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Equality and  
Human Rights  
Commission

Equality  
and Human  
Rights  
Monitor:  
**Is Wales Fairer?**

November 2023

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# **Equality and Human Rights Monitor: Is Wales Fairer?**

**November 2023**

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# Acknowledgements

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We are also indebted to data providers for their cooperation and support, and to analytical colleagues across all three nations for their assistance in peer reviewing our work in a challenging timeframe.

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# Foreword

## Background

The Equality and Human Rights Monitor, 'Is Wales Fairer? 2023', is our state of the nation report on equality and human rights in Wales. Our last report was published in 2018.

It focuses on the nine characteristics that are protected in law in the Equality Act 2010:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

## Aim of our report

This comprehensive overview draws on all available data to measure progress on equality and human rights in Wales. It is intended to support evidence-based decisions by the Welsh Government, public bodies and others over the coming years. Our aim is to drive action and meaningful change, to make life fairer for everyone.

## Contextual factors

The many challenges of recent years include:

- the profound impact of the COVID-19 pandemic
- the UK's departure from the European Union, and
- the period of high inflation as well as the economic impact of the war in Ukraine.

Some of the changes we report on are a direct result of these contextual factors. For example, the increase in home working following the pandemic has generally benefitted parents, older and disabled people, and those with caring responsibilities. However, it has also created challenges, for example deteriorating mental health and changes to employment patterns.

In other areas, these contextual factors reinforced existing trends. For example, the data shows continuing regional inequalities in the most deprived areas in educational attainment and life expectancy, as well as healthy life expectancy.

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## A mixed picture

The data shows a mixed picture since our 2018 report.

We highlight some areas of progress. These include:

- greater diversity in public appointments
- a narrowing of the gender pay gap, and
- a narrowing of the employment gap between disabled and non-disabled people.

We welcome the commitments made by the Welsh Government to address persistent inequalities through their Anti-racist Wales Action Plan, the LGBTQ+ Action Plan and the forthcoming Disability Equality Action Plan. It is, however, too early to assess the impact of these plans.

We also highlight that there is significant work to be done to address some longstanding issues, and to respond to emerging challenges and opportunities.

We have seen little progress in several areas. For example, educational attainment for disabled learners in Wales is falling behind England and Scotland. Poverty remains a persistent problem. We have seen an increase in racially and religiously aggravated offences at the same time as a reduction in the number of offences resulting in a charge. Emerging challenges include artificial intelligence and climate change.

## Data and evidence gaps

There are data and evidence gaps in Wales. They limit our ability to make a comprehensive and detailed assessment of progress. These gaps were exacerbated by the interruption to the flow of data caused by the pandemic. The gaps exist in the collection of data generally and in data broken down by region and protected characteristic.

We welcome the steps taken by the Welsh Government to establish new data units. It is vital that they and others address data gaps to ensure access to better, disaggregated and consistent data. This can inform strategic decision making and achieve impact.

## Recommendations

Our report includes recommendations to the Welsh Government, public bodies and others, drawing on our data and evidence.

We urge them all to consider these recommendations. We will continue to hold them accountable and fulfil our statutory responsibility to promote and protect equality and human rights for everyone in Wales.

**Wales Commissioner, April 2022–October 2023**

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**Equality and Human Rights Monitor – Is Wales Fairer?**





# Introduction

**The Equality and Human Rights Commission (EHRC) is Britain's equality body and an 'A' status National Human Rights Institution. We have a unique role in ensuring equality and human rights are protected and promoted, sharing the mandate for human rights in Scotland with the Scottish Human Rights Commission (SHRC).**

We are a regulator and make proportionate use of our powers to challenge discriminatory policies and practices. We also provide expertise and evidence-based insights to governments and parliaments in Britain, including the Welsh Government and Senedd Cymru (Senedd).

We have a statutory duty under the Equality Act 2006 to report regularly to the UK Parliament on the extent to which equality and human rights are improving in Britain. We produced our first series of reports for Britain, Wales and Scotland in 2010. We followed these with 'Is Wales Fairer?' (EHRC, 2015) and 'Is Wales Fairer?' (EHRC, 2018) and their partner reports for Britain and Scotland.

Our 2023 report, the Equality and Human Rights Monitor, is accompanied by a report for Scotland and this report, the 'Equality and Human Rights Monitor: Is Wales Fairer?'. This is our latest review and the first since the UK's departure from the European Union (EU), the COVID-19 pandemic and the start of the cost-of-living crisis.

This Welsh report provides an evidence-based overview of progress on equality and human rights in Wales. It is organised by the nine protected characteristics established by the Equality Act 2010. It also contains a chapter focused on key priority areas including human rights, socio-economic status and the Welsh language.

## Context

**The five years since our last statutory review have seen significant changes:**

### Membership of the European Union

On 23 June 2016, 52% of people who voted in the UK referendum voted to leave the EU. The same percentage (52%) of referendum voters in Wales voted to leave (compared with 38% who voted to leave in Scotland). The UK left the EU on 31 January 2020, followed by a transition period until 31 December 2020. The rules governing the new relationship between the EU and the UK took effect on 1 January 2021.

### Welsh and British politics

Since our last statutory review, the Welsh Government has continued to be led by the Labour Party. Following Senedd elections in May 2021, the Labour Party has retained power through a co-operation agreement with Plaid Cymru (the Party of Wales). Mark Drakeford MS has been First Minister of Wales since 12 December 2018.

The UK government has been led by the same political party, the Conservative and Unionist Party (the 'Conservative Party') since 2010. The Conservative Party governed with no overall majority in Parliament between 2017 and 2019, but won the December 2019 elections with a large majority, which it has retained. Since 2018, the UK has had four prime ministers. The current incumbent, Rishi Sunak MP, has held the office since 25 October 2022.

### **The COVID-19 pandemic**

COVID-19 started in Wuhan, China in December 2019 and spread quickly worldwide. The World Health Organization (WHO) declared the outbreak a Public Health Emergency of International Concern (PHEIC) on 30 January 2020 and a global pandemic on 11 March 2020.

On 23 March 2020, the then Prime Minister, Boris Johnson MP, announced a UK-wide lockdown through temporary emergency legislation requiring everyone to stay at home except for very limited purposes. In Wales there were two further national lockdowns, including a short 'circuit breaker' in October 2020, with the steps out of the final lockdown starting in March 2021. There were also several localised restrictions introduced in parts of Wales in 2020 and 2021.

The range of COVID-19 laws and interventions represented an unprecedented restriction by the three governments on the rights of people across Britain. There was debate about the timings and levels of restriction introduced in the different nations as the pandemic developed. There was high public compliance in Wales.

Due to an unprecedented contraction in the UK's economy during the first national lockdown, the UK government and the Bank of England introduced various policies to support businesses and workers during lockdowns, such as the Coronavirus Job Retention Scheme (known as the 'furlough scheme').

### **Cost of living crisis**

The cost of living in all three of Britain's nations has increased sharply since 2021. The rate of inflation reached a 41-year high of 11.1% in October 2022. Inflation dropped a little in subsequent months but started rising again at the start of 2023, reaching 10.1% in January 2023 and 10.4% in February 2023 (Harari et al., 2023).

### **Protected characteristics debate and scrutiny**

Specific events have prompted debate about several protected characteristics since our last statutory review.

### Race

Intense debate about race in the UK was triggered both by early evidence of the COVID-19 pandemic's disproportionate impact on ethnic minorities and the murder of George Floyd by police officers in the United States, leading to the increased prominence of the Black Lives Matter movement.

**The Welsh Government began a consultation in response to calls by the Wales Race Forum and other grassroots organisations (Welsh Government, 2021a). This led to the publication of the Anti-racist Wales Action Plan (ArWAP) on 7 June 2022 (Welsh Government, 2022).**

Meanwhile, the UK government set up the Commission on Race and Ethnic Disparities (CRED), which published its 24 recommendations in March 2021 (CRED, 2021). The report's recommendations were accepted in the UK government's response, Inclusive Britain, published in March 2022, but not all of them have been implemented yet (UK Government, 2022).

NHS Wales acknowledged racial inequalities in its system. The Independent Office for Police Conduct (IOPC) was asked to investigate two separate incidents involving the deaths of Black men after time in Welsh police custody (IOPC, 2021a; 2021b). The family of a Black child, who died after he was pushed into a river in Wales by another child, accused the criminal justice system of racism in not pursuing a manslaughter charge despite the Crown Prosecution Service (CPS) acknowledging there was sufficient evidence for such a charge (CPS, 2020).

### Disability

The pandemic also shone a spotlight on inequality for disabled people. As a result, the Welsh Government's Disability Equality Forum set up an enquiry into disabled people's experiences.

**The enquiry's report, 'Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19', found two-thirds of deaths from COVID-19 in Wales were of disabled people (Welsh Government, 2021b). The report emphasised the importance of the social model of disability<sup>1</sup> and led to the creation of the Disability Rights Taskforce and several working groups, led by disabled people, to explore ways to address the problems identified and the negative experiences shared.**

### Sex and gender

There has been increased attention on misogyny and violence against women and girls across the UK following several high-profile incidents. These include, in England, the murder of Sarah Everard by a serving police officer in 2021 and the behaviour of police officers over the 2020 murders of sisters Bibaa Henry and Nicole Smallman.

In Wales, several officers were suspended or sacked for gross misconduct based on evidence of misogyny, sexism and racism in the Gwent Police force.

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1 The social model of disability is a way of thinking about disability, created by disabled people. It recognises that people with impairments are disabled by barriers that commonly exist in society. These barriers can be physical, social and attitudinal and can prevent disabled people's inclusion.

**In 2018, the Welsh Government declared its intent to become a 'feminist government' and a world leader on gender equality. Its current Programme for Government (2021-2026) includes the aim to incorporate the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) into Welsh legislation (Welsh Government, 2021c).**

In 2021, the Welsh Government stated its intent to make Wales 'the most LGBTQ+ friendly in Europe' and launched its LGBTQ+ Action Plan (Welsh Government, 2023) in 2023 after wide consultation.

There has been much debate and legal action, particularly in Scotland, to clarify the definition of sex in law and to amend gender recognition legislation. The Programme for Government includes significant proposals for trans and sexual minority communities (Welsh Government, 2021c).

### The people of Wales

Findings from the 2021 Census in England and Wales have provided new insights.

#### Welsh language

The data shows three-quarters of people aged three and over in Wales have no Welsh language skills.



Bore da!

Just over one sixth of the population speaks Welsh, a fall of 1.2% since 2011.

#### Ethnic minorities

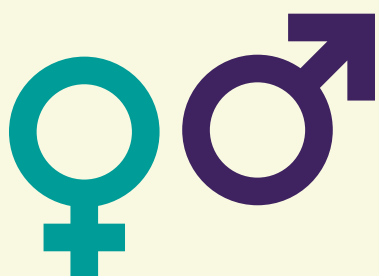
The proportion of the population who identify as being from an ethnic minority (including White minority groups) background or group has grown to 9.4% from 6.8% in 2011.

