receive feedback and input.

It was suggested that a key element in the effective implementation of legislation is the promotion of positive measures.

Finally regarding hiring patterns, a number of points were made including developing positive action measures as a means of combating discrimination in this area. In addition the value of the shift in the burden of proof was referred to whereby an employer must prove the fairness of hiring procedures once a prima facie case of discrimination has been established.

Key learning points
All the speakers contributed to the following list of learning points from their experience which may inform and assist member states, new member states and accession states in working with their equality bodies:

- The importance of independence for equality bodies
- A partnership approach and active consultation
- An integrated approach allowing equality bodies to work across all grounds of discrimination
- The value of mediation

Session 2: Equality and Diversity in the workplace - best practice

Chair:

Ailsa Spindler, Social Platform representative and Executive Director of International Lesbian and Gay association Europe

Speakers:

"Implementing an Equality and Diversity Programme in the Workplace"
*Pat Normanly, Equality Officer, Dublin Bus, Ireland*

"Changing Human Resources Systems to Improve Access to Employment: Successes and Lessons from the Equal at Work Project in Public, Private and Community and Voluntary Sectors"
*Philip O'Connor, Dublin Employment Pact, Equal at Work Project, Irish Partner*

"Fighting Discrimination from Theory to Practice"
*Juliane Bir, Adviser European Trade Union Confederation, Brussels*

"Diversity: A National and International Perspective"
*Denise Murphy, GECAS, Human Resources*

Summary of presentations

Ailsa Spindler opened the session by pointing to the gap that often exists between theory and practice and the need to address individual discriminatory attitudes at management level. This required statutory requirements and effective enforcement.

An important theme running through the session was the need for senior management "buy in" to addressing equality and diversity issues in collaboration with staff. Pat Normanly, Dublin Bus stated that this commitment is essential as a foundation for building a programme that will effectively address the various issues. Denise Murphy highlighted the clear commitment within GE to its Fair Employment Practices from the very top of the organisation and that the application of the practices was the responsibility of all management and employees. Partnership was clearly present in the Equal at Work Project, which were brought together employers, both public and private, trade unions and community and voluntary organisations. Finally Juliane Bir provided an example of how one of the social partners, the European Trade Union Confederation
(ETUC), is working in conjunction with national trade union bodies to bring about a greater understanding of the issues concerning equality and diversity.

In her presentation Pat Normanly described how the decision of Dublin Bus to put in place an Equality and Diversity programme has been followed through in practice. The process began with a recognition of the need to address both the increasing diversity of the company's staff and its customer base. Following the appointment of an Equality Officer, an Equality Committee consisting of staff, management and trade union representatives was established. This Committee assisted in developing an equality review of the organisation. This review included establishing a company profile, gathering statistics, and collecting feedback on policies, for example, concerning recruitment. Following an engagement with focus groups and staff, an Action Plan was drawn up which set out key areas for the focus of the Equality and Diversity programmes and goals to be completed within stated timeframes. The Plan also included a commitment to monitoring and evaluating progress.

The lessons learned from this process were identified as:
- The programme rather than being just an added responsibility or compliance with legislation is a part of the management of change
- A planned and systematic approach is required
- There is a need to communicate the policy to staff and provide training
- The benefit of linking with similar organisations to share best practice

Denise Murphy echoed some of the lessons from Dublin Bus and provided further practical ideas on achieving equality and diversity in the workplace. These ideas are particularly useful in view of the fact that GE has 315,000 employees, operating in over 100 countries, and a wealth of experience in dealing with a variety of equality issues. The company fair employment practices are founded on the principles of the use of merit, qualifications and job related criteria as the sole basis for decisions on recruitment. Decisions on recruitment as well as training and promotion are taken on a non-discriminatory basis. The Diversity Framework of the company includes recognition of the strong business case for equal opportunities. In addition there is a recognition that issues of equality and diversity must be addressed throughout the employee life cycle involving recruitment, retention and promotion. The Diversity Framework also involves support programmes which use, for example, focus groups, training, public affirmations and workshops. The Women's Network within the company is one example of a focus group which allows women working within the company to network and share common issues. Best practice examples included various programmes around child care such as "highly subsidised in home back-up and sick child care".

