

NATIONAL COMMISSION FOR THE
**PROMOTION
OF EQUALITY**

ANNUAL
REPORT

2012



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WHO IS NCPE?

The National Commission for the Promotion of Equality is not only a body where individuals, associations, organisations or other entities can submit requests for information, but it is also a complaints body, where victims of discrimination can file a complaint in order to seek redress for allegations of discriminatory treatment. Apart from the above, NCPE is also an awareness raising, training and research body.

With the widening of its remit in 2012, NCPE now covers discrimination based on gender identity, religion, age, sexual orientation, and race/ethnic origin in employment as well as access to vocational/ professional training or banks and financial institutions. This extension of remit was added to the already existing remit of discrimination based on race/ethnic origin and gender in the provision of goods and services and gender including family responsibilities in employment as well as access to vocational/ professional training or banks and financial institutions.

The Commission is regulated by *Chapter 456, Equality for Men and Women Act* and its subsequent subsidiary legislation, as well as *Legal Notice 85 of 2007, Equal Treatment of Persons Order* and *Legal Notice 181 of 2008, Access to Goods and Services and their Supply Regulations*. In 2012, an amendment to *Chapter 456* was published via *Act IX of 2012* which led to the extension of NCPE's remit.

Through the course of 2012, NCPE continued receiving and investigating complaints, carrying out research, providing feedback to documents, conducting awareness raising campaigns, providing training, answering requests for information and auditing companies for the certification of the equality mark.

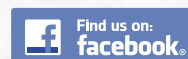
NCPE works to keep the lines of communication open with many varying stakeholders with the aim of finding areas where we can work together and share ideas. NCPE uses various methods to communicate with stakeholders, including meetings, group discussions and social media so as to reach out to as many stakeholders as possible.

Throughout the rest of the annual report, more detail about NCPE's work in 2012 will be given.

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MINISTER'S MESSAGE



Equal opportunities are at the heart of this government. We believe in an open society which celebrates diversity, understands the social realities that surround us, respects minorities, and works towards equality at all levels. Above all we believe in a society which safeguards the fundamental rights and liberties of individuals.

Research that is being carried on various aspects of equality is rendering concrete data on Malta's realities. The capitalisation of European Union funds to train people and promote equal opportunities in the place of work is a case in point. Also of interest is the research designed to learn and understand the reasons for the low participation of women in the labour market. Another important effort was the creation of the 'Equality Mark' which has now become a well-recognised certification to those employers who value gender equality and equal opportunities.

While some progress has been registered in this area, and this is reflected in the number of active women in the labour force, much more needs to be done to ensure that Malta is at par with other EU states. We must see that we make full use of our human resource potential and benefit from a better return on our investment in education and training.

The government will lead by example. We must ensure that parents who work with the public service and the public sector have access to family-friendly opportunities. Although these measures have been in place for a number of years, we are going a step further whereby employees working with the public service and the public sector will be able to appeal any refusals of requests to avail themselves of such opportunities to achieve a work/life balance. Government will provide administrators with the necessary management training and tools to facilitate the uptake and implementation of more flexible working conditions. The government is also committed to provide free childcare services to working parents.

We must address the low rate of women in decision-making positions, both within the government structures and also in the private sector. All efforts are being made to appoint more women on boards and commissions. To help in this endeavour it is of the essence that the Directory of Women is updated so that we can better identify qualified women in the various fields. Funds have already been allocated to carry out work in this area of concern, including the updating of this directory in as short a time-frame as possible.

In 2012, the National Commission's remit was extended to cover additional grounds of discrimination, namely sex or family responsibilities, sexual orientation, age, religion or belief, racial or ethnic origin, and gender identity. Even the hate crime legislation was extended to cover these additional grounds. Here again, the government is totally committed to eliminate all forms of discrimination. We have presented to parliament amendments to the civil code which among other provisions will enable persons who have undergone gender re-assignment surgery to marry. A consultative council on LGBT rights has been launched and is discussing a Civil Unions Bill which will enable same-sex couples to legally formalise their relationship. However, these efforts are not enough to eliminate discrimination. Education is key to ensure equal opportunities for all. I am very keen on addressing these issues through education from the early years and fighting harassment and bullying of homosexual children and students in schools.

In the National Commission I see a strategic partner in our challenge to move forward the government's agenda and work towards achieving an open society where people are aware of their rights, can meet their personal aspirations and live happily. I thank the management and staff at the NCPE for their work.

DR HELENA DALLI

Minister for Social Dialogue, Consumer Affairs and Civil Liberties

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I AM VERY KEEN ON ADDRESSING THESE ISSUES THROUGH EDUCATION FROM THE EARLY YEARS AND FIGHTING HARASSMENT AND BULLYING OF HOMOSEXUAL CHILDREN AND STUDENTS IN SCHOOLS

COMMISSIONER'S MESSAGE



Another year has gone by during which NCPE has been working persistently in its efforts towards a society free from all discrimination and where equality on all grounds reigns supreme. My own experience has brought me close to many cases when unfortunately this was not the case, thus making us more aware of how much still needs to be done. Awareness raising is basic to our work while research projects and training given to various entities provide the skills and change in attitudes which propel our work forward.

Halfway through the year, to be exact in June 2012, NCPE's remit was extended by means of an Act of Parliament which has led to the definition of discrimination in Chapter 456 to be extended to include the following extension of the meaning of discrimination: "discrimination" means discrimination based on sex or because of family responsibilities, sexual orientation, age, religion or belief, racial or ethnic origin, or gender identity and includes the treatment of a person in a less favourable manner than another person is, has been or would be treated on these grounds and "discriminate" shall be construed accordingly. This means that effectively, NCPE can now investigate complaints on the above. Complaints have been in fact been submitted on some of these new grounds.

The above extension has not been the only one but it has been added to the remit emanating out of Legal Notice 85 of 2007 and Legal Notice 181 of 2008, which is basically equality in the access to and provision of goods and services based on race/ethnic origin and gender. This makes it quite clear that the work of NCPE is extending in all directions and hopefully making a greater impact on Maltese Society.

Looking at the complaints that are being submitted to NCPE it is evident that our work is being acknowledged further afield and bearing more fruit. Although the majority of complaints still revolve around gender and sexual harassment, after the extension of our remit other complaints based on age and religion were put forward. Dealing with these complaints has taken up most of my work with NCPE. My training as a Counsellor helps me understand the pain that complainants are often

going through while keeping a neutral and unbiased stand in the pursuit of fairness and justice. Although my remit enables me to communicate only an opinion I feel that this carries a very heavy responsibility, one which would undoubtedly impact on the psychological well being of both the complainant and the alleged offender.

My work as Commissioner at NCPE included the Equality Mark certification. It was a great source of satisfaction to us to see the number of organisations that have applied for and been awarded the Equality Mark. This shows that companies in Malta value the equality mark as a certification that recognises their commitment to gender equality. On the other hand, the Equality Mark is an excellent incentive for all those who have equality at heart to identify with the certified company thus facilitating the employment of better motivated workers who feel secure at the place of work.

Most remarkable and exciting highlights included training, both abroad and in Malta. Conferences, seminars and meetings provide a rich source of learning and sharing about best practice as also pitfalls to avoid. In September Equinet organised a two day seminar in Malta dealing with under reporting. It proved to be extremely enriching, innovative and useful. The social event on the first evening was the cherry on the cake, as it enabled us to exchange ideas in an informal way and to form networks for better communication. In my opinion NCPE as part organisers came out with flying colours.

In 2012 we were able to close off three projects:

- Unlocking the female potential was a project which conducted research and a number of research reports were compiled. The Equality Mark which is part of this project was awarded to even more organisations.
- I'm not racist but...included research which looked into discrimination against migrants in the housing sector and also raising awareness on racism and xenophobia.
- Gender Mainstreaming in Practice was a project which published tools for gender mainstreaming and carried out training sessions on the use of these tools.

Other projects for this year are in the pipeline. Through these and all work that we carry out at NCPE we promise to keep on working to ensure equality and zero tolerance to discrimination.

Once again I would like to thank the team at NCPE, especially the Executive Director, Dr. Romina Bartolo, whom I always found to be ready to listen and discuss all issues. My work as regards complaints enabled me to work very closely with Carmen and Maria, whose support and insight I totally appreciate. The legal involvement and advice is indispensable with regards to investigating complaints and my thanks and gratitude goes also to Dr. Lena Sammut and Dr. Peter Fenech. The members of the Commission were also of constant help and support and to them I also wish to convey my thanks. Finally but not least, I would like to thank the rest of the NCPE team who make touching base so welcoming and pleasant.

MS MAUD MUSCAT

NCPE Commissioner

EXECUTIVE DIRECTOR'S MESSAGE



The amendments to Chapter 456 of the Laws of Malta which introduced an extension of the remit of NCPD were the highlight of 2012. Discrimination has now been extended to include sex, family responsibilities, sexual orientation, age, religion or belief, racial or ethnic origin, and gender identity. This gave us the basis to work on other grounds of discrimination especially the investigation of complaints on these grounds as well.

We have also closed off the activities of three important projects. Many are familiar with the Equality Mark which was launched through the project "Unlocking the Female Potential" co-funded by the European Social Fund. The success of this project has spurred us to continue with the certification of the Equality Mark and to build upon the findings of the research studies emanating from this project.

The Progress co-funded project "Gender Mainstreaming in Practice" gave us the opportunity to take stock of the situation of gender mainstreaming in the public administration and encourage more work in this area. This project also instigated Circular 15/2012 by the Principal Permanent Secretary and produced tools that can be utilised by all employees in the Public Administration.

The project "I'm Not Racist But..." also co-funded under the Progress Programme, raised awareness on racism in Malta especially through the Anti-Racism Theme Day and the video clips. The research produced shed light on the area of housing discrimination which research can be utilised for future initiatives in this area.

Throughout the year we kept on striving to raise awareness, initiate training on equality, investigate complaints, take part in television and radio programmes and make best use of social media in order to raise the profile of NCPD and encourage persons who have been discriminated against to come forward with their complaints.

We now look forward to our upcoming projects “Enhancing Equal Rights” co-funded by the Progress Programme and “Gender Balance in Decision-Making” co-funded by the European Social Fund. The funding garnered through these projects shall go towards various activities among which training, tools and research. The target groups range from school children to young adults as well as the general public.

I thank the Commissioner Ms. Maud Muscat as well as the Commission members for their input and support in our work as well all the highly motivated members of staff at NCPE who give their all to make equality happen.