### Religion

The 2021 Census data found that of the Welsh population 46.5% say they have No Religion, with a slightly smaller proportion (43.6%) identifying as Christian and 2.2% as Muslim. There was no question in the census to ask about actively practising a religion or belief.

### Sex and gender

Those who stated their sex was female made up 51.1% of the Welsh population with the remainder declaring they were male.



The responses to the gender identity question suggest 93.3% of the population aged 16 or over said that their gender identity was the same as their sex registered at birth and 0.4% did not.

Among those aged 16 or over, 89.4% identified as straight / heterosexual and 3% as gay or lesbian, bisexual or other sexual orientation.

### Marriage and civil partnership

The proportion of Welsh residents aged 16 and over who are married or in a civil partnership has fallen slightly to 43.8%. The percentage of those who have never married or been in a civil partnership has increased to 37.2% and about one in ten Welsh residents are divorced or have dissolved their civil partnership.

### Age

The median age in Wales is 42, older than in England. Just over a fifth of the population in Wales are aged over 65.

### Disability

The 2021 census shows that disabled people make up 21.6% of the population of Wales, a drop of 1.1 percentage points since the 2011 census.



## How we reviewed the evidence

**The evidence in this report has been assessed using our measurement framework (EHRC, 2017). This measures progress on equality and human rights across Britain in a systematic and consistent way.**

**We report on six major areas of life for each protected characteristic, using a variety of indicators. The six areas of life, or 'domains', are:**

- education
- work
- living standards
- health
- justice and personal security, and
- participation.

Evidence collection involved desk based research into existing published sources and our own secondary statistical analysis of data sets such as household surveys and administrative data (collected by government agencies such as schools and hospitals). We have used qualitative research to add depth, highlight potential issues and suggest links between areas of evidence. Between 30 January and 1 March 2023, we called for evidence to fill gaps we had identified. We have not included evidence published after 31 March 2023 other than the Census for Wales to address specific evidence gaps.

Our statistical analysis examined data since the last statutory review period (the year of the last statutory review) and, where possible, across the past decade to examine longer-term trends. COVID-19 affected data collection for many surveys, leading to some missing data or data not comparable with pre-pandemic years due to changes in methodology.

We conducted bespoke analysis of a range of data from different surveys and administrative sources. These analyses are available within our data tables and referred to in the text as 'Our analysis of [data set]'. Due to small differences in geographies, breakdowns of characteristics and definitions, our figures will sometimes differ slightly from published figures from the same source. Details of sources used and our analysis is available in the separate technical guidance.

We have only reported on statistically significant differences for every measure. Sample-size breakdowns can be low or the data unavailable for certain measures for some protected characteristics, which can limit what we have been able to comment on. The full data tables of our own analyses are on our website.

Where we refer to protected characteristics, we recognise source data and research may use terms in slightly different ways. Protected characteristics are described consistently unless a source uses a slightly different term, in which case we have replicated the term used in the source to avoid misrepresenting the findings.

**The term 'intersectionality' acknowledges and examines how a combination of more than one protected characteristic and socio-economic factors can lead to or perpetuate distinct forms of discrimination or disadvantage. Though our report identifies some intersectional issues – such as between sex and religion in employment, and race and age in the criminal justice system – the broad range of evidence and issues our report covers, and the challenges with evidence gaps and disaggregation, means we have not been able to examine intersectionality in depth and across all subjects.**

# Developments affecting multiple groups

**This chapter reports on important overarching findings on equality and human rights in Wales that are not necessarily related to a specific protected characteristic and / or domain.<sup>2</sup> Data and evidence gaps in Wales limit our ability to undertake a comprehensive assessment of progress of equality and human rights in Wales.**

COVID-19 interrupted many data series, meaning we cannot always make accurate assessments. But the data and evidence indicate that the pandemic's effects are still prevalent in many areas. Progress in equality and human rights being achieved pre-pandemic, such as in employment, has tailed off.

It is imperative that data and evidence gaps continue to be filled to gain a clearer national, regional and sector understanding of equality and human rights issues in Wales. Such evidence is also critical to better understand the impacts of both COVID-19 and increases in the cost of living.

Extensive policy and legal developments to improve equality and human rights in Wales – particularly the entry into force of the Socio-economic duty (SED) and the establishment of the Welsh Government's new Equality, Race and Disability Evidence Units – offer the potential to fill data and evidence gaps and create evidence-based policy to address these issues including the long-lasting effects of the COVID-19 pandemic.

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2 The domains we use are outlined in our measurement framework (EHRC, 2017).

## Definitions

**Adult poverty:** For the purpose of our data analysis of the Family Resources Survey, poverty is defined as the percentage of all adults aged 16 and over living in a household with an income below 60% of the contemporary median, after housing costs. It excludes dependent children aged 16–19.

**Child poverty:** For the purpose of our data analysis of the Family Resources Survey, child poverty is defined as the percentage of children aged under 16 and dependent children aged 16–19 living in households with an income below 60% of the contemporary median, after housing costs.

**Severe material deprivation:** For the purposes of our data analysis of the Family Resources Survey, severe material deprivation is defined as not being able to afford four or more items from a list of nine items. It is measured in adults aged 16–59, which excludes dependent children aged 16–19.

**High-paid occupations:** Managerial and professional occupations in Standard Occupational Classification (SOC) 1 and 2.

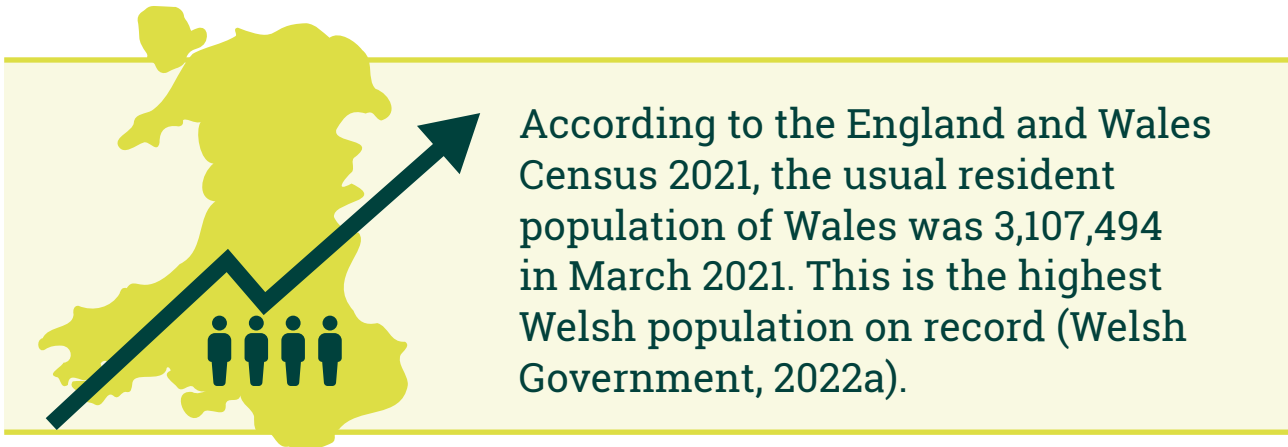
**Low-paid occupations:** Occupations in SOC 6, 8 and 9. These include 'caring, leisure and other service occupations', 'sales and customer services occupations' and elementary occupations.

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### Key findings

- The proportion of Welsh residents aged three or over that had any skills in Welsh decreased slightly from 2011 to 2021, as did the proportion who reported being able to speak Welsh. (The number of Welsh residents born outside the UK has increased by 28.3% since 2011).
- A smaller proportion of children who are eligible for free school meals achieved 5 GCSEs grade A\*-C (52.5%) in 2020/21 compared to those who are not eligible (79.8%). The attainment gap has not changed since the last report and remains higher than the gap in England.
- In 2021/22, 57.2% of people in Wales aged 16 and over were in employment. However, pre-pandemic employment growth has stagnated since our last statutory review, with gains in employment tailing off.
- In Wales adult and child poverty rates have been variable. It is too soon for the data to show the full effect of the pandemic and the cost-of-living crisis but in 2020–2022 over one-in-five people (adults and children), and over one-in-four children, were living in relative income poverty.
- Between 2020 and 2022 the number of families in temporary accommodation nearly doubled in Wales, from 2,324 to 4,465 households.
- Life expectancy at birth estimates for Wales suggest that improvements in life expectancy have been slowing, with suggestions that COVID-19 mortality contributed to a drop in life expectancy in the most recent figures. Average life expectancy in Wales is lower than England but higher than Scotland.
- Serious and ongoing issues in the prison estate in England and Wales remain a concern (such as poor safety, poor conditions, lack of purposeful activities). The pandemic exacerbated some issues and prevented the resolution of others.

## Demographics



The census showed 70.9% of the Welsh population were born in Wales, 22.2% elsewhere in the UK and 6.9% outside the UK. The number of Welsh residents born outside the UK has increased by 28.3%, from 5.4%, since 2011.

Most Welsh residents lived in households (98.2%) and the remaining 1.8% in communal establishments.<sup>3</sup> In 2021 there were 1,347,114 households in Wales and most (67%) contained one or two people. The average household size (2.3 people per household) was unchanged between 2011 and 2021.

<sup>3</sup> Communal establishments include residential care homes, university halls of residence, boarding schools and prisons.

## Legal and policy developments

### Human rights and treaty incorporation

**The Welsh Government's Programme for Government 2021–2026 committed to incorporate the UN Convention on the Rights of Persons with Disabilities (UNRPD) and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) into Welsh law (Welsh Government, 2021a).**

These commitments drew on independent research the Welsh Government commissioned in 2020 on how to strengthen and advance equality and human rights protections in Wales.

The research report, *Strengthening and advancing equality and human rights in Wales* (Hoffman et al., 2021), included 40 recommendations for the Welsh Government and regulators (including the EHRC) about legislation, policy, guidance and other reforms to increase equality and rights protections and improve practice.

The key recommendation in the report was to introduce primary legislation to give effect to international human rights law in Welsh law through a Human Rights (Wales) Act. The Welsh Government has accepted this recommendation in principle. It has begun work on options to incorporate UN conventions in Welsh law and established a Human Rights Advisory Group and Legislative Options Working Group. It has also accepted the need for fresh guidance in relation to human rights issues and committed to introduce a human rights assessment as part of Integrated Impact Assessments.



### Wales-specific equality duties

The Welsh Government has committed to review the Wales specific equality duties of the Public Sector Equality Duty (PSED) (Statutory Duties) (Wales) Regulations 2011 under the Equality Act 2010. The PSED has not yet delivered the changes that were envisaged. The Welsh Government has established a reference group to advise on this review.