Philip O'Connor in describing the Equal at Work project provided an example of work beyond the confines of one organisation which sought to bring together a range of different players at regional, national and EU levels. The project considered how changes to human resources systems could be harnessed to improve access to employment. In bringing together a mix of private, public and community and voluntary players, the project recognised the different dynamics at play and adapted its work to take this into account. One example of its work was the development of an approach to recruitment which replaced formal entry qualifications with a skills assessment system. This has important implications for those who for a variety of reasons may have been unable to avail of formal education, but nevertheless have a range of skills learned through work and life experiences. The Project is also committed to mainstreaming its
work at all levels. In this respect it achieved a major breakthrough with an agreement by Government to introduce a skills assessment system for entry level clerical jobs in local authorities in Ireland.

Through the practical work of the ETUC, Juliane Bir provided a good example of a social partner developing policies and initiatives on equality issues at EU level which can influence national trade union bodies. She explained that the ETUC is examining three areas of discrimination, race/religion, disability and gender. In regard to race/religion the ETUC project has identified good practice models, for example, allowing flexibility in work time to allow employees attend to their religious observances. In regard to disability, the work is addressing not only the right to work but the right to education/training. This later aspect is seen as crucial because if people with disabilities are denied access to education their changes of obtaining employment are greatly diminished. Finally the ETUC work on gender has included drawing up a new action plan which will include a target for ensuring women have full representation within collective bargaining. The work also recognises the issue of women who face a multiplicity of discrimination.

Outcome of the general discussion – main points

The problem of management failing to buy in to addressing equality was raised. One suggestion was to start in a small way and seek to understand the reasons for resistance. Human Resources personnel were seen as useful route into an organisation. Another suggestion was to run briefing sessions for management. In addition the attention of delegates was drawn to the EU “For Diversity Against Discrimination” awareness raising campaign and delegates were strongly encouraged to use the material available from the campaign and visit its website - www.stop-discrimination.info.

There were questions concerning older people including their exclusion from training, removing mandatory retiring ages and returning to work after a gap. There was general support for the idea of removing mandatory retiring ages, though it was felt that some employees might have fears about such a move, arising from, for example, concern about pension rights. Structures and supports, including training, are needed to help older people back into work. Life long learning opportunities are also important.

The issue of data collection was raised and the need to put in place a framework that would address fears around, for example, confidentiality. Both Dublin Bus and GE stated that they kept data on retention figures. Dublin Bus had used the data to identify the high turnover of women drivers which had led to measures being put in place to rectify the situation.

The access to employment for members of the Traveller community was raised and one speaker stressed the importance of training at community level to help introduce the members of that community into the workforce. Access for people with disabilities led to a suggestion that job requirements should be reviewed to ensure that the requirements had not been inherited and lacked any valid reason for their retention.

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All the speakers contributed to the following list of learning points from their experience which may inform and assist member states, new member states and accession states in achieving equality and diversity in the workplace:

- Senior management "buy in" to addressing equality issues
- Staff involvement in the process
- Flexibility of approach taking into account issues such as the size and nature of the organisation or business
- Attention to equality issues throughout the life cycle of an employee

### Session 3: Promoting Equality and Accommodating Diversity in the Provision of Services

**Chair:**

Anastasia Crickley, Chairperson of the National Consultative Committee on Racism and Interculturalism (NCCRI) and Irish representative at EUMC

**Speakers:**

- "Achieving Barrier-Free Services for customers with Disabilities"
  **David Leposfsky, Ontarians with Disabilities Act Committee, Canada**

- "Equal Status Reviews - A Tool for Advancing Equality in Service Delivery?"  **Caoimhe Gleeson, Equality Officer, North Western Health Board, Ireland**