DR ROMINA BARTOLO
NCPE Executive Director

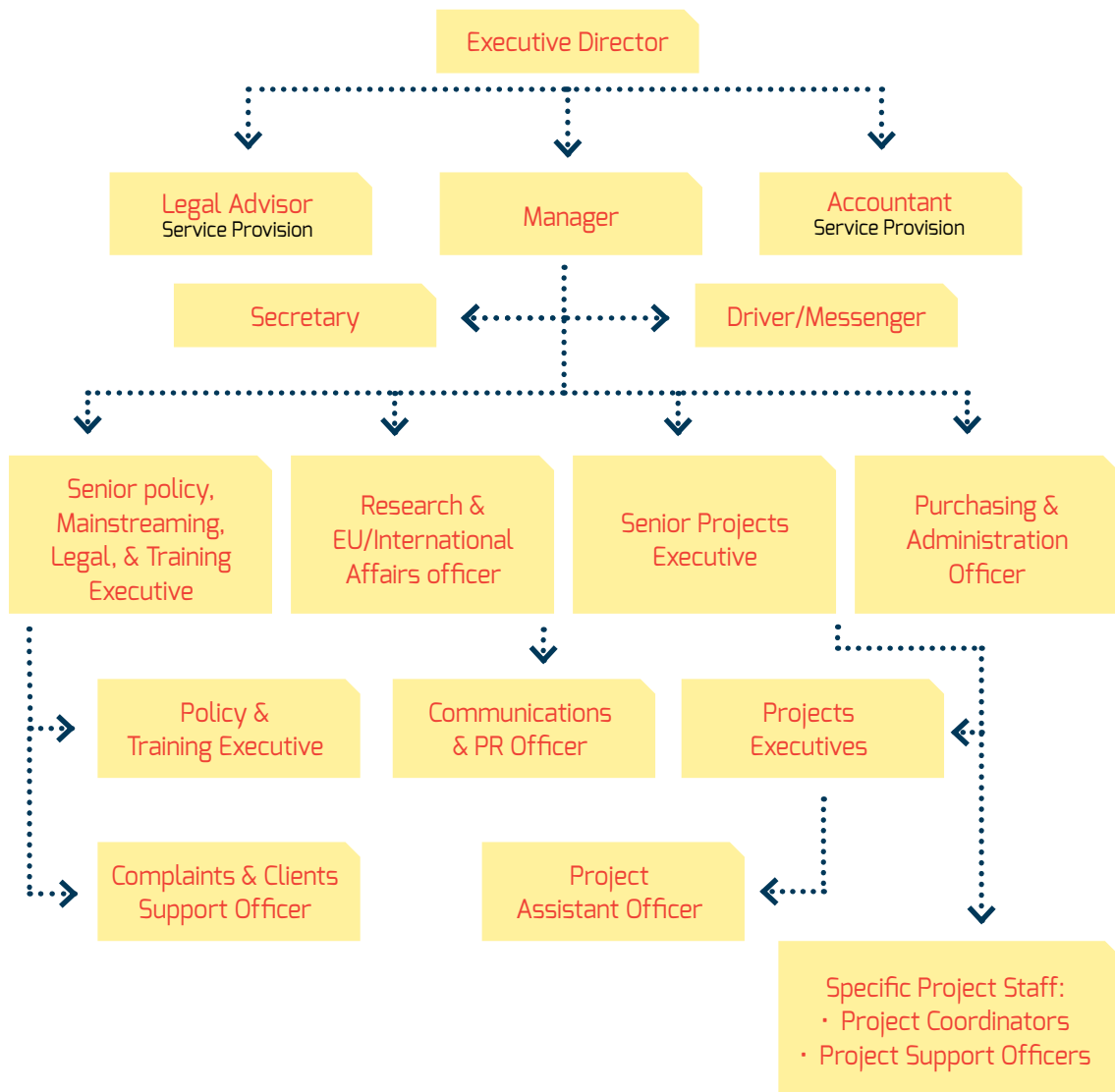
“ THROUGHOUT THE YEAR WE KEPT ON STRIVING TO RAISE AWARENESS, INITIATE TRAINING ON EQUALITY, INVESTIGATE COMPLAINTS, TAKE PART IN TELEVISION AND RADIO PROGRAMMES AND MAKE BEST USE OF SOCIAL MEDIA IN ORDER TO RAISE THE PROFILE OF NCPE

THE COMMISSIONER & THE COMMISSION MEMBERS



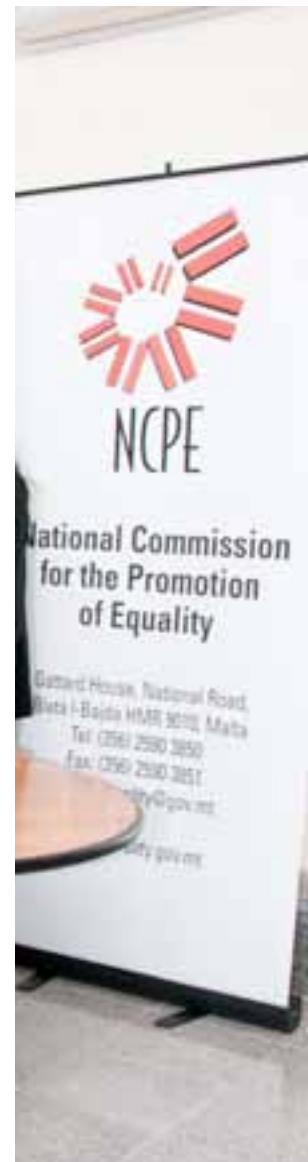
Commission Members and Executive Director. (From Left: Mr. Mario Mallia, Ms Mary Galea Debono, Dr. Romina Bartolo, Ms. Maud Muscat, Dr. Vanni Xuereb, Dr. Monica Galea, Dr. Mariosa Vella Cardona, in absentia Ms. Andrea Dibben

COMMISSION'S EXECUTIVE ARM



NCPE's staff members, under the direction of the Executive Director, are committed to work towards the promotion of equality through their specific roles. This is done via the provision of training, the administration of complaints, research, feedback to documents, implementing EU co-funded projects, providing a library service, disseminating publications and keeping up public relations.

To keep abreast with developments at both the local and the EU level, NCPE staff is regularly offered the opportunity for training in relation to their role, to increase their personal skills, as well as on overall equality issues. Throughout 2012, these training sessions included training on Communication Dynamics, Assertiveness, using Gender in Research, E-Procurement, Maltese language training and training on the Freedom of Information IT System, Better Regulation, Equality Directives and Standard Cost Models amongst many others.





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EQUALITY IN MALTA OVERVIEW 2012

In 2012, NCPE continued to promote equal treatment and to this end, various measures were carried out to safeguard equal opportunities for everyone. In this regard, the review of respective policies, legislative developments, training, assisting complainants, awarding of the Equality Mark and further awareness-raising on equality rights and responsibilities were fundamental in continuing to promote equality in society at large.

In 2012, the remit of the National Commission for the Promotion of Equality (NCPE) was extended to cover additional grounds of discrimination. In fact, in June the legislation that set up NCPE, *Chapter 456 of the Laws of Malta – Equality for Men and Women Act*, was amended to extend NCPE's remit to cover equal treatment on the grounds of sex or family responsibilities, sexual orientation, age, religion or belief, racial or ethnic origin, or gender identity in employment, education or vocational training and by banks or financial institutions. Besides the above, NCPE also continued safeguarding equal treatment on the grounds of gender, race or ethnic origin in the access to and supply of goods and services by virtue of other legislation¹.

This extension in the remit entails further challenges for NCPE to safeguard equal treatment on all the grounds covered in the new remit. In fact, statistical data published by Eurobarometer² in 2012 demonstrate that on average, the perception of the Maltese on the spread of discrimination on the grounds of age, gender, disability and ethnic origin in Malta is less than the average of the EU27. Indeed, the inclusion of older persons in society is in line with the objectives of the 2012 European Year for Active Ageing and Solidarity between Generations, which sought to create better opportunities for active ageing in a context of inclusion and participation in society.

1 NCPE is responsible to safeguard equal treatment in the access to and supply of goods and services on the grounds of race or ethnic origin by virtue of *LN 85 of 2007 – Equal Treatment of Persons Order* and on the grounds of sex by virtue of *Legal Notice 181 of 2008 – Access to Goods and Services and their Supply (Equal Treatment) Regulations*.

2 EUROBAROMETER 77.4, 2012. Discrimination in the EU in 2012. Results for Malta.

Nonetheless, discrimination on the grounds of sexual orientation and gender identity are, on average, perceived as more widespread in Malta than in the EU27³. In light of this, further initiatives will be undertaken by NCPE to protect equal treatment for persons who are at risk of being discriminated against based on the new grounds of discrimination covered by NCPE.

Furthermore, 45% of the respondents of this survey⁴ confirmed that they are not aware of their rights should they be victims of discrimination or harassment. Hence, NCPE reiterates its commitment to continue raising awareness, giving training and disseminating information on rights, remedies and responsibilities related to equal treatment. To this end, in order to gain further insights on how equality bodies can raise awareness on their roles within society and with potential victims of discrimination, in September 2012, NCPE hosted the European Network for Equality Bodies' (EQUINET) Communications Training. This was a two-day event that presented a valuable learning opportunity for over 50 European equality bodies' staff members who have an interest in communications strategies and activities. This training provided practical knowledge and understanding on communication as a means of challenging under-reporting of discriminatory incidents to responsible bodies.

To further enhance awareness and disseminate information on rights and obligations related to equal treatment within the public administration, the Maltese Public Administration HR Office issued an *'Equality Policy for the Public Service'*⁵ in October. This Equality Policy enhances the commitment of the Public Service to provide an inclusive environment that promotes equality and diversity. The policy focuses on gender equality in the recruitment processes and in the conditions of work, and it also explains various family friendly measures and their applicability thus endorsing the reconciliation of work and family life. In addition, this policy reiterates the prohibition of sexual harassment and explains related legislative frameworks, definition of terms, other related principles and the procedures taken in cases of sexual harassment. Hence, this equality policy safeguards a non-discriminatory working environment within the Public Service and binds all its employees and management to this commitment.

Furthermore, in April, following a series of discussions with NCPE, the Office of the Prime Minister issued a *Circular, 'Gender Mainstreaming in Practice'*⁶. It formalises the implementation of gender mainstreaming within the business, policy, law-making and project/programme development and implementation processes of public administration. This Circular reiterates that gender mainstreaming as a strategy is the responsibility of all public employees through the work carried out in each Ministry, Department and Entity. To this end, for the purpose of assessing and monitoring the implementation of gender mainstreaming in the Public Administration, each department/entity is required to prepare a brief report, in a new template disseminated together with the circular, on the measures taken and the progress achieved in the sphere of gender equality and mainstreaming. This report should be forwarded to the NCPE on an annual basis. Subsequently, a short reference to the work carried out in this regard is to be included in each department's contribution towards the Annual Report on Government Departments. Hence, this Circular calls for reassertion that gender

3 EUROBAROMETER 77.4, 2012. Discrimination in the EU in 2012. Results for Malta.

4 EUROBAROMETER 77.4, 2012. Discrimination in the EU in 2012. Results for Malta.

5 Public Administration HR Office, Employee Relationship Management Directorate. *'Equality Policy for the Public Service'*. Last retrieved on 17th December 2012 on: <http://www.mpo.gov.mt/downloads/EqualityPolicy.pdf>

6 OPM Circular No.15/2012. Gender Mainstreaming in Practice.

equality policies and gender mainstreaming, is an objective of the performance reviews within the public administration. NCPE provides assistance via training and consultation to entities in the implementation of gender mainstreaming.

Other progress in 2012 was towards enhancing equal opportunities to everyone. In particular, as from March, the parental leave entitlement was extended to a period of four months to parents on the grounds of birth, adoption, legal custody and fostering of a child⁷. This extension further enables parents to reconcile their caring responsibilities while participating in paid employment. Similarly, other legal developments extended the period of maternity leave to 16 weeks from 2012 and to a period of 18 weeks as from 1st January 2013 onwards⁸.

These developments in the sphere of equal treatment contribute to efforts made to increase the representation of both genders in different spheres in society. In particular, an increased participation of women in the labour market is evident (whereby the female employment rate increased by 10% in these last six years from 33.3% in the first quarter of 2006⁹ to 43.6% in the same quarter of 2012¹⁰). In addition, men and women in Malta continued to improve their educational attainment. As a matter of fact, the number of females and males of early school leavers is progressively decreasing¹¹; females outnumber males in their participation in tertiary education, (given that 58% of the students of the University of Malta are female¹²); and female graduates outnumber males in tertiary education (in 2010/2011 female graduates numbered 58%¹³).

Moreover, during 2012, the hate crime legislation¹⁴ was extended to cover the grounds of gender, gender identity, sexual orientation, race, colour, language, ethnic origin, religion or belief or political or other opinion. Hence, persons who use any threatening, abusive or insulting words or behaviour, or else display any written or printed material which is threatening, abusive or insulting with the intent of stirring up violence or hatred on these grounds are liable to imprisonment upon conviction. This legislation thus prevents hate speech and hate crime and further safeguards equal treatment within society.

7 Legal Notice 204 of 2011 - Parental Leave Entitlement (Amendment) Regulations.

8 Legal Notice 503 of 2011. Protection of Maternity (Employment) (Amendment) (No.2) Regulations, 2011.

9 National Statistics Office, 2006. Labour Force Survey, January-March 2006.

10 National Statistics Office, 2012. Labour Force Survey, Q1/2012.

11 Eurostat. Early leavers from education and training by gender. Last retrieved on 18th December 2012 on: http://epp.eurostat.ec.europa.eu/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=t2020_40&language=en

12 University of Malta. Facts & Figures. Students Statistics by Faculty/ Institute, Course & Route. Last retrieved on 18th December 2012 on: http://www.um.edu.mt/__data/assets/pdf_file/0003/142554/studentstatistics2011.pdf

13 University of Malta. Facts & Figures. Graduate Statistics by Faculty/ Institute, Course & Route. Last retrieved on 18th December 2012 on: http://www.um.edu.mt/__data/assets/pdf_file/0017/141083/graduatestatistics2011.pdf

14 The Criminal Code Cap. 9 was amended through Act VIII of 2012, in June 2012.

NCPE'S WORK TO COMBAT DISCRIMINATION

Combating discrimination is an important part of NCPE's work. One such way NCPE works at combating discrimination is through awareness-raising. This is done in various ways, such as through projects, by giving training, by appearing on television and radio programmes, writing articles and keeping up an online presence through the website and social networking sites. The aim of raising awareness is to create a culture of rights, by providing information about the rights and obligations related to equality as well as where an individual can find redress for discriminatory treatment to individuals around the Maltese Islands and empowering them in taking the necessary effective action.