We found that none of the public authorities we monitor in Wales is fully compliant with the regulations.

This suggests the regulations may be misunderstood, which offers an opportunity to strengthen, clarify and improve them to increase compliance and make them more effective. Our monitoring also shows that more robust ongoing monitoring and evaluation of work to meet PSED obligations is necessary to ensure interventions have a positive impact and deliver intended outcomes.

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### Socio-economic duty

**In March 2021, the Welsh Government commenced Part 1 of the Equality Act 2010, known as the socio-economic duty (SED). The SED aims to deliver better outcomes for people who experience socio-economic disadvantage.**

The SED requires certain public bodies to consider how their strategic decisions might help to reduce inequalities associated with socio-economic disadvantage.

Our report, *Evaluating the socio-economic duty in Scotland and Wales*, looked at how 24 public bodies in Scotland and Wales are implementing, or preparing to implement, the SED (EHRC, 2021). Our research identified priority areas public bodies felt the duty should address. These included: income inequality and low-wage economy; health inequalities; educational attainment gaps; fuel poverty; and inequalities experienced by disabled people and ethnic minorities.

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## Developments affecting multiple groups

The Welsh public bodies covered by our research viewed short-term success as implementing and embedding the SED in decision-making processes and practices. While the bodies hoped that in the longer term the SED would improve outcomes for people experiencing socio-economic disadvantage, our research found that robust ongoing monitoring and evaluation of the duty's implementation in Wales is needed to ensure interventions have a positive impact and deliver the intended outcomes. The intersections of socio-economic disadvantage and protected characteristics must also be considered.

### **Actions to address socio-economic disadvantage**

The Welsh Government's 2021 action plan to tackle homelessness aims to reform homeless services to focus on prevention and rapid rehousing. It builds on local authority activity during the pandemic, when 15,300 people were supported into temporary accommodation between March 2020 and September 2021 (Welsh Government, 2021b).

The goal of the Welsh Government's Tackling Fuel Poverty 2021–2035 action plan (Welsh Government, 2021c) is that by 2035:

- no household in Wales will be in severe or persistent fuel poverty
- no more than 5% of households will be living in fuel poverty at any one time, and
- the number of at-risk households will be halved.

The 2021 Co-operation Agreement between the Welsh Government and Plaid Cymru commits to extending free childcare to all two-year-olds in Wales via the Flying Start scheme, with a particular focus on strengthening the provision of Welsh-medium childcare (Welsh Government, 2021d). The Welsh Government has committed to investing over £46 million between 2023 and 2025 to deliver this expanded offer (Welsh Government 2022b).

**The separate childcare programme known as the childcare offer in Wales supports up to 30 free hours a week of early education or childcare for eligible working parents of children aged 3-4 years, for 48 weeks a year. The offer was extended to parents in education and training in 2022.**

### Housing

In December 2022, the Renting Homes (Wales) Act 2016 came into force. The legislation strengthens key elements of the right to adequate housing, as set out in the International Covenant on Social, Economic and Cultural Rights, by providing more protection for tenants and defining the rights and responsibilities of tenants and landlords. Under the new legislation, landlords are required to ensure that properties are fit for human habitation and are safe to live in. The legislation provides longer notice periods for tenants and protection against retaliatory eviction, so landlords cannot evict tenants for raising complaints about a property (Welsh Government, 2022c).

### Work

The Social Partnership and Public Procurement (Wales) Act 2023 places a social partnership duty on public bodies to seek to achieve consensus and compromise with recognised trade unions or, where there is no recognised trade union, other representatives of its staff, when setting and delivering well-being objectives. The Act includes provision on fair work and socially responsible procurement.<sup>4</sup>

### Poverty

In 2023 the Senedd's Equality and Social Justice Committee called for long-term action from Welsh Government to reduce poverty. The Committee made a several recommendations including preventing poverty by investing in skills, green energy and food security; clarifying plans to improve energy efficiency of homes and tackling food poverty by supporting local services that provide healthy meals (Welsh Parliament Senedd Cymru 2023).

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4 The Welsh Government defines fair work as 'observable conditions at work which means workers are fairly rewarded, heard and represented, and can progress in a secure, healthy and inclusive working environment, where their rights as workers are respected'.

### Well-being of future generations

The Well-being of Future Generations (Wales) Act 2015 remains a key driver for policy and legislation in Wales. The Act requires public bodies to involve and collaborate with people and communities, think about the long-term impact of their decisions and work to prevent persistent problems such as poverty, inequality and climate change. Public bodies in Wales must also work towards the Act's seven well-being goals, including the goal of a more equal Wales. Welsh ministers must publish national indicators for each well-being goal and set national milestones in relation to the indicators to measure progress on their achievement.

The Welsh Government ran two consultations in 2021 and 2022 on setting national milestones and reviewing national indicators following the pandemic, as part of the Shaping Wales' Future programme (Welsh Government, 2021e; 2022d). Our response to both consultations highlighted the lack of intersection between the national milestones and protected characteristics and of disaggregated data to better understand trends in the milestones.

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### People seeking asylum and refugees

In 2019, the Welsh Government launched its Nation of Sanctuary – Refugee and Asylum Seeker Plan (Welsh Government, 2019). The UK government has reserved powers over asylum and immigration. However, the UK government must seek consent from the Senedd if any legislation contains provisions which come within devolved competence. The Senedd did not grant legislative consent for the Nationality and Borders Act or the Illegal Migration Act. The Joint Committee of Human Rights' 2023 report on the Illegal Migration Bill concluded that it breached human rights, a matter discussed in the Senedd (Senedd Research, 2023a).

#### **The Nation of Sanctuary Plan sets out support available through devolved public services, including:**

- **mental health services to address the experiences of people seeking asylum**
- **interventions to mitigate the risk of destitution**
- **actions to prevent exploitation, and**
- **safeguarding for unaccompanied people seeking asylum.**

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## Developments affecting multiple groups

As part of its Nation of Sanctuary work, the Welsh Government invested £2 million to develop and implement the ReStart: Refugee Integration Project. This ran from 2019 to 2022, providing accredited English language tuition for speakers of other languages (ESOL), employability courses and access to further training (Welsh Government, 2020a). In 2022, the Welsh Government launched the Welcome Ticket free bus and train travel scheme for all refugees in Wales, following a pilot scheme for people seeking asylum, who are currently not included in the full transport scheme (Welsh Government, 2022d). The Nation of Sanctuary plan and the ReStart programme have not yet been evaluated.

The Welsh Government's Anti-racist Wales Action Plan (ArWAP) also includes commitments relating to people seeking asylum (Welsh Government, 2022f). These include implementing the Nation of Sanctuary plan to make sure forced migrants get access to advocacy and advice services and high-quality ESOL provision (Welsh Government, 2022g). The Welsh Government has not evaluated the impact of these commitments in terms of accommodation, education or health and its budgetary resources.

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## Participation

The Senedd Cymru Special Purpose Committee on Senedd Reform's report, *Reforming our Senedd: A stronger voice for the people of Wales*, proposes to enlarge the Senedd from 60 to 96 members by the 2026 elections (Welsh Parliament Senedd Cymru, 2022). This aims to increase the diversity of Senedd members. A 2020 Senedd Committee report estimated the cost of increasing the number of members by 30 could be £12.9 million p.a. by 2031 (Welsh Parliament Senedd Cymru 2020).

The Welsh Government has also committed to consult with protected characteristic stakeholder groups on proposals in the Electoral Administration and Reform White Paper, including measures to reduce abuse of electoral candidates (Welsh Government, 2022h). The paper sets out plans for increasing diversity and participation at every level, including both the Senedd and local government.

### Welsh language

In 2017, the Welsh Government launched its Cymraeg 2050 Welsh language strategy with the target of a million Welsh speakers by 2050 (Welsh Government, 2017). The strategy aims to increase both the number of Welsh language speakers and to create favourable conditions for this to happen.

Section 78 of the Government of Wales Act 2006 requires Welsh ministers to publish an annual action plan on the Welsh language. The 2022/23 action plan sets out the latest steps to meet the strategy's aims (Welsh Government, 2022i), including:

- developing a 10-year plan to increase the number of Welsh language teachers
- publishing a Welsh language communities housing plan, and
- publishing a white paper on a Welsh language education bill, which was part of the 2021 Co-operation Agreement.

The Welsh Language Education white paper came out in March 2023 (Welsh Government, 2023a). It proposes to:

- make the goal of a million Welsh speakers by 2050 a statutory target
- increase the Welsh language education provided by each school not already a designated Welsh-medium school
- increase the proportion of pupils in Welsh-medium schools
- place a duty on Welsh ministers to produce a national plan for the acquisition and learning of Welsh, and
- impose a duty on local authorities to promote Welsh-medium education.

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## Equality and human rights data and evidence

It has long been recognised that the paucity of data and evidence related to inequality and protected characteristics in Wales poses a challenge for policymaking.

**Our 2018 statutory review report *Is Wales Fairer?* highlighted many such data gaps (EHRC, 2018). In 2021, the Welsh Government created a new area of research focus with the Equality, Race and Disability Evidence Units to improve the availability, quality and accessibility of evidence about individuals with protected characteristics.**

The three new units' strategy and priorities to 2027, including their key responsibilities, were published the following year (Welsh Government, 2022j; 2022k).

These units will:

- assess the current landscape of evidence and the impact of evidence gaps, and
- prioritise projects to address key gaps to supporting policy development by the Welsh Government and Welsh public bodies.

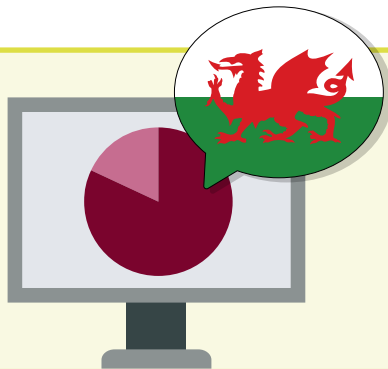
The research the Welsh Government commissioned into ways to strengthen and enhance human rights in Wales highlighted a need for impact assessments and stronger and more detailed guidance to address issues of intersectionality (Hoffman et al., 2021).

## Outcomes

### Welsh language

#### Employment

In Wales people who do not speak Welsh are more likely to not be in employment<sup>5</sup> than those who do speak Welsh.



Data from the 2021 census found that in March 2021 in Wales, 29.8% of Welsh speakers were not in work compared with 41.6% of non-Welsh speakers (ONS, 2023a).

