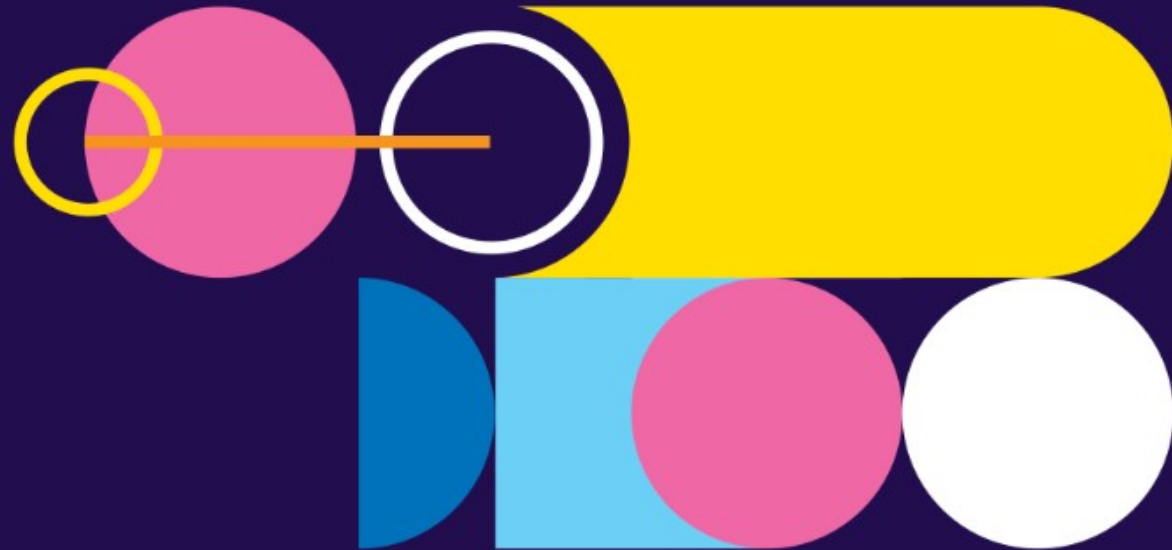


Public Sector Human Rights and Equality: BAI Action Plan 2021-2022



ÚDARÁS
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Introduction

The Irish Human Rights and Equality Commission Act 2014 introduces a positive duty on public bodies to have due regard to human rights and equality issues. 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:

- *Eliminate discrimination;*
- *Promote equality of opportunity and treatment of its staff and the persons to whom it provides services; and*
- *Protect the human rights of its members, staff, and the persons to whom it provides services.*

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

- *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.*
- *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.*
- *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.*

In its Strategy Statement 2021-2023, the BAI commits to a proactive approach to implementing this duty.

The objectives and functions of the BAI as set out in the Broadcasting Act 2009 (“2009 Act”) align directly with the promotion of equality and protection of human rights. These include rights such as freedom of expression, the protection of minors, accessibility and disability equality, the right to privacy, the right to an effective remedy, the right to education, and the right to protection from discrimination. The 2009 Act places a range of transparency and governance obligations on the BAI staff, the Authority and Committees, including those relating to ethical conduct. The promotion of equality and a wide range of human rights are therefore at the heart of our work and reflected in our organisational values which include fairness, independence, expertise, and accountability. The BAI is committed to an inclusive culture of respect, dignity, equality, and fairness in how we engage with the public, our stakeholders and between our staff.



In 2020, the BAI established an internal cross-functional steering group to assess the human rights and equality issues relevant to the BAI's functions and purpose. Its key responsibility was to report on the specific work areas and the policies, plans and initiatives in place in the BAI to address these issues. These include, for example, the development of broadcasting codes and rules that protect the human rights of Irish audiences, investigating the public's complaints under such codes and rules and ensuring access to media by those who have a disability. We engage the public and our stakeholders directly in our regulatory processes through open accessible written and online communications. Equality and promotion of diversity and inclusion are to the forefront of BAI Sectoral Development and Funding Schemes. These schemes support the implementation of specific diversity action plans, for example the BAI Gender and Irish Language Action Plans.

The BAI maintains a workplace environment that encourages and supports the right to dignity at work, equitable treatment and respect for our individuality and diversity. This inclusive culture is supported by policies and initiatives such as Dignity at Work, Grievance Procedure, Training & Development, and our Employee Wellness Programme.

The Assessment Report of the Steering Group can be found here: www.bai.ie. Arising from this Assessment, in 2021 the BAI identified an Action Plan for implementation over 2021 and 2022.

The BAI's Senior Management Team, supported by a newly established Staff Advisory Group, will oversee the implementation of the Action Plan. While the Public Sector Duty will continue to inform the BAI's work identified under all five (5) themes of its Strategy Statement 2021-2023, the purpose of the Action Plan is to identify new actions to further develop and embed good practice in relation to human rights. The areas of focus will be staff training and development and wellness as well as sustainability, disability and accessibility, equality, diversity and inclusion. The Plan therefore has an internal and external dimension and identifies actions that both build on the current work of the BAI and are aligned with anticipated developments for the BAI, namely the legislative and regulatory changes expected during the next 2-3 year period. These changes include the transposition of the Audio-Visual Media Services Directive and enactment of the Online Safety and Media Regulation Bill. Both pieces of regulation deal with a wide range of fundamental rights and freedoms and ensuring that many of the same principles, values and protections for audiences and children that are available in respect of television broadcasting services can be successfully extended to online environments. These rights include Freedom of Expression, Freedom of Thought, the Rights of the Child, the Right to Privacy, the Right to an Effective Remedy, the right to Free Association, rights in relation to Disability and Equality and the right to the Protection from Discrimination. In accordance with the recommended process set out by IHREC for the development of, and implementation of the public sector duty, the BAI's Action Plan will be updated to reflect the new legislative provisions during 2022.