NCPE IN THE MEDIA

One of NCPE's strategies is ensuring and continuously strengthening the positioning of equality and diversity in the media agenda. This is affected by making use of different communication channels, including media appearances on television and radio, through articles and press releases, as well as through the use of social media and NCPE's website. Throughout 2012, video clips were developed and disseminated to the media for further airing and publicity as part of the project "I'm not racist, but..." (Refer to Projects Section for more information).

Awareness-raising is crucial to be able to bring about the necessary change in mentality, such as to overcome stereotypes and stigmas. It is also important to provide facts, information as well as practical life stories to the general public, policy makers and stakeholders in order to sensitise them on the grounds of discrimination which fall within NCPE's remit.

Throughout 2012, NCPE also took an active role in spreading information on subjects such as non-discrimination and equality at the workplace, women in employment, work-life balance and family friendly measures, women and economic decision making, gender pay gap and sexual harassment as well as on the importance of diversity, non-discrimination and racial equality. Overall, NCPE staff members participated in 30 programmes of the broadcast media in 2012. The aim of such media participation is to educate and inform the respective audience on topics related to NCPE's remit so as to obtain progress and inspire individuals in

taking ownership of the issues and values NCPE bases its work on, promoting and integrating them in their way of life and in their work practices and processes.

NCPE drafted 15 articles and press releases for the local print media, namely on the subject of discrimination, on matters related to equality in general and the procedure of complaints lodged with NCPE. NCPE issued press releases for its various events held throughout the year which were given coverage by the main local media. Such press releases included those which detailed the events of the 8th Annual Conference; the extension of NCPE's remit, and on events organised as part of EU co-financed projects carried out by NCPE.

Further to these, NCPE contributed to various articles and news stories written by journalists from local print, television and radio stations on current issues related to equality.

While acknowledging the importance of its presence in the media, NCPE continued its work to strengthen the relationships it has with the channels of communication and media in Malta.

All media contributions mentioned can be accessed on NCPE's website www.equality.gov.mt in the 'News & Events' section. NCPE's website features various sections, mainly with the latest news and events of the Commission, information about the rights and obligations of the general public, employers and service providers and the procedure of how to report a discrimination complaint. In addition, a section of the website covers information on all the EU co-financed projects that were undertaken by NCPE and includes related documents and publications that can be downloaded. NCPE's website also includes a section on the Freedom of Information Act.

Keep updated and in touch with NCPE's work, click LIKE on our facebook page, upcoming events, press releases, articles, and latest information will be posted. Throughout 2012, a number of followers took an active role in commenting, sharing and liking our posts and helping in spreading the message. In total NCPE facebook had over 400 new LIKES in 2012. NCPE's Facebook page can be accessed either by following the link from its website front-page or by searching the 'National Commission for the Promotion of Equality' on Facebook's site.



NCPE Annual Conference, 18th May 2012

MEETINGS/ CONFERENCES

NCPE was represented in a number of meetings and conferences throughout the year. These meetings and conferences are organised by various stakeholders, NGOs, governmental institutions and also private organisations. NCPE also attended various meetings and conferences at an EU level, organised by various organisations, including EQUINET, EIGE and FRA. Some of these meetings/conferences included an EIGE Gender Based Violence Conference which had the purpose of gathering data, analysing and/or monitoring issues related to gender-based violence in order to strengthen the regular exchange of information and cooperation in relation to this topic; EQUINET legal seminar, the purpose of the Seminar was to provide legal senior expert participants with insights into the cutting edge of European cases and procedures in the field of equality and non discrimination; Italia-Malta Executive Committee Meeting; EQUINET policy formulation working group meetings; EQUINET Media working group meetings; ECRI's annual seminar; and FRA's Fundamental Rights Conference, amongst many others.

COMMITTEES AND BOARDS

NCPE also participates and is a member of various committees some of which are described below:

European Network of Equality Bodies (EQUINET)

Equinet as a network is registered in Belgium, it works to develop co-operation and facilitates information exchange between Equality Bodies across Europe to support the uniform implementation of EU anti-discrimination law and the levelling-up of legal protection for victims of discrimination. The aim of EQUINET is to help Equality Bodies fulfil their mandates by establishing a sustainable network and resource base for the exchange of legal expertise, enforcement strategies, training and best practice as well as a platform for dialogue with the European institutions. In January 2012, Ms. Therese Spiteri, who is a member of the EQUINET executive board was also nominated Treasurer of this board. NCPE participated actively throughout 2012 in EQUINET events, particularly in hosting the Communications Training on Underreporting which took place in September 2012.

EU Advisory Committee on Equal Opportunities between Women and Men

The role and setting up of the Advisory Committee on Equal Opportunities emanates from Commission Decision 82/43/EEC of 1981. The Committee's remit is to help the EU Commission formulate and implement Community measures aimed at promoting equal opportunities for women and men and to encourage the continuous exchange of information on experience gained and policies and measures undertaken in the fields in question between the Member States and the various actors involved. The Committee not only brings together representatives of national bodies working for equality and the 77 social partners, but also follows and advises on the development of European policy on equality between men and women.

High Level Group on Gender Mainstreaming of the EU

The High Level Group (HLG) provides an important informal forum for discussion and exchange of information on best practices and experiences in order to support and improve the synergy among national policies on gender equality and strategies for gender mainstreaming at a national level. The High Level Group is the main forum for planning the strategic follow-up of the Beijing Platform for Action, including the development of indicators in specific areas.

European Institute of Gender Equality Management Board

EIGE's core bodies are made up of the Management Board (decision-making body), the Experts' Forum (consultative body) and its Director (executive body) including her staff. The Management Board adopts the annual work programme, the medium-term work programme as well as the Institute's budget.

It consists of eighteen representatives from the Member States, and operates on a rotation basis thus guaranteeing total representation combined with operational efficiency. One member is also represented by the European Commission and there is an equal number of substitute members.

Italy–Malta 2007–2013 Executive Committee

The Italy-Malta 2007–2013 Operational Programme aims at achieving the general objective of strengthening the attractiveness and the competitiveness of the cross-border area, within a framework of environmental sustainability. The eligible areas extend over Malta and the provinces of the southeast coast of Sicily. The general objective has been identified in the priorities as outlined below:

- **Priority Axis I:** Competitiveness: Research and Innovation; Sustainable Development
- **Priority Axis II:** Environment, Energy and Risk Prevention
- **Priority Axis III:** Technical Assistance, Awareness, Communication and Publicity

The Programme includes two types of projects: Ordinary Projects and Strategic Projects, the former involving precise proposals which are linked coherently to one specific objective of a priority axis of the Operational Programme; while the latter involves proposals of considerable magnitude with respect to the programme's strategy and which impact on a wider selection of the cross-border area, whose projects are intended to study in depth common problems and/or evaluate the development potential of particular fields and sections considered strategic. The call for Strategic Projects was launched during 2011.

One of the principles of intervention of the Programme is "equality between men and women and non-discrimination." As part of the Executive Committee of this Programme, NCPE gives feedback on the equal opportunities section of the project proposals, mainly on the impact of the equal opportunities proposed, on any actions which aim at removing barriers to inclusion and the awareness raising aspect of the measures to be taken as part of the project being evaluated. NCPE also sits on the programme's Monitoring Committee.

FEEDBACK TO DOCUMENTS

As part of its ongoing work, NCPE continued giving feedback to documents from institutions at national, European and international levels in 2012. To this end, NCPE contributed to various types of documents related to equal treatment, in the form of positions, feedback, information, overviews, opinions, notes, replies to surveys and questionnaires and so on, to further mainstream equality in policies and programmes in different spheres.

In fact, NCPE compiled write-ups for various events on subject matters related to equality, mainly on: NCPE's new remit; the initiatives carried out by NCPE such as research, complaints, training and projects; gender equality in the labour market; overviews on equality; the advancement of women; the elimination of racism and xenophobia; the developments made at the national level in relation to equal

opportunities for men and women and other related subject matters. These reports provided updated information on the achievements and remaining challenges in Malta in relation to equal treatment.

NCPE also contributed to various questionnaires on the implementation of Council Directives on equal treatment. In fact, NCPE continued reporting on initiatives that are in line with Council Directives that safeguard equal pay between men and women; equal treatment on the grounds of gender and race or ethnic origin in employment as well as in the access and supply of goods and services; and equal treatment on the grounds of age, religion or belief and sexual orientation in employment.

NCPE also provided feedback to current issues that were discussed locally and at a European level throughout 2012, namely: gender balance in decision-making positions in the political and economic spheres; the critical areas of the Beijing Platform for Action of 'violence against women' as well as 'women and the environment'; gender mainstreaming in the Cohesion Policy; and the proposed Council Directive that will safeguard equal treatment in the provision of goods and services on the grounds of age, sexual orientation, religion or belief and disability.

Moreover, in 2012, NCPE continued giving feedback to European entities working in the field of equality such as the European Union Agency for Fundamental Rights (FRA), and the European Institute for Gender Equality (EIGE) to give feedback on their proposed priorities for the future and also to highlight its own priorities for the future. Hence, NCPE contributed to the work plan of these entities not only by working to implement current priorities related to equal treatment, but also contributed by giving them feedback when setting their priorities.

Besides the above, NCPE also gave feedback requested by international entities, such as the Commission on the Status of Women of the United Nations on subject matters related to gender equality. Moreover, NCPE (with the collaboration of other local entities) also compiled a country report for the Commonwealth Secretariat on the achievement of gender equality in Malta as delineated in the 'Commonwealth Plan of Action for Gender Equality 2005-2015'

“ NCPE CONTINUED REPORTING ON INITIATIVES THAT ARE IN LINE WITH COUNCIL DIRECTIVES THAT SAFEGUARD EQUAL PAY BETWEEN MEN AND WOMEN; EQUAL TREATMENT ON THE GROUNDS OF GENDER AND RACE OR ETHNIC ORIGIN IN EMPLOYMENT



NCPE Participation in 'Human Library' at Giovanni Curmi Higher Secondary School, Naxxar, 11th May 2012

POLICY

NCPE also gives gender mainstreaming and equality mainstreaming feedback on national policies, such as the pre budget document and the children's policies.

In 2012, NCPE continued to provide feedback and consultation to private companies, public entities and organisations regarding their sexual harassment and equality policies and any other policies they wish to have reviewed from a gender mainstreaming or equality perspective. This process involves individuals from NCPE as well as the company, entity or organisation in order to also pass on knowledge on how to gender mainstream for future policies. In fact, such policy development is sometimes followed up with training for staff and management regarding the new policies and gender mainstreaming techniques and tools.

DISCRIMINATORY ADVERTISING

During 2012, NCPE intervened in **60** cases of gender discriminatory adverts, where publishers/ advertising agencies were contacted and informed about the breach of *The Equality for Men and Women Act (Cap 456)*. Out of these, there were **55** cases which were contacted for discriminatory text while **5** were contacted for non-balanced gender images that were published as part of the advert. Adverts were related to employment as well as to educational opportunities and were published in local newspapers, magazines and also on electronic news websites.

To foster equality in advertising, in 2012 NCPE contacted the main local websites which advertise job vacancies and informed them on the usage of gender-inclusive language in adverts. The owners of these websites were also informed about the set of Guidelines that NCPE issued in order to raise awareness about the laws that deal with equality when it comes to advertising job vacancies.

The Equality for Men and Women Act (Cap.456) delineates that no advertisement relating to any job vacancy, course, training or vocational guidance, as well as the provision of financial services should be discriminatory. Therefore, it is important that advertisements published in newspapers and other media use gender-inclusive language that in no way indicate that the participation of either men or women will be excluded from employment, training or services advertised.