- "The Impact of An Anti-Discrimination and Diversity Training Framework on Equality Mainstreaming within Public Authorities"
  **Pascale Charhon, Director CEJI and Vice-Chair ENAR, Brussels**

- "Being a Better Neighbour"
  **Sue O’Neill, Diversity Manager, B&Q, UK**

- "New Instruments for the fight Against Discrimination: access to Banking and Credit Services by Immigrant Entrepreneurs"
  **Pietro Vallone, Confartigianato, Italy**

**Summary of the presentations**

In her introductory remarks to the session, Anastasia Crickley reminded delegates of the landmark nature of the Racial Equality Directive which had taken the concerns of the EU with regard to equality out of the workplace and into the area of the provision of goods and services.

In addressing the theme of this session, there were a number of common strands amongst speakers.

*Legislation is not the complete answer.* David Leposfsky outlined the experience in Canada where, in his view, laws, even good ones, standing alone are of limited use. He saw the central question as being how to achieve a barrier free society for people with
disabilities. In order to achieve this goal there should be an obligation on those providing goods and services to identify barriers, remove those barriers within a reasonable time scale and prevent new barriers. Pascale Charhon also developed this theme stressing the need for attitudes and behaviour to change and that legal standards need to be complimented by education and training.

There is a strong business case for promoting equality and accommodating diversity. Sue O'Neill listed the benefits to business as including, improved retention, increased employee satisfaction, better team work, and a widening of both the recruitment pool and the customer base. She noted that while the legal case added weight to the argument for developing an equality and diversity strategy, it was the business case that the directors went on to look at in detail. David Leposfsky stated that preventing new barriers costs business little or nothing and that ensuring access for people with disabilities not only makes sense but pays for itself.

There is a need for staff training. Caoimhe Gleeson included this in her recommendations and pointed to the need to be flexible in the provision of training to take account of the time demands on staff. Pascale Charhon considered that the training should include an understanding by staff of their duties, developing empathy based on personal experience and the ability to recognise stereotypes. Sue O'Neill gave examples of training including producing back-up documentation and an e-learning programme for employees on social responsibility and diversity.

The importance of conducting a customer needs assessment. David Leposfsky spoke of the obligation to identify barriers. Caoimhe Gleeson stressed the need for consultation and assessing the impact of services on different groups. Pascale Charhon gave examples of approaches to needs assessment including data collection, focus groups, questionnaires and interviews. Pietro Vallone showed how the failure to carry out a needs assessment can impact on a group. As a result the particular needs of immigrant entrepreneurs had not been identified by the banking system leading to, for example, the placing of exaggerated requests for guarantees.

The value of a planned and systematic approach to promoting equality and accommodating diversity was identified. Caoimhe Gleeson spoke of undertaking an Equal Status Review using this approach, so as to include an examination of the equality infrastructure of the organisation, access to its services, consultation methods and policies, practices procedures and perceptions. Pascale Charhon quoted the CRE (UK) experience of developing policies, awareness training, action plans, organisational audit, recruitment review, pre-employment training, a positive organisational image, flexible working arrangements and closer links with local communities.

In addition to the common themes outlined above, speakers also raised the following points.

David Leposfsky pointed out that although everyone in all of our society at some point will likely experience a disability, barriers are a universal constant. Workplaces, goods and services continue to be designed as though dealing with people with disabilities will not occur very much if at all. To counter this he put forward the idea of annual accessibility plans. The obligation to produce such plans should be mandatory and coupled with enforcement procedures. He also stressed the need for common standards and actions to provide a guide to businesses as to the barriers to look for.
Caoimhe Gleeson presented a detailed description of undertaking an Equal Status Review. She discussed the process of identifying the scope of the review and the importance of using an external independent consultant. She identified key challenges in the process, including the overall context of the particular service and addressing both staff and customer apprehensions about the process. The key findings of the review related to the lack of resources, lack of training, difference being seen as a problem and equality being equated with treating everyone the same. The recommendations included an equality strategy, equality proofing, consideration of new ways of delivering services, the need for data, targeting resources, improving translation services and issues concerning accessibility.