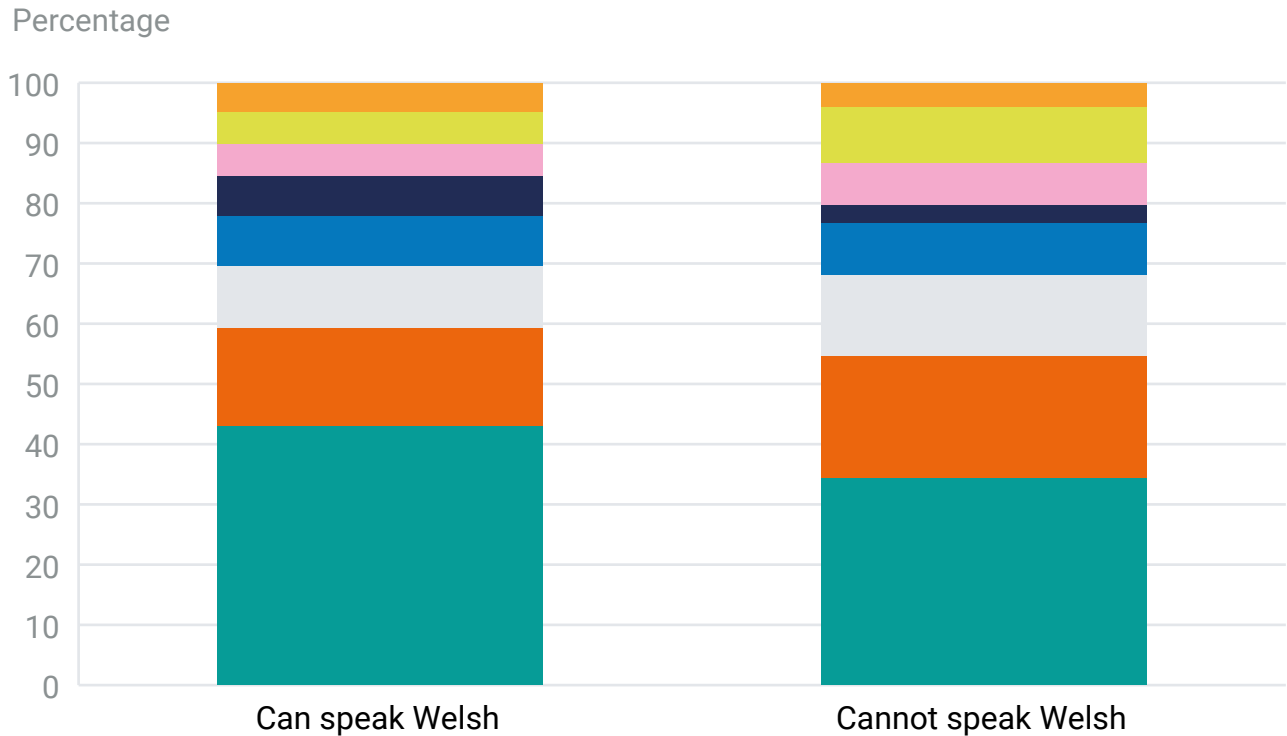
#### Occupational segregation

The census data on 'ability to speak Welsh by industry' showed that those in employment were more likely to work in public administration, education and health or agriculture, energy and water industries. They were less likely to work in manufacturing, distribution, hotels and restaurants or financial, real estate, professional and administrative activities (ONS, 2023b).

<sup>5</sup> In this case, the source is based on employment history with those not in employment defined as never worked, worked in the last 12 months but not employed on census day, and has not worked on the last 12 months as of census day.



**Figure 1: Proportion of Welsh speaking and non-Welsh speaking workers, by industry, Wales, 2021**

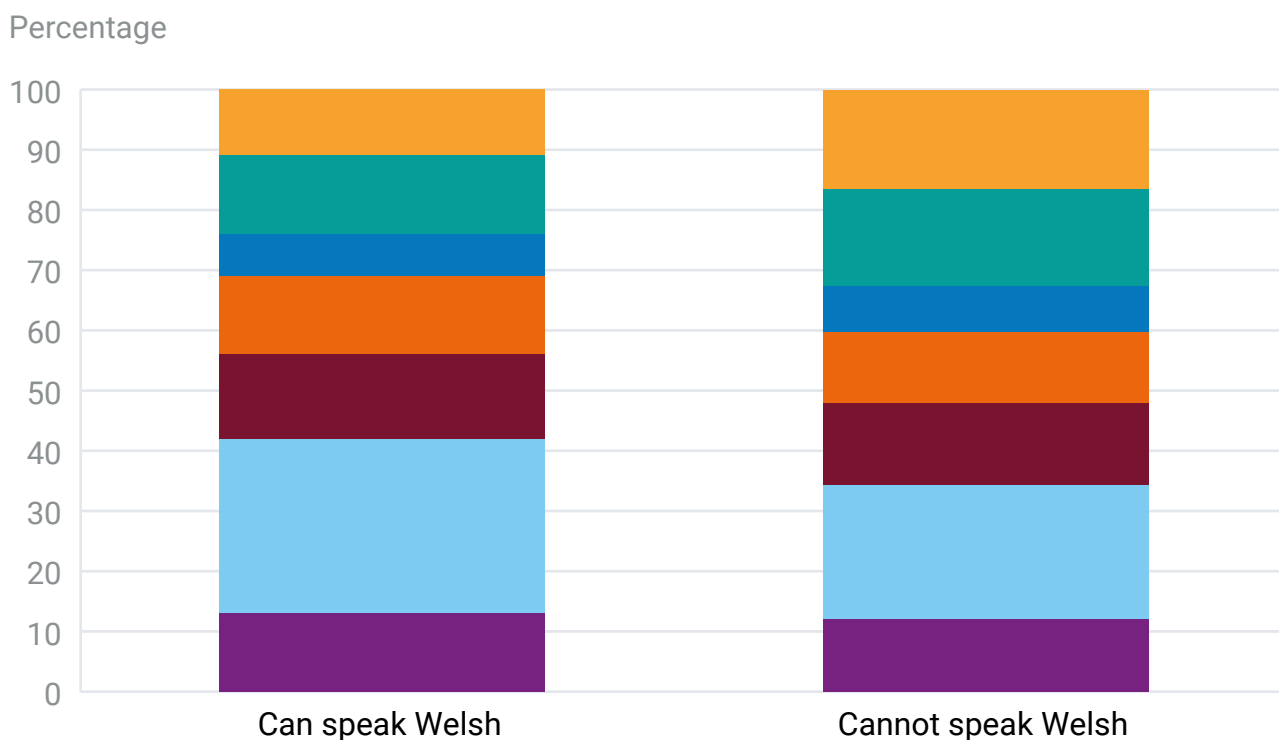


- Other
- Manufacturing
- Transport and communication
- Agriculture, energy and water
- Construction
- Financial, real estate, professional and administrative activities
- Distribution, hotels and restaurants
- Public administration, education and health

(Source: Office for National Statistics)

The Census 2021 data suggests non-Welsh speakers were more likely to be in semi-routine or routine occupations and Welsh speakers were more likely to be in lower and higher managerial, administrative and professional occupations (ONS, 2023c).

**Figure 2: Proportion of Welsh speaking and non-Welsh speaking workers in each NS-SEC class, Wales, 2021**



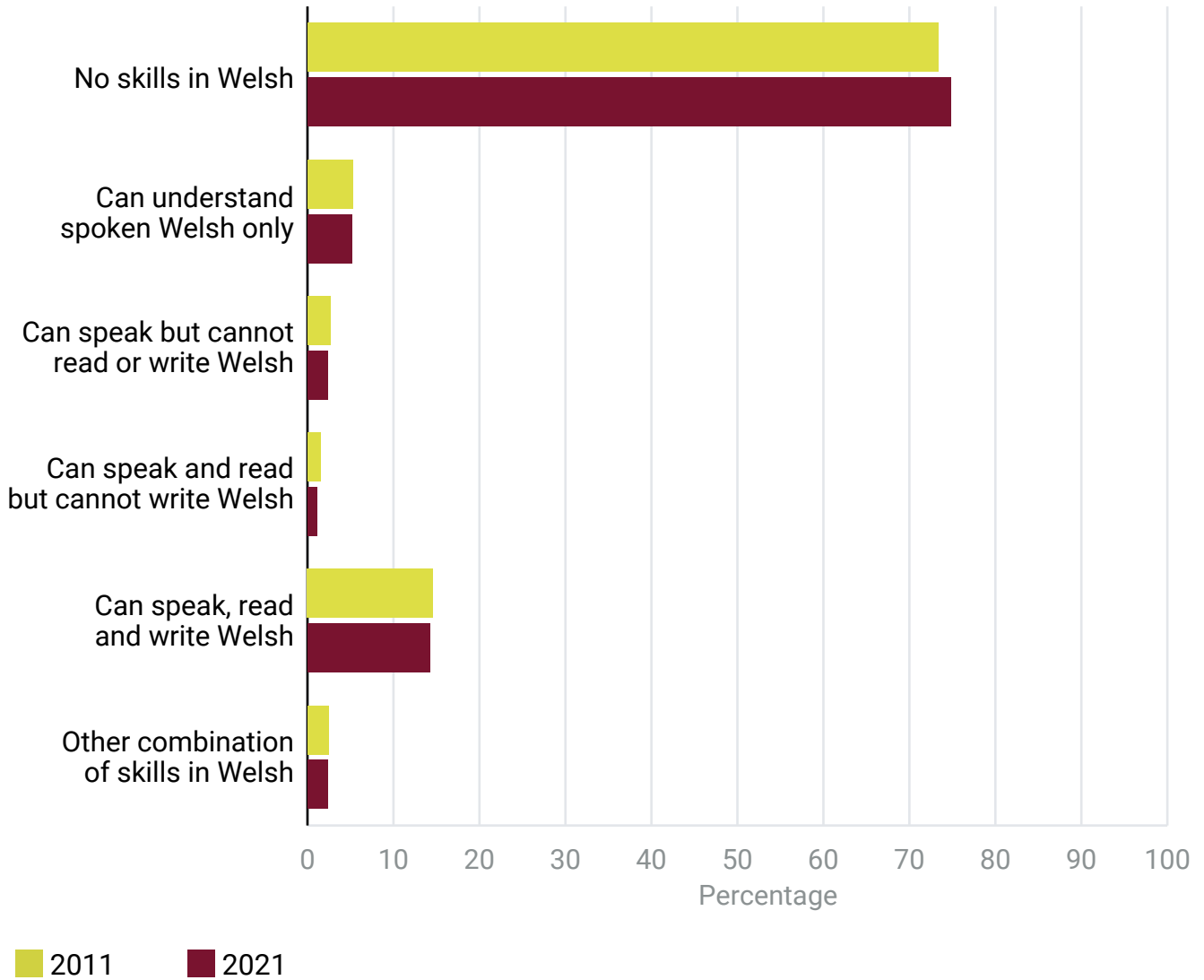
- Routine occupations
- Semi-routine occupations
- Lower supervisory and technical occupations
- Small employers and own account workers
- Intermediate occupations
- Lower managerial, administrative and professional occupations
- Higher managerial, administrative and professional occupations

(Source: Office for National Statistics)

In 2021, three-quarters (74.8%) of people aged three or over had no skills in Welsh, an increase from 73.3% in 2011.<sup>6</sup> Around one in seven (14.2%) could speak, read and write Welsh in 2021 (ONS, 2013; ONS, 2023d). Furthermore, in 2011, 19.0% of the usual residents in Wales aged three years and over reported being able to speak Welsh. This reduced to 17.8% in 2021 (ONS, 2023d).