Hence, if the heading of the advert or the designation of the post advertised refers only to the male or female gender, for example, *Vacancy for a Salesman*, readers may understand that this position is only open to males, thus discriminating against persons of the opposite sex. It is important that headings, titles, designations, etc. should be inclusive and/or neutral when it comes to gender. To this end, the advert should be re-worded, for example: *Vacancy for Salesperson*. In the text of the advert, it is advised not to use 'he' or 'she' as a generic pronoun; and not to use 'man' to refer to both men and women.

Just like the language used in the advertisement must be gender-inclusive, so do the images and illustrations which if showing people, should be representative of both genders. For example, advertising a vacancy for a driver and showing a picture of a man could be interpreted as an opportunity open only to male candidates, irrespective of what is said in the text.

Furthermore, LN 85 of 2007, *Equal Treatment of Persons Order*, also delineates that it is unlawful to publish any advertisements which are discriminatory on the basis of race or ethnic origin in the access to or supply of goods and services. In 2012, NCPE did not come across cases of discriminatory adverts on these grounds.

Anyone who notices such discriminatory adverts on local media, can notify NCPE.

TRAINING

As part of the work NCPE carries out in relation to awareness raising and reaching out to various parts of the community, NCPE carried out training sessions to different groups within Maltese society. In 2012, over 100 hours of training were carried out to almost 750 participants. These individuals were teachers, police officers, medical professionals, migrants, NGOs, primary, secondary, post-secondary and university students and parents as well as human resource professionals, directors, management and staff both in public and private entities. Every single training session is planned in accordance with the needs of the organisation as well as the audience's needs.

These training sessions covered various topics, including sexual harassment, equality at the place of work, equality in the classroom, issues of equality for police officers, equality in general, NCPE's role and remit, stereotypes, racism and xenophobia.

Should you or your organisation require training, please contact NCPE to discuss your training needs.

RESOURCES IN NCPE'S LIBRARY AND DOCUMENTATION CENTRE

Various students and researchers used NCPE's library resources mainly to carry out research on different aspects related to equality. Throughout 2012, NCPE continued to expand its library resources with new books and publications bringing the total number of publications to nearly 7,000.

The library situated at NCPE's premises in Blata l-Bajda includes a wide range of books, periodicals and journals that are available to the general public who may need to carry out research. The majority of the resources available are linked to themes related to equality on all grounds. In addition, the library also includes resources related to politics, the media, health and religion, and European Union issues, to mention a few.

The library also hosts a database of local newspaper articles that are related to equality and the six grounds of discrimination. During 2012, NCPE started the process of compiling an electronic database of these newspaper articles whereby all articles are scanned and filed electronically for quick reference. This archive serves both as a tool for NCPE's staff to use in their work and the general public who may be interested to acquire local information.

Those interested to visit our library and make use of the resources available are advised to set an appointment with NCPE.

REQUESTS FOR INFORMATION

Part of NCPE's work includes answering requests for information. NCPE answers requests for information both from the general public as well as from entities who require NCPE's expertise on equality issues, as well as queries on potentially discriminatory situations. Through 2012, NCPE was in receipt of a number of Requests for Information and below is a tabular summary of the type of requests received, indicating also the sex of the person putting forward the request.

REQUESTS FOR INFORMATION 2012		
	Female	Male
Equality at the workplace	14	3
Family Friendly Measures	3	0
Information on equality laws and guidelines	5	0
Education/Training/Statistics	16	6
Age	2	1
Race and ethnic origin	1	2
Gender Identity	1	1
Others: (including requesting complaint forms, information on NCPE's complaints procedure, use of NCPE library, NCPE's work, requests not falling within NCPE's remit)	20	12
Sub Total	62	25
Total	87	

Requests for information are to be made in writing where possible. All requests are filed and kept in a database, for statistical information purposes. When requests are made via telephone, NCPE encourages that an e-mail is sent requesting the information needed. This is done to ensure clarity and in order to provide clear and efficient responses. Through requests for information NCPE can further identify the topics which need to be explored further through research, training, awareness raising and future initiatives.

One may request information on issues related to NCPE's remit by contacting NCPE.

COMPLAINTS

Heading the Commission, NCPE's Commissioner is responsible for the investigation of complaints. The administrative work related to the complaints submitted to NCPE are dealt and processed by the Complaints Section. Furthermore, prior to lodging a complaint with NCPE, complainants may request an appointment with NCPE's Complaints and Client Support Officer, should they have any queries in relation to the complaint being lodged, or if they would like to clarify anything in relation to NCPE's Complaints Procedure.

Investigating complaints is amongst one of the core functions and responsibilities of NCPE as per Chapter 456 of the Laws of Malta. Investigations may also be initiated by the Commission on any

matter falling within its remit that is allegedly unlawful. Moreover, the Commission may initiate investigations on any matter involving an act or omission that is allegedly unlawful. Complaints are extremely important for NCPE as issues emanating from complaints help NCPE further identify barriers faced by members of society in the field of equality.

Below are the number of new complaints received by NCPE in 2012 with data disaggregated by gender.

COMPLAINTS LODGED IN 2012 ¹⁵		
	Female	Male
Race and Ethnic Origin	0	3
Gender	9	3
Gender Identity	0	0
Sexual Orientation	0	0
Age	1	0
Religion	0	0
Alleged Multiple Discrimination	1	0
Sub Total	11	6
Total		17

SUMMARY OF A FEW OF THE INVESTIGATIONS CONCLUDED BY NCPE IN 2012

Case A- Ex Officio Investigation- Alleged discrimination on the basis of race in the access to housing

NCPE received a notification regarding an online advertisement. The advertisement in question contained discriminatory wording amounting to discrimination on the basis of race.

The Commissioner held a meeting with the head of the organisation responsible for the website where the advert was published, who explained there is a new system in place which would have precluded the addition of such information.

The Director further explained that as soon as they became aware of the discriminatory advertisement, it was immediately removed and the agency subsequently published an apology on a local newspaper and social network.

In view of this, the Commissioner concluded that although the advert was discriminatory, the explanation provided of the series of events which gave rise to the publication of the contested advertisement on the company's website, the immediate removal, upon discovery, of the advertisement followed by the public apologies published adequately made up for the effects of the advertisement in question.

¹⁵ The above statistics related to the grounds and respective areas which became part of NCPE's remit in June of 2012 only cover the period of June to December 2012.

Case B- Sexual harassment in employment

The Commissioner was asked to investigate a case of sexual harassment at the place of work. The complainant alleged that when going to the bathroom at work, a black gadget (which was believed to be a camera) was found facing one of the toilets. The complainant further alleged that this gadget was put there by a colleague and that this amounted to sexual harassment.

The Commissioner cited the relevant provisions of the Equality for Men and Women Act, Chapter 456 of the Laws of Malta, namely paragraphs (a), (c) and (d) of Article 9(1).

It held that the complainant managed, both through the evidence rendered as well as on the basis of the evidence tendered by witnesses brought, to establish preliminary facts from which it could be inferred that such sexual harassment had taken place. Furthermore, the alleged harasser admitted to the Commissioner the wish of purchasing a similar camera in the past and that he had often filmed colleagues at work as a 'joke.'

The Commissioner thus concluded that on the basis of the circumstantial and corroborating evidence brought by the complainant, it was established that the alleged harasser did sexually harass the complainant by placing a camera in a cubicle in the bathroom at the place of work.

NCPE forwarded this case to the Commissioner of Police as required by Chapter 456 of the Laws of Malta.

Case C- Alleged unfair dismissal due to pregnancy

Acting upon a complaint lodged with NCPE, the Commissioner investigated whether the said employee was unjustly dismissed due to her pregnancy. The complainant alleged that during the course of her employment she was informed that her employment had been terminated on the basis of suspicions held in her regard which could potentially be investigated by the police. The complainant held that she did not object to the investigations as she stated that she had nothing to hide, and hence refused to sign a termination form. She claimed that she was in the first few months of her pregnancy at the time of the event, and the director became aware of this some 2 or 3 weeks before the sequence of events which led to her dismissal. The complainant held that as soon as the director had been informed, she had noticed a third party at work, who although not employed in the company, was being trained for employment in the complainant's post. The complainant also informed NCPE that an application was concurrently filed before the Industrial Tribunal to determine whether she was unfairly dismissed or otherwise. Furthermore, the employer stated that the complainant was not dismissed at the time of the incident, but was still on the company's payroll and that she had been sent on paid leave pending investigations. The employer held that the complainant's pregnancy had nothing to do with the ongoing investigations and that the company has had pregnant employees on its payroll and that at the time of the complaint, the company had a pregnant woman in employment who would be going on maternity leave.

From the submissions made and evidence brought forward, the Commissioner concluded that there wasn't enough evidence to suggest that the complainant was unfairly dismissed from employment because of her pregnancy. The Commissioner noted that the employer sufficiently proved that the company had questioned her behaviour following the incident and had initiated an internal investigation, upon expert advice.

The Commissioner concluded that the termination of employment was therefore the consequence of the investigation conducted and not the result of discrimination on the part of the complainant because of her pregnancy.

Case Study D- Alleged discrimination on the basis of sex in access to employment

The Commissioner was asked to investigate a case where the complainant stated that in applying for a position as PSD/Religion teacher in a girls' school, he received a reply stating that *"it is not advisable to have a male PSD teacher in a girls' school."*

The Commissioner stated that the wording used in the replies given to the male applicants of the call for applications, to the effect that *"it is not advisable to have male PSD teachers in a girls' school,"* constitutes discrimination on the basis of sex, as it potentially deprives male applicants of an opportunity to attend an interview for the call for applications on the sole basis of their sex and without taking into consideration their suitability for the vacancy, qualifications and experience.

Furthermore, the Commissioner noted that the wording used in the reply sent to the male applicants was discriminatory on the basis of sex.

COMPLAINTS PROCEDURE

Complaints Form

As per Chapter 456 of the Laws of Malta, for a complaint to be investigated by NCPE's Commissioner, it must be made in writing, and must be submitted by means of NCPE's Complaints Form. NCPE's Complaints Form is available from its website and offices as well as via e-mail or postal mail upon request. The form is available in both English and Maltese. Complainants are requested to fill in the form relating the alleged discriminatory behaviour, explaining in as much detail as possible, for the Commissioner to be able to assess and decide whether such complaint falls within NCPE's remit or otherwise. It is important for complainants to present all supporting evidence in relation to their complaint. Complainants may be assisted in filling in the form by NCPE's Complaints and Clients Support Officer should this be required. Furthermore, if a complainant is unable to read or write, the person will be assisted accordingly, and the complaints form will be read out and filled in on behalf of the complainant.

Investigations

Following the receipt of a written Complaints Form, NCPE acknowledges the receipt of such complaint within three working days from receipt. The Complaints Form is presented to the Commissioner, who assesses whether the complaint falls within NCPE's remit or otherwise. Following this, by means of a registered letter, NCPE informs the person/s against whom the complaint is filed and any other relevant person/s of the complaint received. The Commission forwards a copy of the complaint to the alleged harasser as well as to the employer/service provider when deemed necessary. If the case so warrants, as per Article 5 of *Chapter 456 Equality for Men and Women Act*, a report is requested from the employer/service provider outlining their position vis-à-vis the complaint which has been put forward. Such report must be sent within ten working days from receipt of the request.

All meetings held through the investigations are recorded and transcribed. Copies of transcripts are forwarded to both parties involved in the investigation.

Once evidence is collected, the Commissioner delivers an opinion as to whether the complaint received, shows that discriminatory behaviour or practices may have occurred or otherwise. A copy of the opinion reached is sent, to the complainant and the person/s against whom the complainant is filed. In the case of an alleged discrimination and where the Commission considers it appropriate, the Commissioner may mediate or conciliate between the parties, suggest the need for training or policies to be put into place, refer the matter to the competent court or to the Industrial Tribunal.

In addition to this, should the Commissioner establish that the action complained of constitutes a criminal offence, a report is submitted to the Commissioner of Police for action to be taken as deemed necessary, as per Chapter 456 Equality for Men and Women Act.