Pascale Charhon outlined the work of a transnational training programme aimed at helping public bodies create inclusive organisational practices. The vision, philosophy and approach of the programme was "mainstreaming equality and diversity into policy and practice through positive community relations and participation with the aims of assisting public authorities to eliminate discrimination and provide culturally sensitive, equitable, caring and quality services." She stressed that it was the view of the programme that one form of discrimination cannot be fought without fighting all forms of discrimination. Other lessons from the programme included an overall partnership approach and the exchange of experience arising from the transnational element. The training provided should follow the "iceberg model", that is dealing with what is under the surface as well as above it, for example, issues around commitment and unwritten rules.

Sue O'Neill described the commitment to equality and diversity at senior level within her organisation working in collaboration with employees, customers, suppliers and external partners. This top level commitment ensures that diversity is mainstreamed in all areas of the business. She gave the example of allowing staff to choose to wear a badge indicating to customers that they spoke a language other than English.

Pietro Vallone described the work of Confartigianato with immigrant entrepreneurs. In common with other speakers, he referred to the use of focus groups to help establish the needs of the target group and described the preliminary lessons from the project. These include the identification of the contribution of immigrant entrepreneurs to Italian society and the need for the culture of integration to be developed in the hosting communities as well as by the immigrants themselves.

Outcome of the general discussion - main points

The need for co-operation between groups covered by equality legislation. David Leposfsky outlined how disability groups in Canada now consider that, from the point of view of the unique barriers faced by people with disabilities, there is a need for separate disability legislation. However disability groups are clear that such a development should not slow down or contradict other claims of equality seekers.

The issue of monitoring and data collection was again raised. Sue O'Neill spoke of the importance of monitoring all aspects of the business including those relating to equality and diversity. She described how B&Q monitor staff at entry and follow this up after three months. At this point it is considered that new staff are more open to monitoring based on their experience of the ethos within the organisation. There was also a call for a
national framework around monitoring and data collection as a guide to local organisations.

One contributor addressed the central point that public services by their very nature should be dealing with everyone. David Leposfsky suggested the need to explore why some organisations had addressed equality and diversity issues and what would make those that had not done so, act.

The importance of a visible commitment at the highest level of organisations to equality was stressed. In addition this commitment needed to be demonstrated at national and EU Commission level also.

The importance of equality being addressed at all layers of an organisation's operation was made clear by Sue O'Neill in her description of supply chain visibility. She also pointed to B&Q's policy of not necessarily walking away from suppliers who failed to live up to set standards, but seeking to work with them to put in place action plans to bring about improvement.

**Key learning points**

All the speakers contributed to the following list of learning points from their experience which may inform and assist member states, new member states and accession states in promoting equality and accommodating diversity in the provision of services:

- Planned and systematic approach to developing equality policies involving management, employees, customers, suppliers and external partners
- The importance of staff training
- Customer needs assessment
- Strong business case for promoting equality and accommodating diversity

**Conclusion**

In his report to the conference, Dave Ellis considered that the outcomes had addressed equality and diversity issues on a number of levels. These included the need to keep the issue of equality on the EU policy agenda and to ensure the rapid transposition of the relevant directives. Secondly the need for specialised bodies that are independent and properly resourced. Finally the important role for specialised bodies to assist businesses to develop and implement equality policies.

In closing the conference, Willie O'Dea, T.D. Minister of State, Department of Justice, Equality and Law Reform, identified three themes.

1. That legal prohibitions on their own are insufficient to combat discrimination
2. That genuine equality and diversity requires a whole organisation approach which is comprehensive, planned, systematic and involves senior management buy-in
3. That co-operation is required between specialised bodies, EU institutions and member states at national and EU levels.