<sup>6</sup> These percentages have been calculated from Census 2011 data, after removing 'Does not apply' responses.

Figure 3: Welsh language skills, Wales, 2011 and 2021



(Source: Office for National Statistics)

People who regularly speak Welsh are more likely to feel they belong in their local area. In 2021/22, 86% of regular Welsh speakers agreed they belonged, compared with 77% of non-regular Welsh speakers (Welsh Government, 2021f).<sup>7</sup>

<sup>7</sup> Due to methodological changes, it is not possible to compare data from 2021/22 with earlier years.

## Education

### Education attainment, deprivation and free school meals

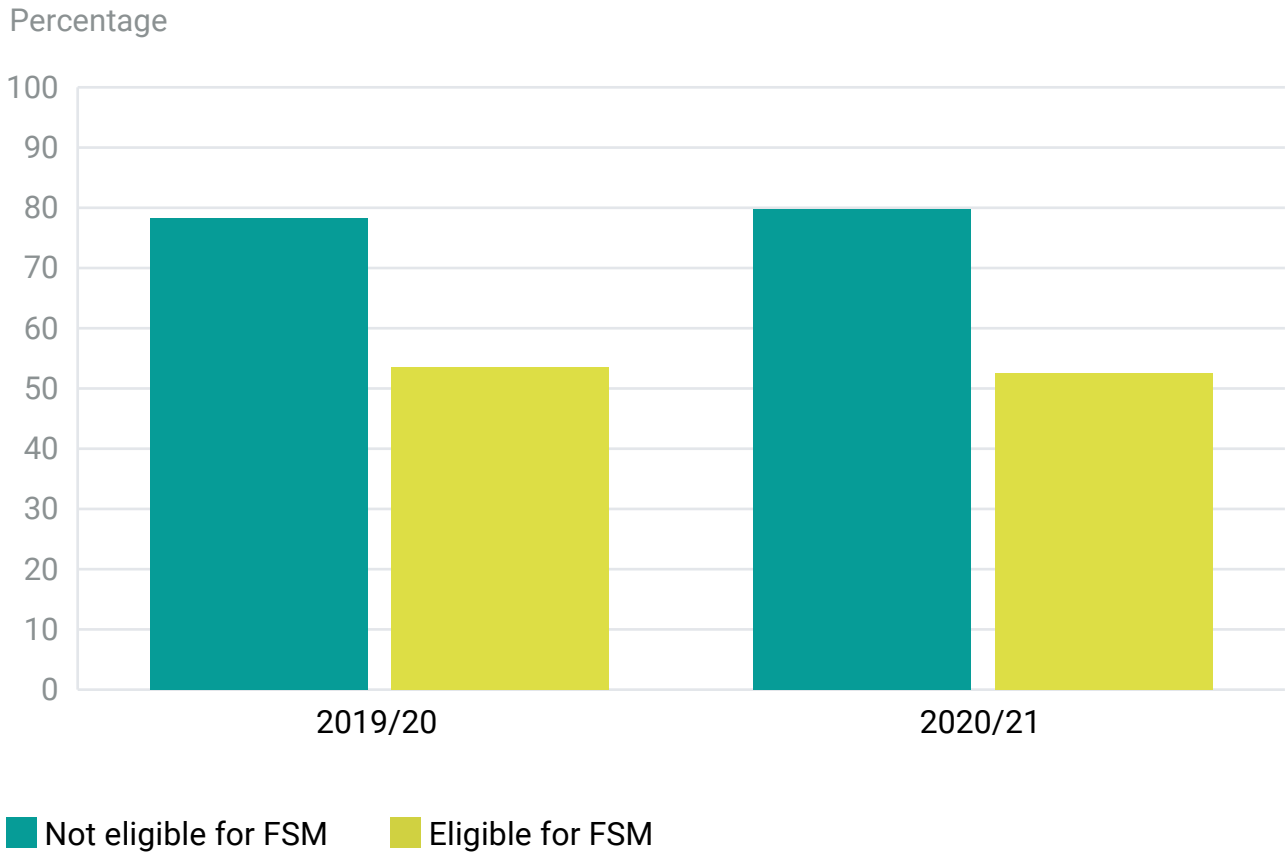
Eligibility for free school meals (FSM) is widely used as a proxy for persistent socio-economic disadvantage and poverty in analysis of educational outcomes (EPI, 2022). However, using FSM as a measure for deprivation excludes many children in England and Wales living below the poverty line but above the FSM threshold (of household earnings being less than £7,400) (Reay, 2022).

**In 2020/21, just over half (52.5%) of children eligible for FSM in Wales achieved 5 GCSEs grade A\* to C, compared with 79.8% children not eligible for FSM.**

The 2019/20 figures were 53.6% for children eligible for FSM and 78.3% for those not eligible. Other evidence suggests the gap between children eligible for FSM and those not eligible increased between 2019/20 and 2020/21, and all evidence available to date suggests the probability of inequalities worsening during the pandemic. The impact of the pandemic and the increased cost of living on attainment should continue to be monitored as further evidence becomes available.

Our analysis of the Welsh Government examination results data found that attainment among both groups fell between 2015/16 and 2018/19. The pupils eligible for FSM experienced a 9.3 percentage point drop in attainment (five GCSEs grade A\* to C) in this period, from 50% in 2015/16 to 40.7% in 2018/19. In 2015/16, 74.9% of those not eligible for FSM achieved the required standard. This fell to 68.8% in 2018/19, a difference of 6.1 percentage points.

**Figure 4: Percentage achieving A\* to C grades across all GCSEs, Wales, 2019/20 and 2020/21**



(Source: EHRC analysis of Welsh Government data)

Progress in narrowing the disadvantage gap has been modest, and the attainment gap in Wales remains slightly higher than in England.

**In Wales, there was an estimated disadvantage attainment gap of 22 to 23 months of educational progress across all GCSE subjects in 2018/19, down from 24 months in 2010/11. In England, the gap was 18 months in 2018/19 and 20 months in 2010/11 (EPI 2022).**

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## Developments affecting multiple groups

For pupils experiencing persistent disadvantage,<sup>8</sup> the gap was equivalent to around 29 months of education in Wales. This did not change between 2010/11 and 2018/19. In England, the gap was around 23 months across this period (EPI, 2022). These figures do not reflect any effects of the pandemic as that evidence is not yet available.

### Educational attainment and children receiving care and support

**For young children aged 3–7 receiving care and support, there has been a decline in achievement rates at Foundation Phase level between 2016/17 and 2018/19 from 55.6% to 48.4%.**

However, there was not a significant change in the attainment gap as the attainment rates for all pupils also declined from 87.3% in 2016/17 to 80% in 2018/19 (Stats Wales, 2022a).

In 2018/19, 23.3% of children receiving care and support in Wales achieved 5 GCSEs grade A-C at key stage 4, compared with 21.8 in 2017/18.<sup>9</sup> Where the GCSEs included English and Maths, this fell to 15% in 2017/18 and 2018/19 (StatsWales, 2022a). But 40% of children receiving care and support in Wales in 2018/19 had special educational needs (SEN) and were subject to School Action or School Action Plus (StatsWales, 2022b).<sup>10</sup> Data for the pandemic period showing its impact on these groups is not yet available. Further evidence on children with additional learning needs or special educational needs is in the Disability Chapter.

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<sup>8</sup> Defined as being eligible for FSM for 80% of their time in school.

<sup>9</sup> Children receiving care and support are defined as those who receive social services from their local authorities, including children looked after by local authorities, and who had a case open for at least three months at the time of the survey.

<sup>10</sup> School Action and School Action Plus are part of a new system of support for children with additional learning needs (ALN) that replaced the special educational needs (SEN) system.

### Work

#### Employment, unemployment and economic inactivity

Employment rates in Wales increased between 2010/11 and 2017/18 from 53.5% to 57.1%. The employment rate then showed no significant change between 2017/18 and 2021/22 when employment was at 57.2%. Analysis of the Office for National Statistics (ONS) Annual Population Survey (APS) found long-term increases in employment coincided with declining rates of unemployment and a small decrease in economic inactivity in Wales.

#### Average earnings and pay

Real median hourly earnings in Wales showed little change between 2010/11 and 2017/18. However, between 2017/18 and 2019/20, median hourly earnings increased from £11.91 to £12.42.<sup>11</sup> Data for later years cannot be presented because of methodological issues with median hourly earnings data during the COVID-19 pandemic (ONS, 2021a).

The proportion of the workforce in Wales in a high-paid occupation (HPO) rose from 26.5% in 2010/11 to 29.3% in 2019/20. Our APS analysis found the proportion in a low-paid occupation (LPO) showed no significant change in the same time period.<sup>12</sup>

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11 Median hourly earnings data is adjusted for inflation. This means the increase in earnings takes into account that prices have increased over time too.

12 Wider changes in the labour market in the context of the pandemic are likely to have affected the trends for 2020/21, so these figures have not been presented.