PROJECTS

During the year in question, NCPE focused on completing three (3) ongoing projects whilst submitting another three (3) applications for funding. The project *Gender Mainstreaming – in Practice* was in its final stages of implementation. The project was subsequently successfully closed off by June 2012. NCPE also focused on the successful and timely implementation of the *I'm Not Racist, But...* and *Unlocking the Female Potential* projects' activities during 2012. In view of the fact that all three (3) ongoing projects were to be completed by the end of 2012, NCPE ensured that applications for new projects were submitted. Three (3) applications were submitted in three different calls; two (2) projects under the European Social Fund (ESF) and one (1) project under the PROGRESS funds.

The projects dimension for any stakeholder involved brings about not only the opportunity to take on initiatives with the support of EU co-financing emanating from the various programmes available, but also establishes the need for beneficiaries to implement their responsibilities on equal opportunities established by the Operational Programmes. In the case of ESF and ERDF programmes, NCPE is one of the horizontal stakeholders that provide assistance to potential project beneficiaries to understand how they can ensure that equality mainstreaming is taken on board. Consequently, through the common horizontal responsibilities of equality mainstreaming, commitments are directed in all cases to go beyond the minimum requirements established by National Legislation. Hence the added value and the opportunity NCPE is finding is that of stimulating the thinking processes towards the need for equality mainstreaming and its benefits, leading to its implementation beyond projects.

VS/2010/0819: GENDER MAINSTREAMING – IN PRACTICE

Background

Gender Mainstreaming – in Practice is a PROGRESS co-funded project which was implemented by the National Commission for the Promotion of Equality (NCPE) between December 2010 and June 2012. The action forming part of this project was multi-fold and sought to establish a network of persons within National Ministries who were empowered in implementing effective gender mainstreaming, as well as a network whose members supported each other in this task.

Goals and Objectives

The main objective of the project was to make individuals particularly within public administration more aware of, and familiar with, the concepts of gender mainstreaming with the aim of increasing debate on these issues to thus lead to gender mainstreamed policies and infrastructure projects.

The goals of this project were to:

- strengthen knowledge and understanding of gender mainstreaming;
- produce and disseminate tools for gender mainstreaming;
- provide 'on-the-job' training, thereby enabling effective mainstreaming;
- highlight good practices with the aim of exposing benefits gained by mainstreaming;
- provide examples of national policies which are gender mainstreamed;
- empower stakeholders to propose action which is gender sensitive; and
- create a network of support.

In order to meet this target the National Commission for the Promotion of Equality (NCPE) organised a number of events and actions as part of the project.

The project was launched in July 2011 through a Joint Announcement together with the Ministry of Education, Employment and the Family. This announcement took place during a Symposium on Good Practices which offered insights on the concept of gender mainstreaming to public employees and various stakeholders. The symposium also included foreign speakers who spoke about the state of affairs in other European countries.

“ AS A RESULT OF THE GENDER IMPACT ASSESSMENT OF THESE FOUR POLICIES, THE RESEARCHERS DREW UP GENERAL RECOMMENDATIONS THAT AIMED TO FACILITATE THE INTEGRATION OF GENDER MAINSTREAMING, BY PROVIDING EXAMPLES TO POLICY DRAFTERS OF HOW IMPACT ASSESSMENTS NEED TO BE CARRIED OUT



NCPE Participation in MCAST Diversity Day on 26th April 2012



Seminar for Stakeholders held on 29th May 2012

As part of this project the first research undertaken involved two Mapping Studies which had to enquire on the structures followed by Ministries in the policy-making process; the second part of the study concentrated on the input stakeholders give during the consultation process. The scope of the research was to enable the Consultancy Team and NCPE in building on this information in order to use it effectively during the progress of this action.

As part of the project methodology a Consultancy Team – composed of three gender mainstreaming experts and one member from the NCPE staff – was set up to provide mentoring, assistance and training to public employees. The following tools were developed and published:

- Step-by-Step Guide for Gender Impact Assessment
- Factsheet for Gender Mainstreaming
- Checklist for Gender Mainstreaming of Government Action
- Checklist on Gender Mainstreaming in Infrastructure Policies which is available in Maltese and English

Interviews, desk research and a pilot study were carried out during various phases of the writing of these tools. These tools were widely disseminated among public employees and other stakeholders in Malta that specifically tackle gender mainstreaming of policies. Through the use of these tools, public employees have guidelines and checklists that can help them implement gender mainstreaming on a day-to-day basis.

The project also engaged an External Expert from Sweden, as a consultant who provided training and consultancy to the project. The project external expert was also responsible for organising a two-day study visit to familiarise with practical gender mainstreaming good practices and their management. The study visit took place in Stockholm, Sweden on the 28th and the 29th February 2012. The study visit consisted of meetings with a number of public bodies as well as NGOs. This visit was incredibly beneficial since the practical examples given to the team were used as examples of good practices during training.

This project also included the Gender Impact Assessment of the following four policies:

- The National Sexual Health Policy for the Maltese Islands
- Draft National Children's Policy
- Budget Speech 2012
- Teleworking Policy in the Public Administration

This activity involved interviews with policy-drafters as well as stakeholders that deal with people that are affected by the policies. This offered a more holistic view of the process and effects that policies have on the population of men and women, boys and girls. As a result of the gender impact assessment of these four policies, the researchers drew up general recommendations that aimed to facilitate the integration of gender mainstreaming, by providing examples to policy drafters of how impact assessments need to be carried out. The general recommendations also highlight areas that need to be worked upon to ensure better gender mainstreaming of policies.

During this project, a series of Bilateral Meetings with all Ministries were organised in order to establish a network and channel of communication between the Consultancy Team, NCPE and policy makers. During these three rounds of bilateral meetings, NCPE and the Consultancy Team met with the Permanent Secretaries - or their representatives - of each of the Ministries, where they discussed how gender can be mainstreamed in policies and action taken by Government. Furthermore, collaboration involved a number of discussions with the Office of the Prime Minister (OPM) which resulted in the publication of OPM circular 15 of 2012 entitled *Gender Mainstreaming in Practice* which gave recognition to the project and its work, as well as initiated the formalisation of gender mainstreaming, through the specific creation of a reporting obligation on gender mainstreaming for each public administration office. Hence, a reporting template was designed and disseminated through this same circular. The scope of this report is that each Ministry lists the key milestones, good examples of work carried out and any NCPE tools used, but also to describe any data collection that was sex disaggregated and a SWOT analysis to examine the difficulties encountered by the organisation/ Ministry/ department/ agency/ commission etc in the implementation of gender mainstreaming during that reporting year. This report must reach NCPE



Final Conference, 13th June 2012

“ AT THE END OF THE WORKSHOP THE PARTICIPANTS (11 MALES AND 18 FEMALES) WERE GIVEN AN OPPORTUNITY TO VOICE THEIR OPINIONS ON THE FINDINGS AS WELL AS ON THEIR FIRST EXPERIENCE WITH USING THE TOOLS TO PERFORM A GENDER IMPACT ASSESSMENT

DOI - Martin Attard



Final Conference, 13th June 2012

by the second week of April every year, at which point NCPE compiles the data received and presents it to the office of the Principal Permanent Secretary. A short reference to this report should also be included in each department's annual report.

A series of training workshop sessions were organised in May with all government Ministries; as a result of the bilateral meetings, all Ministries identified personnel who would mostly benefit from the training sessions which were addressed toward policy and decision-makers. In total, eight (8) training workshop sessions were organised during which 40 males and 92 females were trained. Also as a result of the bilateral meetings, Ministries were in a position to choose a policy to be used for the 'hands-on' workshop activity which consisted of using the tools designed to gender mainstream a policy. As a result, participants were more sensitised towards gender mainstreaming as a strategy as well as more empowered in knowing what tools can be used to facilitate the process in day-to-day implementation

A full-day training workshop for various stakeholders including employers, NGOs, social partners, authorities and governmental entities was held on 29th May 2012 where a similar layout to that of the training session for public employees was used. The workshop introduced stakeholders to the gender mainstreaming tools produced and enabled them to use such tools during the same workshop. At the end of the workshop the participants (11 males and 18 females) were given an opportunity to voice their opinions on the findings as well as on their first experience with using the tools to perform a gender impact assessment.

The project's Final Conference was held on 13th June 2012, where the research results and an overview of the project activities were presented.

Although the project was concluded in June 2012, the results it achieved are aimed to translate into a continuation of a number of initiatives. The tools developed will provide a continuum through its use in the drafting and implementation of policies and infrastructure projects. Furthermore, following the bilateral meetings, there was commitment within the public administration *modus operandi* through its Permanent Secretaries regarding the establishment of the equality committees as well as through the reporting mechanism initiated through OPM circular 15 of 2012. The equality committees are expected to continue operating within all Ministries in order to address any issues related to gender equality beyond the project lifetime.



JUST/2011/PROG/AG/1902: I'M NOT RACIST, BUT...

I'm Not Racist, But... was a project co-funded by the EU PROGRESS 2007-2013 funds and implemented by the National Commission for the Promotion of Equality (NCPE) Malta during 2012.

This project was largely based on the results and recommendations emerging from two research studies that were carried out as part of a project implemented by NCPE during 2010, *VS/2009/0405 Strengthening Equality Beyond Legislation*, that is 'Underreporting of Discriminatory Incidents' and the 'National Action Plan Against Racism and Xenophobia'.

The project, involved the collaboration of three main stakeholders in the field; Agency for the Welfare of Asylum Seekers (AWAS), Jesuit Refugee Service (JRS) Malta and United Nations High Commissioner for Refugees (UNHCR) Malta) as partners.

The following were the main target audiences identified by this project:

- Property Owners (and their Representatives)
- Immigrant and Ethnic Minority Groups (including the African communities)
- Media Entities
- Enterprises
- National and Local authorities
- Young people
- Non-governmental organisations (NGOs)
- General Public

These target audiences were reached through various components within this project with the aim to educate and sensitise them on issues of equality, cultural diversity and anti-racism messages.

The general objectives of *I'm Not Racist, But ...* were to better implement legislation on non discrimination; to develop a national policy to combat discrimination as well as to promote equality beyond legislation; and to foster the dissemination of information on EU and national policy and legislation in the non discrimination field. These objectives were tackled through the development of a clear understanding of the situation of ethnic minorities and housing, the empowerment of respective stakeholders to prevent or combat discrimination in this area; the empowerment of the African Communities to get their voice heard, to advocate for their rights and to report discrimination; and through awareness-raising on racial discrimination and promotion of cultural diversity.

I'm Not Racist. But... was launched through a press conference held on 4th May 2012. The speakers on behalf of this project presented the background, aims and objectives of the project, together with a brief description of the activities which were going to take place through its implementation. This press conference was also addressed by the Minister for Justice, Dialogue and the Family Dr. Chris Said. A total of 75 participants attended this conference out of whom 46 were female.

A research on immigrant and ethnic minority groups and housing and accommodation was carried out. The objective of this research was to provide a clearer picture of the experiences of immigrants or persons of ethnic minorities when accessing or inhabiting housing or accommodation, as well as to identify the needs and concerns of landlords/landladies and/or their representatives. Hence, this research included the following three (3) components:

The first related to determining the experiences of immigrants and ethnic minority groups in relation to housing, and the respective experiences of property owners and their representatives;
The second produced a Training Programme for Property Owners and their Representatives;
Finally, the third component involved the compilation of two leaflets on rights and obligations related to equal treatment in housing for property owners (and their representatives) and for immigrants (and ethnic minorities) respectively.



Launch Press Conference, 4th May 2012

DOI - Clodagh Farrugia O'Neill



Launch Press Conference, 4th May 2012

The conclusion from the qualitative research showed numerous examples of direct and indirect housing discrimination in Malta. This is particularly in the case of certain Maltese citizens and migrants. Whilst the categories may vary with regard to how they are labelled, the use of terms 'black', 'African', 'Arab' and 'Muslim' would appear to be the unifying categories and as such, the groups labelled as per the above terms face disproportionate levels of discrimination in accessing housing. Whilst the findings suggest that property owners and Estate Agents are aware of the role of the NCPE in combating discrimination, such knowledge does not yet appear to influence practices or beliefs. The research results also confirm that migrants and ethnic minorities living in Malta are not aware of their rights or ways to seek remedies for damage suffered with regard to accessing housing and experiencing racial discrimination. The findings suggest that this is generally across the board and not restricted to particular ethnic groups.