The Plan will be reviewed on an annual basis and the BAI will report on the implementation of the actions identified in our Annual Report.



ACTION PLAN

AIM	ACTION	TIMEFRAME
<p>1. BAI Staff and Culture</p> <p><i>We will promote a culture of respect, engagement, openness, and dignity in the workplace with a particular focus on training and awareness of our staff on human rights and equality.</i></p> <p><i>BAI staff are fully aware and informed on an ongoing basis about the importance of human rights and equality for public bodies and engage with these issues in their ways of working.</i></p>	<p>1.1 Establish a Staff Advisory Group to oversee the implementation of the Public Sector Duty Action Plan.</p> <p>1.2 Provide Public Sector Duty training to staff (using IHREC tools and guidance) on:</p> <ul style="list-style-type: none"> - legal obligations on public sector bodies arising from Section 42 of the Irish Human Rights and Equality Act 2014. - BAI Public Sector Duty Report and Action Plan 2021-2022 and approach taken by the organisation to developing and implementing the plan. <p>1.3 Implement Staff Change Management Programme to assist and support staff during the transition from BAI to Media Commission:</p> <ul style="list-style-type: none"> - BAI Organisational Training and Development Plan 2021-2022; - Staff Communications Plan; and - Staff Wellbeing Programme. <p>1.4 Continue series of HR workshops on staff policies and procedures.</p> <p>1.5 Engage with industrial relations forum, addressing in particular:</p> <ul style="list-style-type: none"> - Transition from the BAI to Media Commission (including dissolution of the BAI); and - BAI Workplace Policy updates. 	<p>Quarter 4 2021</p> <p>Quarter 4 2021</p> <p>2021-2022</p> <p>Monthly</p> <p>2021-2022</p>



<p>2. Disability, Access & Equality</p> <p><i>The BAI facilitates and supports the right of citizens to access Irish broadcasting services and the regulatory framework that supports this access and related equality rights.</i></p>	<p>2.1 Fund and commission research on disability and broadcasting access issues.</p> <p>2.2 Disability Awareness and Unconscious Bias training will be provided to all staff.</p> <p>2.3 Frontline staff will attend awareness-raising training in respect of the use of plain English.</p> <p>2.4 Publish data on complaints relating to access and equality issues.</p> <p>2.5 BAI stakeholder engagement plan includes proactive communication with under-represented Irish citizens.</p>	<p>2021-2022</p> <p>2021</p> <p>Annually</p> <p>Annually</p> <p>As Arising</p>
<p>3. Sustainability</p> <p><i>The BAI leads, models and promotes high standards of environmental and social practice in line with UN Sustainable Development Goals.</i></p>	<p>3.1 Support and facilitate the Broadcasting Sustainability Network activities undertaken to promote the 'Roadmap for a Sustainable Irish Broadcasting Sector'.</p>	<p>Quarter 4 2021 & 2022</p>



<p>4. Diversity and Inclusion</p> <p><i>The BAI's work will foster a media landscape that is representative of, and accessible to, the diversity of Irish society. We will engage with the audio and audiovisual sectors and develop initiatives promote and support diversity, equality and inclusion in the media.</i></p>	<p>4.1 Develop a Diversity and Inclusion webpage on the BAI website highlighting BAI work under this area.</p>	Quarter 4 2021
	<p>4.2 Attain Bronze Accreditation with Irish Centre for Diversity</p> <ul style="list-style-type: none"> - Deliver specific training. - Review all HR policies. 	Quarter 1 2022
	<p>4.3 Implement and report on 2021-2022 BAI Gender Action Plan actions. Key actions from the plan include: -</p> <ul style="list-style-type: none"> • Data collection and publication under the BAI's Broadcasting Funding Scheme. • Fund research projects examining and promoting diversity in the broadcasting sector. • Support key gender initiatives for broadcasting industry. 	2021-2022
	<p>4.4 Develop Diversity and Inclusion Strategy for the Broadcasting Sector.</p>	2021- 2022
	<p>4.5 Implement and report 2021-2022 BAI Irish Language Plan key actions to include: -</p> <ul style="list-style-type: none"> • Support research on Irish language music radio options for young people. • Further development of online and other support resources for broadcasters. • Facilitate collaboration opportunities and resource-sharing for broadcasters. 	2021- 2022
	<p>4.6 Ensure that the upcoming review of BAI Codes and Rules (Commercial Communications Codes, Code of Programme Standards, Code of Fairness, Impartiality and Objectivity, Advertising and Teleshopping Rules and Access Rules) is guided and informed by human and equality rights.</p>	2021-2022