### Living standards

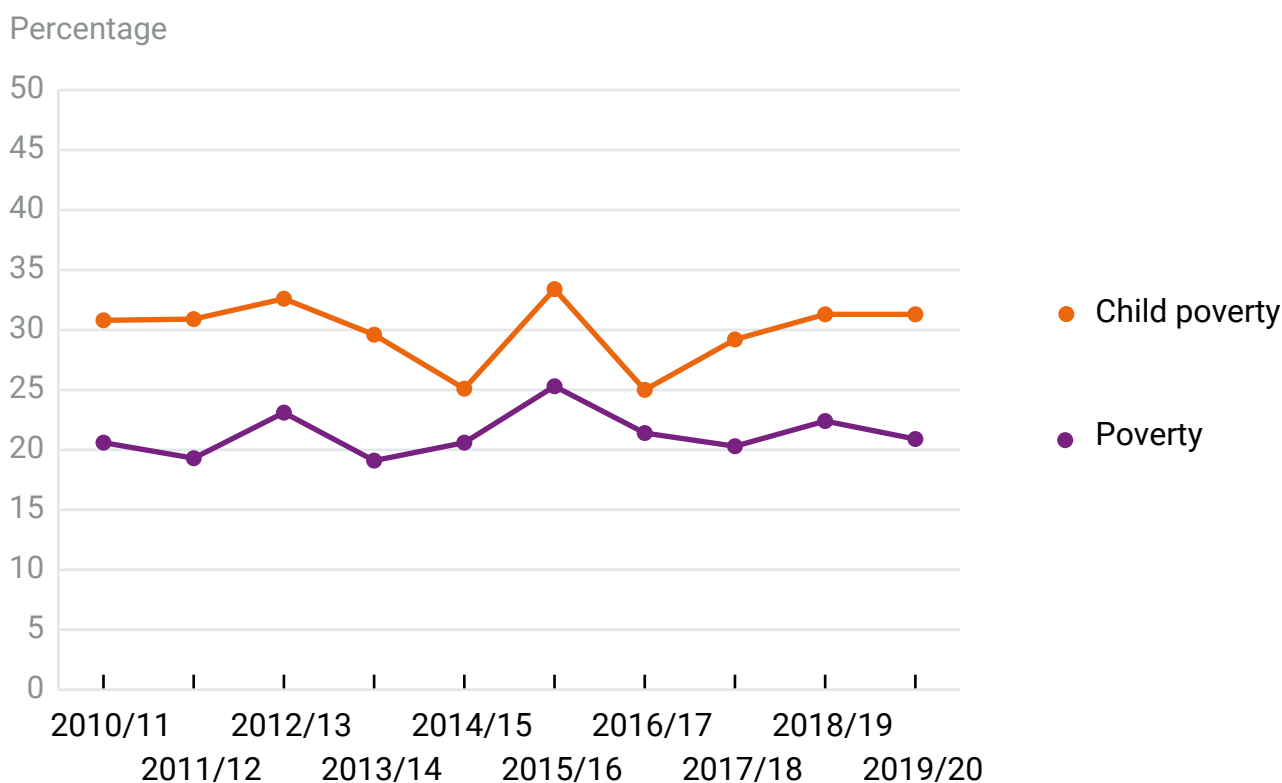
#### Adult and child poverty

Poverty is a measure of income, which is further detailed in the definitions. Analysis looks at poverty after housing costs among adults and children.

Our analysis of the Family Resources Survey (FRS) found that adult poverty in Wales was similar in 2010/11 and 2019/20 but fluctuated across this period. It decreased from a peak of 25.3% in 2015/16 to 20.9% in 2019/20.

The rate of child poverty in Wales was also similar in 2010/11 and 2019/20 and fluctuated across this period. In 2019/20, 31.3% of children in Wales were living in poverty.

**Figure 5: Adult and child poverty in Wales, 2010/11 to 2019/20**



(Source: EHRC analysis of the Family Resources Survey)



**Analysis of poverty data in 2020/21 was not undertaken due to a combination of small sample sizes and additional bias introduced during the pandemic. The Welsh Government has since produced a rolling average that omits 2020/21 data. This rolling average shows that 28% of children were in poverty between 2020 and 2022. There is no directly comparable figure for adults, but 21% of working-age people, 18% of pensioners, and 21% of people of all ages were also in poverty during this period (Welsh Government, 2023b).**

It will take time for any impact of recent events, such as the increased cost of living, to become evident in official poverty statistics. Future trends will depend on what happens to the drivers of poverty, such as housing costs, employment rates, and income from employment and benefits. It will also depend on any change to the average household income (JRF, 2023).

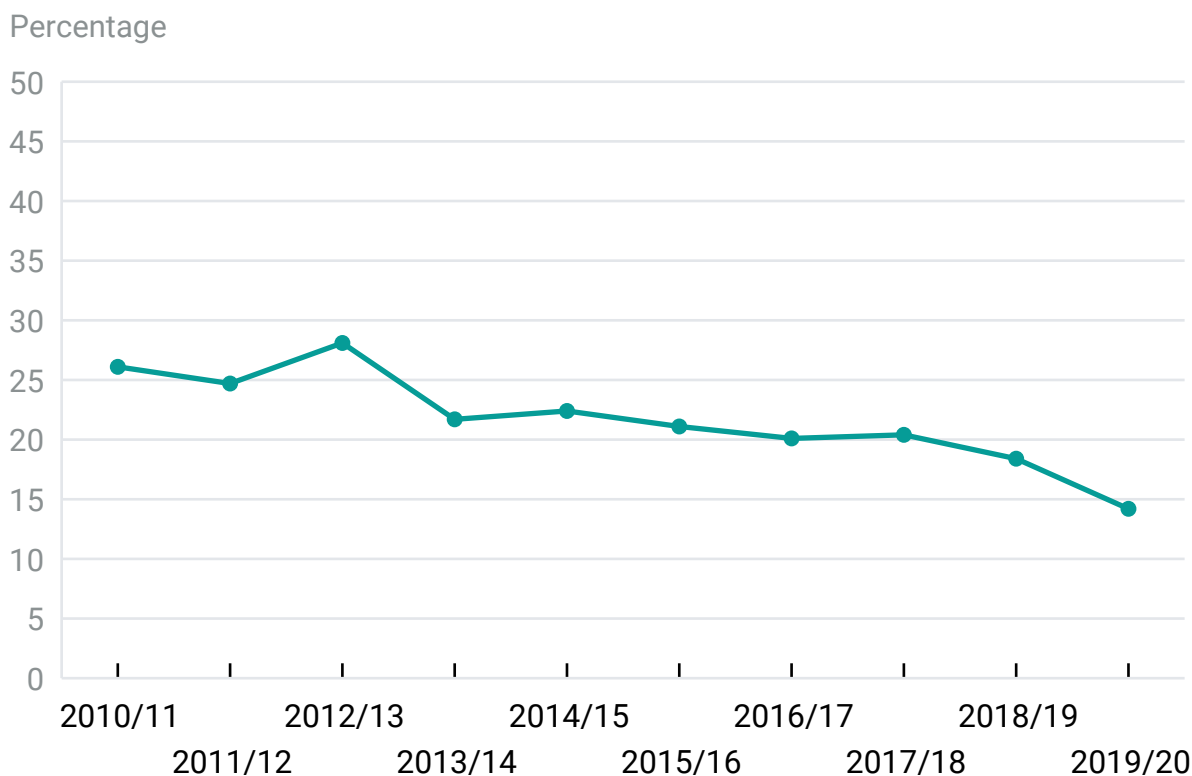
### **Severe material deprivation**

Severe material deprivation differs from poverty as it is a measure of whether a household can afford items considered essential. This is further detailed in the definitions.



The FRS measurement used in our analysis is adults aged 16-59, excluding dependent children aged 16-19. Severe material deprivation is further defined in the definitions sections of this chapter.

**Figure 6: Severe material deprivation in Wales, 2010/11 to 2019/20**



(Source: EHRC analysis of the Family Resources Survey)

Analysis of data in 2020/21 was not undertaken because of small sample sizes and additional bias introduced during the pandemic.

The impact of the increased cost of living is not reflected in this data. It is likely that these costs will affect forthcoming data on severe material deprivation if disposable income is reduced. Between September 2022 and January 2023, 92% of people in Wales said their cost of living had increased in the past year (ONS, 2023e).

The data shows that people experienced financial problems in several areas related to severe material deprivation:

- 33% found it difficult to pay their rent or mortgage
- 49% found it difficult to pay their energy bills, and
- 44% thought they would not be able to save any money in the next 12 months.

### Homelessness

In 2021/22, 9,228 households in Wales were assessed as being threatened with homelessness within 56 days and eligible for assistance. This is a decrease from 10,737 in 2018/19 and an increase from 7,290 in 2020/21 (when pandemic interventions were in place).

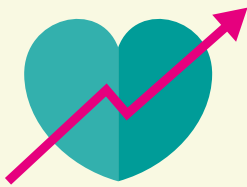
In 2021/22, 11,704 households were assessed as homeless and owed a duty under the Housing (Wales) Act 2014 to help secure accommodation. It is a decrease from 13,161 in 2020/21, which was the highest number reported since the Act came into force in 2015.

**There has been a rise in the number of households placed in temporary accommodation. In March 2022, 4,465 households were in temporary accommodation compared with 3,729 in March 2021 and 2,324 in March 2020 (when the Welsh Government's 'no one left out' emergency homelessness response was in operation) (Welsh Government, 2020b; 2021g; 2022l).**

## Health

### Life expectancy

Life expectancy at birth, measured in weeks, declined for men and women in Wales in 2018–2020 compared with 2015–2017.

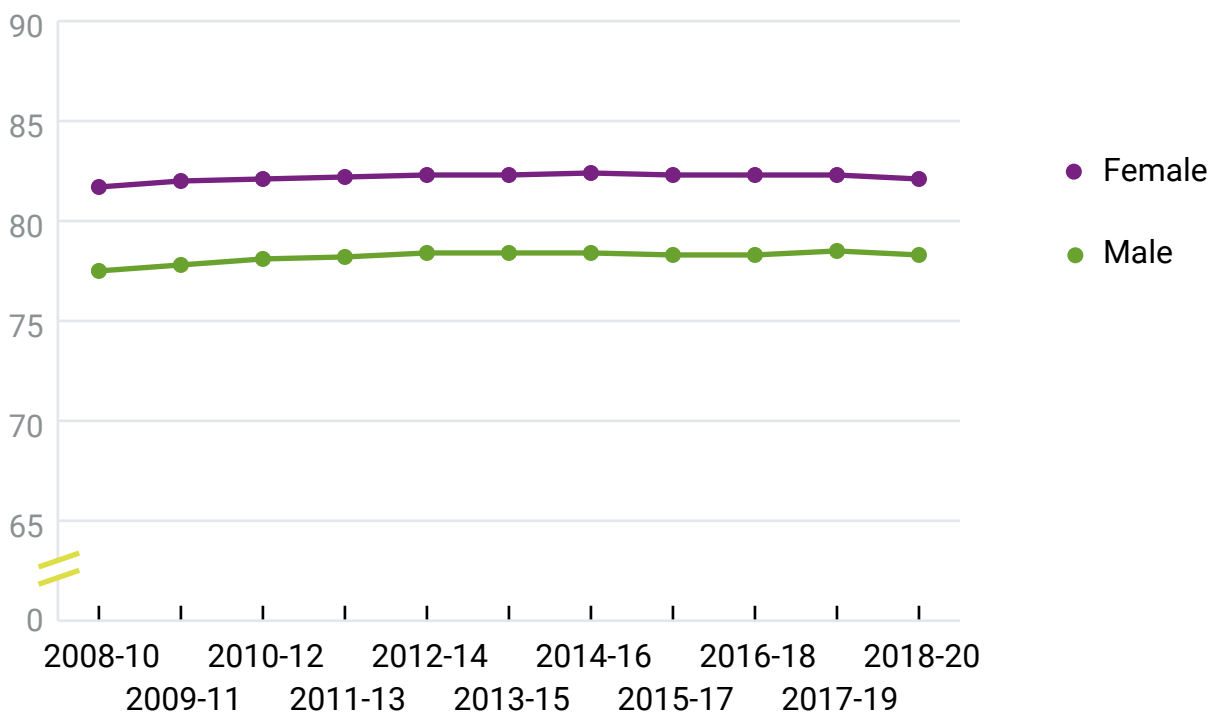


The most recent estimates for 2018–2020 show life expectancy at birth in Wales is 82.1 years for women and 78.3 for men.