Taking this initiative a step further was the training programme developed based on the research findings, which NCPE will be using beyond the project lifetime. In order to obtain *de facto* implementation of legislation, training is necessary. Through this training tool, tailor-made and research based training will be carried out with those people who are directly involved in the implementation of the legislation. The training programme, therefore, continues building on what the research found in terms of more effective implementation of EU non-discrimination legislation. Moreover, the content of the training programme includes discriminatory issues immigrants and ethnic minority groups face and encounter when trying to access housing and accommodation; addressing concerns and difficulties that property owners and their representatives have when approached by immigrants or persons from ethnic minorities; information on respective legislation, as well as important conclusions and recommendations emanating from the research discussed above.

Based on the results emerging from the research, two leaflets on rights and obligations related to equal treatment in housing were developed:

- one for property owners (and their representatives);
- and one for immigrants and ethnic minorities.

This was done to contribute to the prevention of discriminatory incidents on the grounds of race and ethnicity in housing and accommodation by disseminating information in this regard and ensuring that all involved are aware of their rights and obligations.

“ THE RESEARCH RESULTS ALSO CONFIRM THAT MIGRANTS AND ETHNIC MINORITIES LIVING IN MALTA ARE NOT AWARE OF THEIR RIGHTS OR WAYS TO SEEK REMEDIES FOR DAMAGE SUFFERED WITH REGARD TO ACCESSING HOUSING AND EXPERIENCING RACIAL DISCRIMINATION



Training for African Communities, 8th November 2012

The leaflet for property owners and their representatives included information on relevant legislation on racial equality in housing, as well as respective rights and obligations; whilst, the leaflet for immigrants and persons from ethnic minorities addressed and described the rights and obligations of tenants or residents and potential tenants or residents of housing and accommodation. This leaflet was and is being distributed to and through migrant community organisations, organisations working with immigrants and ethnic minorities, and other relevant entities. The leaflet for tenants is available in English, French, as well as Tigrinya and Somali; the most frequent native languages of the African communities in Malta¹⁶.

Training was also held with the African Communities in Malta, where the participants were trained on issues such as empowerment, lobbying and advocacy, mainly focusing on Human Rights. This training was provided to various African communities in Malta, including Somalis, Libyans, Sudanese, Eritreans, Ethiopians, Malians, Nigerians and Ivoirians on various issues. The following training sessions were held on the following dates:

¹⁶ Tigrinya and Somali were the languages identified through the research study *Preferred Media of Minorities* carried out through the *Strengthening Equality Beyond Legislation* project as being the two most frequent native languages by African Communities in Malta.



Training for African Communities, 3rd November 2012



Training for African Communities

Two Programmes (2 sessions in each programme)

Training Programme 1:

Session 1 (1st November 2012): Total no. of people – 42; total number of women - 12

Session 2 (3rd November 2012): Total no. of people – 79; total number of women - 15

Training Programme 2:

Session 1 (8th November 2012): Total no. of people – 21; total number of women - 12

Session 2 (10th November 2012): Total no. of people – 23; total number of women - 11

The training included various teamwork exercises and discussions that set the scene for the key points tackled through these training sessions. The training also provided information about organisations that offer advocacy and assistance. With the help of cultural mediators and interpreters translating in French, Tigrinya and Somali; the training sessions were very well received and were deemed to be successful in reaching out to the participants of the African community residing in Malta.



Training for African Communities, 3rd November 2012



Training for African Communities, 1st November 2012



Anti-Racism Theme Day, 8th December 2012

NCPE organised an Anti-Racism Theme Day, which was held in Pjazza de Vallette, Valletta, on the 8th December 2012, bringing together African communities and Maltese society to endorse anti-racism throughout the 10-hour event. The various activities created a multicultural atmosphere promoting diversity as part of an Anti-Racism Theme Day with the slogan '*Celebrating Diversity*'. Prominent personalities, including TV personalities, media personalities, musicians and bands endorsed anti-racism by presenting the event and involving themselves in discussions with the general public throughout the day. Ongoing activities held during this multicultural day encouraged diversity by featuring live African and ethnic music, dance performances together with free dance lessons, ethnic food and free tasters, arts and crafts; hand made jewellery, games, face painting, Henna, hair braiding, and an Art exhibition portraying equality and anti-discrimination messages through Art work. The event was promoted through billboards, posters, radio adverts, project partners, NGOs, and social media.

Five media spots / video clips were developed in order to spread messages against racism and raise awareness, promote positive images of ethnic minorities in a local setting, allow immigrants and



Anti-Racism Theme Day, 8th December 2012



Anti-Racism Theme Day, 8th December 2012

ethnic minorities to make their voice heard in the media, and allow community organisations working with immigrants and ethnic minorities to comment on various related issues. The following clips were uploaded on YouTube and Facebook:

1st Clip: *The kids filming* - aimed at promoting positive images of ethnic minorities in a local setting and awareness-raising promoting cultural diversity. This clip may be viewed on the following link: <https://www.youtube.com/watch?v=29PrWMZ-2Fw>

2nd Clip: *The Poem* – Aimed at spreading anti-racist messages and awareness raising, allowing immigrants and ethnic minorities to make their voice heard in the media promoting cultural diversity. This clip may be viewed on the following link: <https://www.youtube.com/watch?v=W2JItNCfoo8>

3rd Clip: *I am Not Racist, But...* – Situations aimed to raise awareness: develop a clear understanding of the situation of ethnic minorities. This clip may be viewed on the following link: <https://www.youtube.com/watch?v=uiMJrv1Zp5o>



Anti-Racism Theme Day, 8th December 2012

4th Clip: *The situation test* - aimed at spreading an anti-racist message and awareness raising, also aimed at allowing immigrants and ethnic minorities to make their voice heard in the media. This clip may be viewed on the following link: <https://www.youtube.com/watch?v=1CjjZtpczsA>

5th Clip: *Interviewing Organisations and a day in the life of a Maltese person* - aimed at allowing community organisations working with immigrants and ethnic minorities to comment on various related issues. This clip may be viewed on the following link: <https://www.youtube.com/watch?v=rmlZHe1utbg>

These clips were further promoted at the Anti-Racism Theme Day, the Final conference, and on TV discussion programmes on local television, as well as through public service announcements. A press release was also sent to all newsrooms in order to launch the development of the clips and to encourage them to promote them as part of their corporate social responsibility.

Moreover an evaluation study of the project was carried out by an external evaluator. The evaluator concluded that:

“Discrimination is a complex issue. With different cultures and religions present in Malta , our society has become multicultural. Maltese people need to be educated such that they learn to live in such society and to respect everybody’s rights and opinions whatever their skin colour, religion, culture and way of living. Research is needed to study and understand how Maltese society is dealing with such changes as well as what problems and difficulties people of minority groups face in order to be fully integrated in society.”

Even though problems with discrimination will persist beyond the lifetime of this project, it has to be said that the actions which formed part of the project can be said to be in the right direction. They have surely contributed to help NCPPE understand better the amount and nature of problems which minorities encounter with respect to access to housing as well as to bring about at least some of the changes needed to diminish discriminatory practices and to have better integration of different minorities in our society.



Final Conference, 17th December 2012

It is hoped that NCPE will have more opportunities to implement similar projects which will allow it to work further to fight discrimination through awareness raising, education for the general public as well as provide opportunities to empower minority groups to develop their skills, gain self-confidence in order to eventually have a fair society for all whatever their race, gender, age, religion, disability or sexual orientation.”

At the end of the project a final conference took place on the 17th December 2012. The number of attendees at the final conference was fifty-eight (58), out of whom 39 were females. The purpose of this conference was that of discussing the activities implemented under this project. Participants of this conference included relevant stakeholders from the public service and public sector, representatives of NGOs and other organisations dealing with racial discrimination, private sector representatives, general public and media representatives. The results of the research study were presented, detailing numerous examples of direct and indirect housing discrimination in Malta. The trainer of the four training sessions also gave a brief overview of the training delivered, whilst the external evaluator presented the external evaluation findings.



ESF 3.47: UNLOCKING THE FEMALE POTENTIAL

Unlocking the Female Potential project was part-financed by the European Social Fund (ESF), co-financed by the Government of Malta and developed and implemented by NCPE. Unlocking the Female Potential was designed to learn and understand the reasons behind the low female employment rate in Malta and Gozo, while at the same time promoting a culture of equality within the business sector in order to address labour market distortions. The overall objective of this project was to increase the overall female participation in the labour market. The project was launched on 6th July 2010.

Project Objectives

- To increase the overall female employment rate by providing indirect incentives for work;
- To create a need for businesses to become 'certified equal opportunities employers';
- to have a family-friendly environment at the work place;
- To incentivise the inactive to the labour market through better work arrangements available;
- To further promote the need for a work/life balance both for men and women;
- To understand the jobs/skills match for the inactive population, in order to ensure employability; and
- To provide policy makers with vital information through research.

Throughout this project NCPE was in a partnership with the Employment and Training Corporation (ETC), the Malta Employers Association (MEA), the Union Haddiema Magħqudin (UHM), Foundation for Human Resources Development (FHRD) and the General Workers Union (GWU).



Research Launch Conference, 16th January 2012



3rd Equality Mark Certificate Awarding Ceremony, 16th January 2012

The two main components of this project involved research and awareness-raising:

Research

The Research component of this project addressed various issues that influence the female participation in the labour market. The research findings and recommendations that emanated from this research will be a valuable tool for policy makers in related policy formulation.

The Research component encompassed five (5) research studies:

1) Life Prospects of Teenage Parents

A longitudinal study examining the life prospects of teenage parents, with regards to educational and job prospects, pattern of roles and the use of support structures.

This study which was launched during the project's final conference held on 11th December 2012, adopted a longitudinal study whereby 100 interviews were conducted with respondents who became parents during their teenage years. Being a longitudinal study, these respondents had to be interviewed four times in order to record any changes in their opinions and their future prospects. This study showed that becoming a teenage parent had more impact on the mothers rather than



4th Equality Mark Certificate Awarding Ceremony, 18th May 2012



Project Final Conference, 11th December 2012

on the fathers, and on the way they feel when they compare themselves to others of their age. The main challenges identified among teenage parents in this study were: the financial burden of having a child; the increase in responsibility; the change in lifestyle; restricted freedom and the pressure to keep a good relationship with the partner. With respect to education and job prospects, one of the main regrets among teenage parents was the difficulty found in continuing their education. Such findings point to the dire need for social policy to give more serious consideration to work-life balance issues and the importance of sex education. The research also showed that there is a need for more awareness-raising campaigns as well as educational activities such as seminars, talks, and interactive activities targeted at adolescent groups at the local level e.g. youth groups.

2) The Situation of Male and Female Entrepreneurs and Vulnerable Workers in Malta

This was researched by way of:

a) A comparative study to focus on male and female entrepreneurs, which sought to explore their main reasons for making such a choice in their lives, also looking at their overall expectations.

This research adopted a quantitative approach whereby face-to-face interviews were conducted with 600 male and female entrepreneurs and self-employed people hailing from Malta and Gozo. Both males and females mentioned 'ambition' as their main reason to start their own business. There were no gender differences in this initial motivation. On the other hand males mentioned 'being one's own boss' as their second motivation to start their own business, whereas females mentioned 'being better off financially' as their second motivation to start their own business. A clear finding emerged that caring responsibilities do have a stronger impact on female entrepreneurs than male entrepreneurs vis-à-vis their decision to start a business. The study showed also that there are mixed feelings among the whole entrepreneur cohort on whether differences in management styles between males and females exist. Another clear finding emerging from this study is that gender segregation is still evident in various sectors namely in Construction; Real Estate; Communications; Beauty and Hairdressing as well as Childcare and Fashion industries. Reasons for gender segregation

in these business sectors are largely the traditions and societal perceptions in gender and the male or female entrepreneur dominance in these sectors.

b) A study understanding the reality of self-employed/contract workers in the tourist industry/ cleaning/ language schools, and what makes their situation vulnerable.

This quantitative research study was conducted with 600 male and female individuals, whose existing conditions of employment render them 'vulnerable workers'. Whereas ILO's definition of 'Vulnerable Employment' focuses largely on 'family workers' and 'own-account workers', the research showed that Malta's reality is very different. Vulnerable employment in industries such as the Tourism Sector, Cleaning Sector and Language Schools largely consists of workers who are not family workers but individuals who are not given the basic working conditions they are entitled to, as stipulated by Maltese law on employment rights. This study indicated that although 52% of respondents are employed by 'formal registration', the 'remuneration package' or other working conditions may be not according to those stipulated by law. This study clearly illustrated that workers vulnerability is rampant across all three industries and is tied directly to employers not adhering to existing employment conditions and employment rights regulations with regards to wages, national insurance contributions, government bonuses, vacation and sick leave entitlement, occupational health and safety standards and other working conditions. The research concluded that there is a clear need for more funding and resources to be allocated to enforcement as well as the need for more proactive initiatives by the various regulatory Government authorities.

3) The Relevance of Economic Independence to the Maltese Female

This was analysed by way of:

a) A research study analyzing what produces the 'glass ceiling' and the 'glass cliff' in Maltese society;

This quantitative research study with 600 females currently in paid employment, hailing from Malta and Gozo was conducted to analyse the extent of the glass ceiling and glass cliff effects on these women at their workplaces. The research revealed that one of the barriers for women to advance in their career is that of the 'sticky floor' phenomenon where they are stuck in jobs with no opportunities for promotions. With regards to the perceptions of the Glass Ceiling and Glass Cliff among respondents, the large majority of respondents from all age groups and occupations were not aware of any instances of the Glass Ceiling's effect on women without childcare responsibilities. Furthermore this study has confirmed that situations of Glass Cliff are much more difficult to detect due to the low number of women in Managerial grades, the factors that make up the Glass Ceiling are very evident. Last but not least, this research showed that support for employees to find a better balance between family and work will impact positively on women's advancement.

“ ...THE MAIN OBSTACLE FACING WOMEN WITH REGARDS TO BEING ECONOMICALLY INDEPENDENT THROUGH PAID WORK IS THE DIFFICULTY OF RECONCILING DOMESTIC AND FAMILY RESPONSIBILITIES AND EMPLOYMENT

b) A quantitative and qualitative study which sought to identify whether economic independence is relevant to the Maltese female;

This research study was conducted with 600 female individuals who were selected on their existing employment status, i.e. females who currently occupy any position, females who currently hold a 'managerial position' and females who are either inactive or unemployed. Whether prompted or asked to define 'economic independence' spontaneously, respondents linked it with the general well-being that a woman receives when she does not have to rely on anyone for money. This study identified that 70% of the respondents agree that women should be in paid employment to be economically independent. However, 56% of those inactive/unemployed respondents who agreed to this, disagreed in the case that the woman has caring responsibilities. This clearly indicates how the main obstacle facing women with regards to being economically independent through paid work is the difficulty of reconciling domestic and family responsibilities and employment.

c) A study examining the effects of social security benefits on the decision to take up employment or otherwise.

This research study was based on a quantitative approach with 500 unemployed persons. Social benefits for those seeking employment are the benefits mostly given to the respondents. This study revealed that 93% of respondents claimed that their wish to find a job would be because of financial need. Various suggestions mentioned by respondents for increased participation in the labour market, were for government / authorities to increase job opportunities; to offer incentives to employers to employ Maltese employees rather than foreigners; increase salaries; to offer incentives targeting older employees; more work opportunities in Gozo; more training opportunities; to offer incentives targeted towards separated persons; and more availability of childcare services.

4) Analysing Inactivity from a Gender Perspective

This was explored by way of:

a) A study identifying, understanding and validating the reasons underlying the inactivity of the female segment in the Maltese population¹⁷ as a follow up research;

This quantitative research study with 600 inactive females hailing from Malta and Gozo was conducted to analyse inactivity from a gender perspective. A clear finding emerged that the care of children is providing to be the biggest stumbling block for Maltese women as over a third of the inactive women interviewed, irrespective of their age, said that they were not working in order to take care of their children. This study also revealed that there are clear differences in the orientation to paid work between younger and older inactive women. Such study clearly highlights the need for more promotion of incentives particularly by the income tax department, to increase awareness and accessibility of government incentives. This study indicates that measures that may encourage inactive individuals to participate in employment include: childcare services, more flexibility on the job and tax benefits.

b) An inactive population skills study.

This quantitative research study was conducted with 600 inactive females hailing from Malta and Gozo, this time to analyse inactive females' skills and assess their 'employability' potential. In tandem with the inactive females study, another quantitative research study was conducted with 600 local employers, hailing from the public and private sector and representing Malta's salient business sectors. This study shows that in the last five years 26% of the employers interviewed recruited inactive females.

¹⁷ This study was a follow up research to the studies carried out by the Employment and Training Corporation (ETC) and the EQUAL 4 – 'Promoting Equal Opportunities through Employment' (a project carried out by NCPPE)

Furthermore, the study also showed that 44% of all employers feel that the most important practical skills they look for when recruiting new employees (not necessarily inactive females) are previous work experience and team work. With regards to training, 72% of the inactive females were not attending any courses or training. This study provided recommendations on possible training sessions that can be designed for the inactive in order to improve or upgrade their skills were possible.

5) Research on Gozitan Women in Employment

A study which sought to understand the factors affecting Gozitan women, in order to identify their perception and needs vis-à-vis employment.

This quantitative study was conducted with 1000 Maltese and Gozitan females, currently in paid employment. This study was conducted by way of face to face interviews. In parallel, another quantitative study was conducted with Gozitan households hailing from the various towns/villages of Gozo and aimed at exploring and understanding how Gozitan society perceives employed Gozitan females. Any female individual who participated in this second survey were not in paid employment at the time of the survey. This study showed that 77.4% of Gozitan women who work, work in Gozo, while the remaining 22.6% of Gozitan women who work, work in Malta. A clear finding emerged that the main reason for working among Gozitan respondents is financial necessity and this is higher in the older group but at the same percentage as Maltese respondents. Gozitan women see their job as less of a career yet they believe that further education and training are important.

The latter four research studies described above were launched during the research launch conference held on 16th January 2012.



THE EQUALITY MARK

The second component of the project involved the creation of the concept of the '*Equality Mark*'. The Equality Mark is a certification which is awarded to companies that have gender equality one of their values and whose management is based on the recognition and promotion of the potential of all employees irrespective of their gender and caring responsibilities. This concept was so much of a success that it will be kept ongoing post the project's lifetime.

The Equality Mark Certification Process

The certification is based on a set of criteria that is split in six (6) main principles that organisations need to show a commitment to, namely:

- Implementing an equality and harassment policy with efficient reporting mechanisms;
- Taking measures to ensure equal opportunities in recruitment and employment practices;
- Setting up of Employee Equality Representatives and/ or an Equality Committee;
- Taking measures to ensure equal opportunities in career and personal development opportunities;



Equality Representative Training

- Implementing Family Friendly Measures and Work Life Balance options;
- Gender audit and gender impact assessment.

The process of applying for the Equality Mark¹⁸ starts by applying formally with NCPE and submitting documents attesting one's eligibility according to the checklist also found on NCPE website. When applicant organisations complete and submit all necessary documentation, an audit/meeting is held at the applicant's premises to ascertain the validity of their documentation and review documents. The meetings held with employers take the format of a constructive exercise in which organisations are confidentially aided by NCPE to fulfil their obligations according to the law, and implement Human Resources practices with regards to gender equality principles over and above what the law prescribes, while still maintaining sustainability of their business. Organisations are helped to reach the necessary standards and have all the necessary requirements for the certification in place before a report of the audit and the application is compiled by the Equality Mark Promoter and presented to the Equality Mark Committee with all supporting documents.

Following the approval of evidence, the employer/s obtains the certification with the 'Equality Mark' certificate and official logo that can be used in all publications published by the respective employer for a particular time frame. The certificate and use of the official logo gives the opportunity to the employer to show that s/he is truly an equal opportunity employer.

Equality Representatives Training

As part of the Equality Mark campaign, NCPE embarked in 'Equality Representative Training'. The scope of this training was to train representatives of organizations that applied and/or were interested in obtaining the Equality Mark. The rationale behind these sessions was that the more persons involved and trained, the better equality would be mainstreamed. Additionally, persons placed in strategic positions within organizations who have been in contact with NCPE were more likely to seek information and advice from the Commission on equality issues, when required.

These representatives were trained during training sessions which have been offered at regular intervals by NCPE since the launch of the Equality Mark.

During the training, NCPE trainers inform interested entities of the procedure to apply for the Equality Mark, its value in the work place, as well a basic knowledge of the laws and practices for

¹⁸ The Equality Mark certification is valid for a two-year period, and companies need to be reassessed on the expiration of the said period.

“ THE EQUALITY MARK HAS SO FAR AIMED TO SERVE AS AN INCENTIVE FOR COMPANIES TO PUT IN PLACE AND IMPLEMENT WORK/LIFE BALANCE OPTIONS AND EQUALITY STANDARDS, WHILE ACTING AS AN ACKNOWLEDGEMENT FOR ORGANISATIONS THAT ALREADY HAVE SUCH MEASURES IN PLACE

good Human Resource Management in relation to gender equality. The training sessions also include information on what constitutes discrimination, harassment and sexual harassment, the Equality legislation that applies to Malta, NCPE's role and remit, application procedure for the Equality Mark and useful notes on how to formulate Equality and a Sexual Harassment policy tailor made for the organization in question. Apart from being a compulsory part of the process in obtaining the Equality Mark, such sessions are valuable equality training sessions.

Throughout the project, 26 training sessions were conducted during which 105 participants were trained (71 females and 34 males). 10 of these training sessions were held in 2012 wherein 31 females and 18 males received training.

The Equality Mark has so far aimed to serve as an incentive for companies to put in place and implement Work/Life Balance Options and equality standards, while acting as an acknowledgement for organisations that already have such measures in place. Furthermore as an indirect outcome, the publicity campaign for the Equality Mark exposed the whole population to the promotion of gender mainstreaming and Work/Life Balance Options.

Certified Gender Equal Opportunities Employers¹⁹:

Public Departments / Ministries / Authorities

- Department for Health Information and Research (DHIR)
- Department for Social Welfare Standards (DSWS - MJDF)
- Directorate Corporate Services (DCS - MJDF)
- Directorate for Pharmaceutical Policy and Monitoring
- Directorate Programme Implementation (Social Affairs - MJDF)
- Enemalta Corporation
- Foundation for Medical Services (FMS)
- Foundation for Social Welfare Services (FSWS)
- Internal Audit & Investigations Department (IAID)
- Lotteries & Gaming Authority
- Mater Dei Hospital
- National Audit Office (NAO)
- National Statistics Office (NSO)
- Pharmacy of Your Choice Department
- Public Administration HR Office (PAHRO)

19 List of organisations is according to alphabetical order.

Private companies

- Adi Associates
- Adpro Instruments Ltd
- Alert Communications
- Alf Mizzi & Sons (Marketing) Group
- Bank of Valletta
- Besedo Ltd
- Betsson Malta Ltd
- Burger King – Burger Operations Limited
- Chetcuti Cauchi & Associates
- Deloitte
- European School of English (ESE)
- FTIAS Ltd
- Grand Hotel Excelsior
- HSBC Bank Malta plc
- Intercomp
- Kentucky Fried Chicken (KFC) – Kentucky Operations Limited
- Link School of English (LES) / Sunlingua
- Medavia Ltd
- Megabyte
- Melita plc
- MISCO Consulting Ltd
- MISCO International Ltd
- MSV Life
- Nectar Group of Companies
- Nexia BT
- Northway Brokers Ltd
- Partit Laburista
- Pizza Hut – Pizza Operations Limited
- Pricewaterhouse Coopers (PwC)
- RSM Malta Consulting
- Sign Services (Malta)
- ST Microelectronics (Malta) Ltd
- Studioseven Co. Ltd
- Uniblue Systems Ltd
- Vodafone Malta Ltd
- World Aviation Group

This brings the number of companies certified with the Equality Mark to a total of **51** certified companies (of which 19 were certified in 2012) resulting in **15,253** employees (of whom 2,021 in companies certified in 2012) working under gender certified conditions.