In Britain, average life expectancy at birth is highest for men and women in England, followed by Wales, and lowest in Scotland (ONS, 2021b).

**Figure 7: Life expectancy at birth in years, Wales, 2008-2020**

Life expectancy at birth (years)



(Source: ONS National life tables)

### Mental health

Wales saw an increase in poor mental health during the COVID-19 pandemic, though further research is needed to see whether this is a long-term trend (Wales Fiscal Analysis, 2021).

### Waiting times

Waiting times for healthcare treatment increased greatly at the start of the COVID-19 pandemic.



The proportion of patients waiting over 26 weeks for treatment more than quadrupled from 10.9% in 2019 to 47.5% in 2021.

This followed a longer-term decreasing trend between 2015 (13.8%) and 2019 (10.9%). In April 2023, there were 31,481 people waiting over 105 weeks for treatment, of which the largest proportion (9,855 patients) were waiting for Trauma and Orthopaedic specialty (Senedd Research, 2023b). This is a substantial increase from the 3,865 patients that were waiting longer than 105 weeks for any specialty in January 2021 (Stats Wales, 2023). Analysis by the Nuffield Trust indicated that patients in Wales in general were waiting longer for healthcare than those in England and Scotland in 2022, though the reasons for this were complex (Nuffield Trust, 2022).

## Justice<sup>13</sup>

### Prisons in England and Wales

**Serious and ongoing issues in the prison estate in England and Wales had been identified before the pandemic. These included poor safety, poor conditions and a lack of purposeful activities. Prisoners spending too much time shut in their cells was also a key concern and was associated with other issues, such as poor mental health, drug abuse and self-harm (HMIP, 2020).**

During the COVID-19 pandemic, various restrictions were put in place to manage the risks of infection in prisons in England and Wales. These led to serious restrictions on time out of cells, worse living conditions, suspension of visits, activities and education, and reduced independent scrutiny. Inspections of prisons in 2020/21 found some of these measures were kept in place longer than necessary and long periods of isolation, often without purposeful activity, had an impact on prisoners' well-being (HMIP, 2021).

All restrictions relating to COVID-19 ended in England in July 2021, but some remained in place in Wales until May 2022 (MoJ, 2022). Prison inspections in England and Wales in 2021/22 found inconsistencies in the way prisons implemented their relevant COVID-19 national restrictions and how long these were maintained. There was a wide variation in how prisons interpreted guidance, particularly on time out of cells and education and purposeful activity. HM Inspectorate of Prisons (HMIP) said it could see no good reason why most prisoners at one prison were locked up for 22 hours a day, while most at another were out of their cells for five hours a day during the week. Restrictions often remained in place in prisons even when COVID-19 infection levels were low and many of the most vulnerable prisoners had been vaccinated (HMIP, 2022a).

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13 The justice system is largely a reserved matter and policy is driven directly from the UK government. The Welsh Government has made calls for the devolution of the justice system.

### Immigration detention

A total of 20,466 people entered immigration detention in the UK in 2022, a fall from 24,480 in 2019. There are no detention centres in Wales.

There has been a general downward trend in the number of people entering immigration detention since a peak in 2015, with short-term drops during the pandemic.

In 2021 and 2022, a high proportion of those entering detention were 'small boat' arrivals who were detained to confirm their identity and register an asylum claim.<sup>14</sup> It has been suggested the drop in 2022 (compared with 2021) may be related to new processing centres for small boat arrivals (Home Office, 2023).

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**Figure 8: Number entering immigration detention, UK, 2010 to 2022**



(Source: Home Office)

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<sup>14</sup> Not all small boat arrivals enter the detention estate. Some are held in short-term accommodation and not counted in the detention figures.

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## Developments affecting multiple groups

At the end of 2022, there were 1,159 people held in immigration detention (including those held in the prison estate). This is lower than at the end of 2019 (1,637), but numbers fluctuate daily and can be affected by factors such as small boat arrivals.

In 2022, around half (48%) of people left immigration detention after seven days or less. This is notably lower than 2021, when three quarters left within this period (76%). There were 439 individuals who left detention after six months or more, including 18 who left after two years or more (Home Office, 2023).

The Independent Chief Inspector of Borders and Immigration (ICIBI) noted ongoing issues with Rule 35 of the Detention Centre Rules 2001.<sup>15</sup> Rule 35 is designed to protect adults at risk in immigration detention. Inspections found the rule was not working consistently or efficiently, meaning vulnerable detainees might not be identified and safeguarded effectively (ICIBI, 2023).

**Qualitative research among immigration detainees and prison staff in March / April 2022 found immigration detainees in prisons were substantially disadvantaged in terms of legal safeguards and welfare compared with those in immigration removal centres (IRCs), and this had considerable impact on their well-being (HMIP, 2022b).**

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15 The mechanism concerns physical health, suicidal intention and torture. It requires a doctor in an immigration removal centre (IRC) to assess an individual's physical and mental state and then review the likely impact of ongoing detention on that individual. The Home Office should weigh this assessment against immigration and public protection considerations to decide whether detention remains appropriate.



### Recommendations

#### Data

1. The Welsh Government and other public bodies in Wales should address the data gaps that exist across all protected characteristics and disaggregate data by across policy areas, to strengthen evidence-based policy and decision making. Data collection methods should allow for intersectionality and include both qualitative and quantitative methods.
2. The Welsh Government should work with local authorities to improve the collection, analysis and reporting of social care users' equality data; including those who complain about or challenge decisions. This should be considered alongside other data on user satisfaction and used to identify and address poor outcomes experienced by people who share protected characteristics.
3. The Commission for Tertiary Education and Research should collect comprehensive data to provide robust evidence to help address inequalities in post-16 compulsory education.

#### Public Sector Equality Duty

4. The Welsh Government and public bodies in Wales should proactively use the Public Sector Equality Duty (PSED) to address the greatest areas of inequality highlighted in this report. This should include setting outcome focused equality objectives, conducting equality impact assessments, engagement and monitoring and reviewing progress and impact.
5. The Welsh Government should use its review of the PSED specific duties for Wales to improve its impact and effectiveness in addressing the key challenges highlighted in this report.
6. The Welsh Government and other public bodies in Wales should use the leverage provided by public procurement, including through the PSED and the Social Partnerships and Public Procurement (Wales) Act, to address the inequalities identified in this report.

#### Regulators

7. Regulatory bodies including Estyn, Healthcare Inspectorate Wales, Care Inspection Wales and Audit Wales should use the PSED to drive improvements on tackling inequalities through their inspection work.

### Recommendations continued

#### Education

8. The Welsh Government, local authorities, schools and Estyn should take action to narrow the attainment gaps for protected characteristic groups, including Gypsy, Roma and Traveller children and disabled children, including between those eligible for FSM and those not eligible for FSM from 0–16.
9. The Commission for Tertiary Education and Research should set priorities, using the PSED, to promote equality and widen access to groups that have lower educational attainment and employment rates, including learners from socio-economically disadvantaged backgrounds.
10. The Welsh Government evaluation of the implementation of the new Curriculum for Wales should disaggregate data by protected characteristics in order to identify any disproportionate impacts since its introduction.

#### Work

11. The Welsh Government, employers including public bodies, employer bodies, umbrella groups, and their social partners and other relevant bodies should take action to address employment gaps, different treatment at work and insecure employment, inequalities in recruitment, retention and progression in the workplace and reduce gender, ethnicity and disability pay gaps, including through positive action, as permitted in the Equality Act.
12. The Welsh Government and other employers in Wales should offer flexible working from day one and offer all jobs on a flexible and part time basis unless there is a justifiable business reason not to do so.

#### Health

13. The Welsh Government, Public Health Wales and other relevant public bodies should use the socio-economic duty to address the gap in healthy life expectancy between the most and least deprived areas in Wales, disaggregated by protected characteristic.

### Recommendations continued

#### Living standards

14. The Welsh Government should set itself binding targets to reduce poverty among people who share certain protected characteristics, including women, disabled people, some ethnic minority groups and children, and report on progress annually.
15. The Welsh Government and local authorities should take action to reduce levels of homelessness including the disproportionate number of people from ethnic minority groups experiencing homelessness, in all forms.
16. Public bodies should use the socio-economic duty when considering decisions and initiatives to address the greatest areas of poverty and inequalities of outcome.

#### Participation

17. To increase diversity in political representation and to ensure that diversity data is collected, the Welsh Government and the Senedd Commission should call on the UK government to commence section 106 of the Equality Act 2010 in relation to Senedd elections, to transfer the powers to do so, or to legislate for the Senedd electoral arrangements.

#### Crime and justice

18. The Welsh Government, police forces and other relevant bodies in Wales should improve support for victims and witnesses to report hostility and intimidation and develop effective mechanisms for tackling it.

#### Human Rights

19. The Welsh Government should enhance the status in domestic law of the United Nations human rights treaties that the UK has ratified, to ensure access to enforceable rights.

# Age

**This chapter has been split into subsections for older and younger age groups to capture differences in outcomes and policies.**

During the COVID-19 pandemic, young people were at less risk of infection but experienced increasing mental health problems and found it harder to get treatment because of pressure on health services.

Though unemployment has fallen, the proportion of young people in insecure and low-paid work remains higher than among other age groups.

Older people were at high risk of COVID-19 mortality internationally, and this led to drops in life expectancy across the UK. Evidence from before the pandemic shows continuing inequalities in both life expectancy and healthy life expectancy between the most and least deprived areas in Wales. These may be further exacerbated by COVID-19.

People over 65 already had high levels of fuel poverty before recent increases in the cost of living. Employment among people of retirement age had been growing for some time before the pandemic.

## Key findings

### Children and young people

- There are approximately 8,200 young carers in Wales, who are more likely than others of their age to live in deprived areas and experience disruption to their education.
- There were 7,080 children looked after (CLA) by local authorities in Wales in 2021. CLA numbers have been increasing substantially over the last decade compared to England and Scotland, until a recent decline.
- The proportion of young people not in education, employment or training (NEET) has been falling since 2010, but this decline has slowed since 2017.
- The highest unemployment rates are among the 16–24-year-old age group (11.4% in 2019/20) but the unemployment rate had declined notably between 2010/11 and 2019/20. There is no other age group that is more likely to be in insecure employment and earn less.
- Levels of poverty remain high among young people aged 16–24, as 28% of people in this age group were in poverty in 2020-2022, in Wales.
- The pandemic had a negative impact on the mental health of children and young people as a higher proportion of pupils reported very high symptoms of poor mental health in 2021/22 (24%) compared to 2019/20 (19%). Wales has the highest demand for Community Mental Health Teams for children and young people in the UK.
- Though varying since 2010, suicides by young people aged 15–24 fell from 2016 and 2019 from 11.7 to 7.5 deaths per 100,000. In comparison, suicide rates increased in England and Scotland.
- In 2021/22, there were on average only 10 children from Wales aged 10-17 in custody. This is the lowest number on record.