Fifth Equality Mark Award Ceremony

During Final Conference

11th December 2012



DOI - Savour Cassar



Project Final Conference, 11th December 2012

The Equality Mark Campaign

The awareness raising campaign consisted of various activities with the aim of promoting the Equality Mark. The scope of this campaign was to expose the whole population to the promotion of gender mainstreaming and Work/Life Balance Options. The publicity campaign targeted the general public with a particular focus on business and employers' organizations, as well as the inactive population. The aim of targeting business and employers' organisations was to incentivise organisations to implement family friendly measures and equality standards while acting as an acknowledgement for organisations that already have such measures in place. The inactive population was provided with indirect incentives to work through the promotion of organisations who value their employees and who took the initiative to adopt Family Friendly Measures (FFM) and equality standards beyond legislative obligations. Hence, given the right conditions to work, the inactive population would be motivated to return to the labour market.

Various activities which form part of this awareness raising campaign included:

- Information Brochures
- Billboards
- Bus Shelter adverts
- Online Awareness Campaign
- Newspaper Adverts
- Magazine Adverts
- TV and Radio Public Service Announcements (PSAs)
- TV and Radio Public Relations (PR)
- Website
- Equality Mark in the media
- Promotional Material
- Publications – Research Reports and Final Report

DOI - Saviour Cassar



Project Final Conference, 11th December 2012

“ THE EQUALITY MARK GENERATED SUFFICIENT INTEREST AND AS A RESULT ATTRACTED A SIGNIFICANT NUMBER OF EMPLOYERS TO APPLY FOR IT. MOREOVER, THROUGH THE EQUALITY MARK, NCPE HAS BEEN ABLE TO FOSTER THE IDEA OF GOOD PRACTICE WITH RESPECT TO GENDER EQUALITY IN THE EMPLOYMENT SECTOR

Analysis of the Equality Mark

Following the development of the Equality Mark concept and campaign, the project *Unlocking the Female Potential* commissioned an analysis to assess the impact of the Equality Mark campaign.

The purpose of this study was to analyse the impact of the Equality Mark and seek ways to develop, strengthen and enhance it, by seeking similar initiatives carried out in other EU Member States. The aim of this analysis was to create a tool supporting equal opportunities far beyond the project's lifetime, by strengthening the projects' longevity, as well as utilizing the full potential of the Equality Mark as a positive tool for change.

The Analysis of the Equality Mark consisted of three (3) main activities:

- a. A SWOT study to analyse the impact of the Equality Mark initiative and the impact it had on a local/national level;
- b. Another SWOT study, to identify and analyse initiatives carried out in various EU Member States;
- c. An exercise whereby a set of recommendations were delineated in order to further develop the Equality Mark.

The recommendations were based on the information that was obtained from the interviews that were conducted through this Analysis. This analysis delineated a number of recommendations which were presented at the project final conference held on the 11th December 2012, outlining the resources and knowledge envisaged to further promote and strengthen the Equality Mark initiative. Based on the results of the SWOT analysis, the external evaluator concluded that overall, the Equality Mark initiative may be considered as a successful practice. The Equality Mark generated sufficient interest and as a result attracted a significant number of employers to apply for it. Moreover, through the Equality Mark, NCPE has been able to foster the idea of good practice with respect to gender equality in the employment sector. The evaluation also indicated several methods with which the Equality Mark may be further improved upon. Such methods include extending the Equality Mark to other grounds of discrimination, promoting networking among employers with respect to equality issues, look into the possibility of promoting the discussion at European level, and forge close collaboration with NGOs. Given the fact that the Equality Mark shall be continued, even after EU funding has stopped, NCPE is determined to take into account these recommendations and carefully assess the feasibility of each recommendation within the context of its limited resources.

VT-2008-007 - NETWORK OF SOCIO-ECONOMIC EXPERTS IN THE ANTI-DISCRIMINATION FIELD

Within the framework of the EU PROGRESS programme 2007-2013, in November 2008 the European Commission assigned OSB Consulting (Austria) and Human European Consultancy (Netherlands) to set up and service a network of socio-economic experts in the field of anti-discrimination on the grounds of race and ethnic origin, religion or belief, age, disability, sexual orientation as well as on multiple grounds. The purpose of the network was that of providing the European Commission with independent expertise and advice for a four year period. Moreover this network was covering all the 27 EU member states. NCPE was identified by OSB Consulting and Human European Consultancy as a National Partner within this Network from 2009 till 2012.

The main objectives of this network were to:

- Provide the European Commission with informed analysis of national situations and policy developments with regards to discrimination on the grounds of age, disability, ethnic or origin, sexual orientation, religion or belief and multiple grounds; and
- Assist the launch and implementation of a series of exchange of good practices on antidiscrimination policies and practices, with a view to facilitate the exchange of information on anti-discrimination issues and transferability of good practices between countries;

As a National Partner, NCPE was once again responsible for the organisation of another one-day National Workshop seminar for representatives of stakeholder groups such as NGOs, social partners, equality bodies and government experts that had particular key interest in one/some/all of the above mentioned six grounds of discrimination. This year's national workshop seminar was held on the 3rd October 2012 and was attended by 22 participants (of whom 19 were female).

Apart from NCPE, the network had also selected a National Expert - Dr. Therese Comodini Cachia, who for this year's workshop was responsible for developing two National Reports reflecting the situation in Malta with regards to:

- The links between public authorities at the different levels of governance; and
- Discrimination on the ground of religion or belief.

HOW CAN YOU MAKE USE OF NCPE'S SERVICES?

Should you wish to contact NCPE about anything in this annual report or about any issue related to equality, you can do so using the following means:

Telephone: +356 2590 3850
Email: equality@gov.mt
Web: www.equality.gov.mt

Facebook: search for the '*National Commission for the Promotion of Equality*' on facebook, and click LIKE; keep updated on recent news and information through our regularly updated page; send us a message, like our posts, post photos of our activities and share with your friends and colleagues.

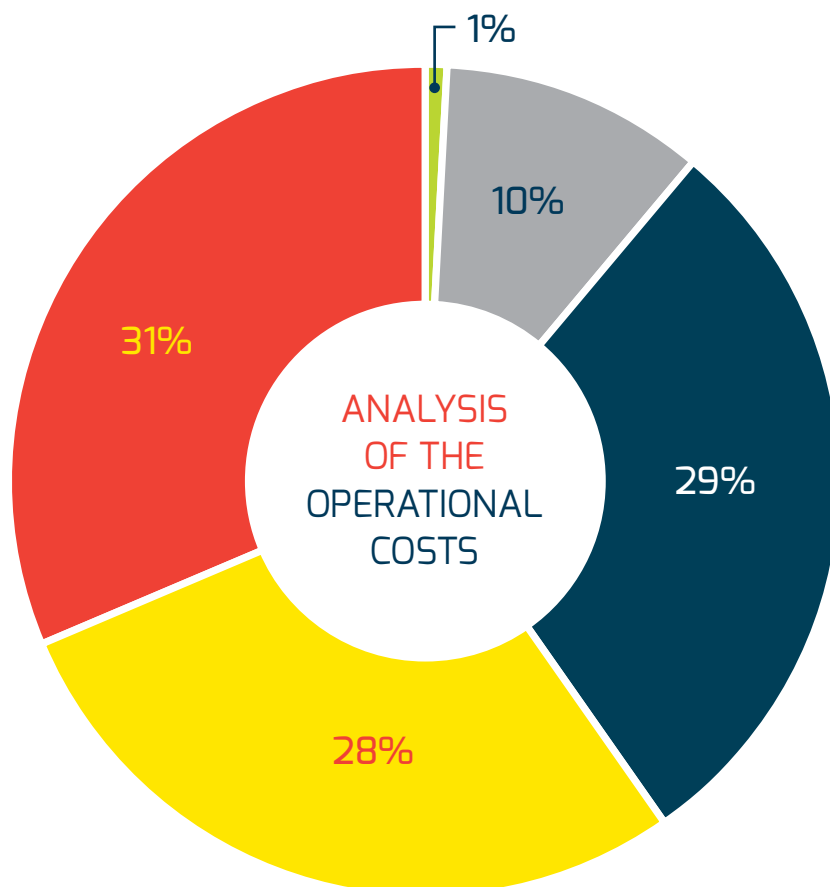
Should you need to visit our offices, kindly call or email before hand in order to set an appointment with the relevant staff member. Should the services of a interpreter be required, such arrangements can be made on a case-by-case basis.

Our offices are situated at:
4th Floor,
Gattard House,
National Road
Blata L-Bajda HMR 9010
Malta



FINANCIAL OVERVIEW

The total recurrent cost for the year ending 2012 amounts to €303,959 (2011 - €366,707). Staff costs and Honoraria amounted to €249,200 (2011 - €314,723) or 82% of the total cost. Operating costs amounted to €54,749 (2011 - €51,984). An analysis of the operational costs is provided below:



■ Professional Services ■ Office Costs ■ Travel
■ Repair & Upkeep ■ Information Services

The level of operating expenditure has increased slightly when compared to previous year. The majority of expenditure still relates to Professional Services (mainly legal), Office costs and Travel. All costs have been kept to a minimum.

During this financial year, the Commission successfully utilised EU funding and still has a number of ongoing EU co-funded projects which in total provide an income of just below €500,000. Two projects have been concluded during this year “**Gender Mainstreaming in Practice**” (with actual total cost of €223,484 excluding VAT) in June and “**I’m Not Racist, But...**” (with actual total cost of €128,848 excluding VAT) in December.

As at the year end, the projects listed below are ongoing. The amounts quoted relate to the overall project value.

Name of Project	Budget (€)
ESF 3.47: Unlocking the Female Potential ²⁰	€ 621,885
Human European Consultancy	€ 3,651
Total	€ 625,536

²⁰ The project was initiated in 2009 and ends in 2013.

LOOKING AHEAD

2012 brought with it an extension of NCPE's remit. This brings with it many opportunities for NCPE. There is the opportunity to work on various grounds and extending the types of complaints which can be received and investigated by the Commissioner. There is also the opportunity to work with more NGOs, continuing the consultation meetings which started in 2012, with the aim of meeting NGOs and working on each ground of discrimination which is now in NCPE's remit, with the outcome of seeing where we can support each other and work together.

A new project entitled "Gender Balance in Decision-Making" was developed and submitted for funding. This new project was granted the award, and is planned to commence in the 2nd quarter of 2013. This project, which is co-financed by the European Social Fund 2007-2013 under Operational Programme II, is intended to facilitate, through knowledge and specific action, gender-balanced representation in decision-making. This shall be done through various activities namely:

- two research studies: one on gender-balanced representation in decision-making and the other on gender quotas and other measures;
- a Mentoring Programme which will provide women aspiring to hold decision-making positions with the opportunity to be mentored by successful persons (preference shall be given to women) who occupy high-level jobs; and
- the development of a Directory of Maltese and Gozitan Professional Women.

The project is estimated to cost around €600,000 and the project duration is until the 2nd quarter of 2015.

Another project which has been accepted for co-financing under the PROGRESS 2007-2013 funds is titled *Enhancing Equal Rights*. This project, which is projected to span over one calendar year, targets:

- the general public
- enterprises, trade unions and NGOs
- national and local authorities
- teachers
- young people and children

One of the main components of the project is internal training for the NCPE staff and Commission members. This will ensure that there is an increase of internal knowledge especially in view of the extension of NCPE's remit in 2012. A train-the-trainer manual on all grounds of discrimination is expected to be produced, for use by the NCPE staff. The project also focuses on diversity management training which will be provided to employers.

Finally, training on all grounds of discrimination will also be offered to teachers and teachers in training. Training modules on equality and non-discrimination will also be piloted with primary and secondary school children. Another main component of the project concerns information dissemination and awareness. Another Anti-Racism Theme day is being planned, as well as a non-discrimination campaign through newspapers, billboards and social networking sites. A project external evaluation shall also be carried out in order to evaluate the activities implemented throughout the project's lifetime. All these activities will start being implemented in 2013.

In 2013 and beyond, NCPE will continue all the work outlined in this annual report, such as receiving and investigating complaints, continuing to use and strengthen the use of all forms of media and communication, continue to carry out research and implementing projects, as well as being an awareness raising and training body.

As in previous years, all of NCPE's work is aimed at effecting a change in every day life, a culture change. Leading evermore to a culture of rights and responsibilities related to equality. Each individual should have the knowledge to recognise discrimination when they are faced with it or witness it, and each individual should also be empowered to report such discrimination.

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