### Older people

- Among adults aged under 65 (excluding students), those aged 55–64 had the lowest employment rates (58.4%) and highest rates of economic inactivity (40.1%) in 2019/20.<sup>16</sup> This age group's employment rates rose between 2010/11 and 2019/20, though they saw no growth in hourly earnings.
- The employment rate of those 65 and over (the 65–74 and over 75 age groups) increased between 2010/11 and 2019/20. Only 16–24 year-olds were more likely to be in insecure work than the 65–74 age group, as 11.7% of workers aged 65–74 were in insecure employment.
- Poverty rates rose among people aged 65–74 from 10.4% in 2010/11 to 18.0% in 2019/20. In 2021, 41% of all fuel-poor households were headed by someone aged 65 or over.
- Over-65s are more likely to report that social care and support services had helped them to have a higher quality of life (85.7 for 65–74; 86.7% for over 75s) compared to 45–54 year-olds (66.4%).
- Data for 2018–2020 shows females living in the most deprived areas of Wales can expect 53.3 years of good health and males can expect 54.2 years. When comparing the most and least deprived areas, there is a 16.9 year difference for women and a 13.4 year difference for men.
- Research suggests 18% of dwellings in Wales have at least one category 1 hazard, putting older people's health at particular risk.
- The age group with the highest percentage of unpaid carers are 55–59 year-olds (18.5%), but the age group with the highest percentage providing more than 50 hours of care per week is 80–84 (7%).
- Older adults are at greater risk of digital exclusion and disadvantage. Those aged 65 or over are still significantly less likely, than younger age groups, to have internet access at home. Furthermore, only 24% of those over aged 70 are likely to use digital technology to support their health compared to 87% of people aged 16–19.

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16 The Office for National Statistics (ONS) defines economic inactivity as people not in employment who have not been seeking work within the last four weeks and / or are unable to start work within the next two weeks.

## Demographics

The 2021 census showed the median age in Wales was 42 years, compared with 41 years in 2011. This is older than the median age in England in 2021 of 40 years (Welsh Government, 2022a).

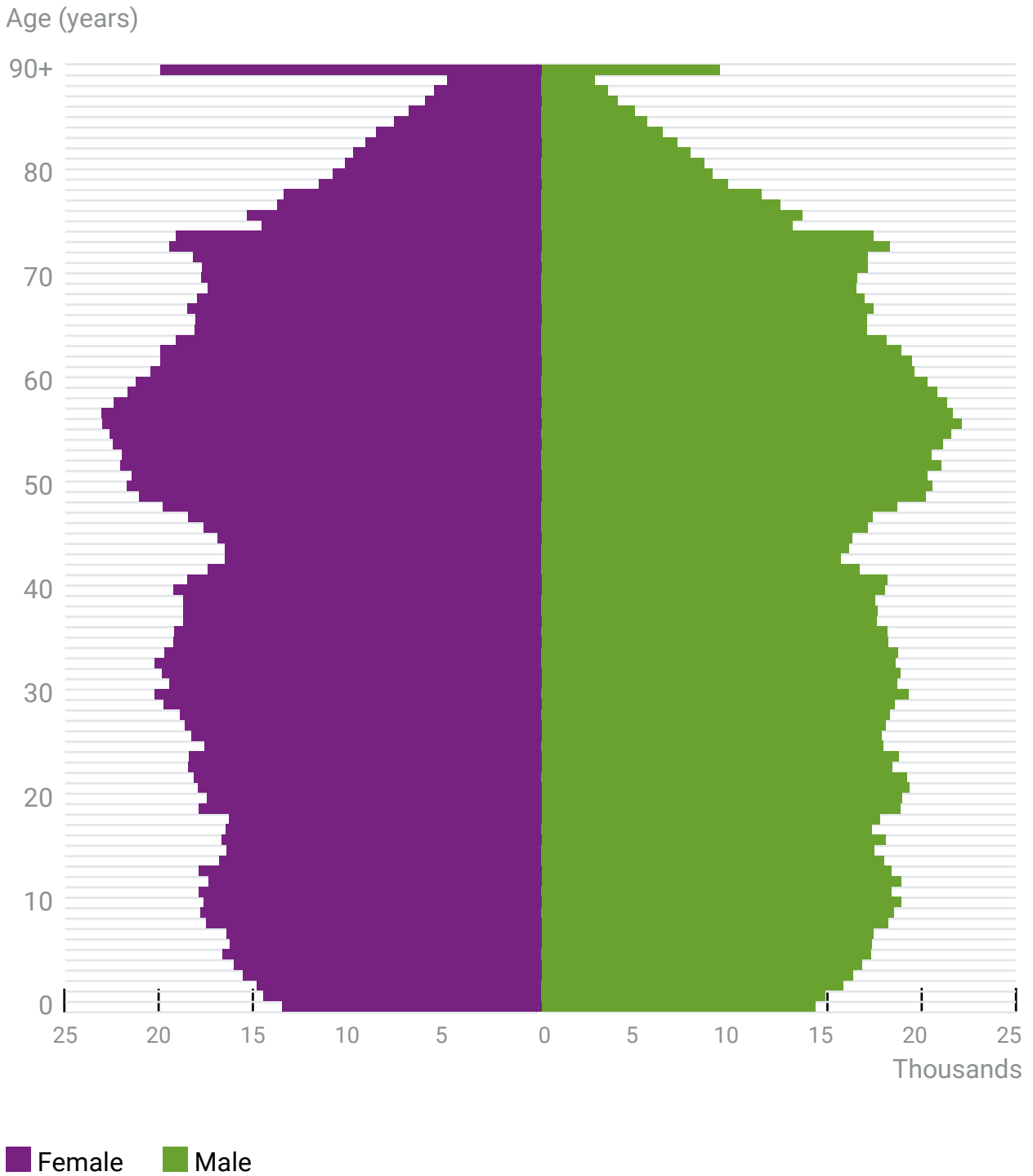
The proportion of people under 15 in Wales has fallen slightly, from 16.9% of the population in 2011 to 16.5% in 2021. The proportion of under-18s also dropped from 20.7% to 19.9% of the Welsh population.

The overall population of Wales has continued to age since the 2011 census. In 2021, 21.3% of the population was over 65, rising from 18.4% in 2011. Women made up 54% of over-65s, compared with 51.1% of the total population. This difference increases in older age groups, with women making up 68% of over-90s (See figure 9).

Further detail about the demographics of Wales is included in each chapter.



Figure 9: Age of the population by sex (1,000s), 2021, Wales



(Source: Office for National Statistics)

## Legal and policy developments

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### Children and young people

The Welsh Government's 2022 Children and Young People's Plan (Welsh Government, 2022b) sets out the work the Welsh Government plans to support children and young people including commitments made in the Programme for Government (Welsh Government, 2021a) and actions intended to meet them.

Priority areas in the Children and Young People's Plan include:

- improving early years services
- fairness in education
- support into training and employment
- young people's mental health, and
- work to prevent families becoming homeless and support CLA.

There are nine national milestones that will be used to measure the plan's progress, including 90% of young people aged 16–24 being in education employment or training and over 99% of children having two or more healthy behaviours. The Welsh Government has committed to report on progress against the national milestones annually. No progress report has yet been published.

### Education

There have been significant changes to education policy and legislation in Wales since 2018, including the Curriculum and Assessment (Wales) Act 2021 and Additional Learning Needs and Education Tribunal (Wales) Act 2018.

The Welsh Government has also responded to the COVID-19 pandemic's impact on education with actions to address lost learning affecting all learners, including those with Additional Learning Needs.

## Curriculum for Wales

The new Curriculum for Wales replaces the national and basic curriculum and moves away from prescribed content to a broad framework enabling schools to design their own curriculum (Welsh Government, n.d.), though there are mandatory curriculum elements: Religion value and ethics (RVE), Relationships and sexuality education (RSE) and cross-curricular skills. By 2026, the Curriculum for Wales will be taught to pupils aged 3–16 at all levels of state-funded education in Wales. Primary schools and nurseries were required to implement their curriculum from September 2022.

**The new curriculum ensures that human rights education and the UN Convention on the Rights of the Child (CRC) is integrated across all areas of learning and experience. It places a duty on schools to promote knowledge and understanding of the CRC and UN Convention on the Rights of Persons with Disabilities (UNCRPD) when designing, adopting or implementing the curriculum.**

But there are concerns about the variability of learning, with much of the content left to the discretion of schools; early evidence suggests school leaders may lack awareness and understanding of this duty.

In 2020, a working group was formed to improve teaching about contributions made by Black, Asian and ethnic minority communities. The Welsh Government accepted all the group's recommendations, including to update curriculum guidance to cover learning about community diversity and ethnic minority history (Williams, 2021; Welsh Government, 2022c).

RSE is mandatory in state-funded Welsh schools. Compulsory requirements in the RSE statutory code and guidance include that:

- pupils understand and experience their rights, and
- learning develops awareness and understanding of different identities, views and values, including those of lesbian, gay, bisexual and trans (LGBT) people (Welsh Government, 2022d).

Campaign group Public Child Protection Wales legally challenged the compulsory teaching of RSE, arguing it conflicted with religious and philosophical beliefs and that parents should have the right to opt out and withdraw their children. In 2022, the High Court ruled compulsory RSE lessons, and the accompanying code and guidance, were lawful and did not breach the prohibition on indoctrination.<sup>17</sup>

The RSE code requires schools to address all forms of bullying, including online cyberbullying. The Welsh Government's statutory guidance for schools on bullying outlines different forms of prejudice-related bullying and highlights prevention strategies (Welsh Government, 2019a). It has committed to strengthen this guidance, with a focus on disciplinary procedures for handling identity-based bullying, though this has been delayed. There is no mandatory duty on schools in Wales to record and report incidents of bullying.

### **Additional learning needs**

**The Additional Learning Needs and Education Tribunal (Wales) Act 2018 created a new statutory framework for supporting children and young people with additional learning needs (ALN).**

In 2021, the Welsh Government began a three-year phased implementation of this framework to provide an individual development plan (IDP) to every learner with ALN. The Estyn 2021-22 Annual Report found that schools are maintaining steady progress towards implementing the Act. (Estyn, 2022). But there is uncertainty about how this will be funded and concerns about implementation following significant delays. The Welsh Government in March 2023 extended the implementation period of the Act by an additional year and announced a further £12 million funding for 2023-24 and 2024-25 (Welsh Government, 2023a).

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17 Isherwood and Others v The Welsh Ministers [2022] EWHC 3331.



The number of pupils with ALN in state-funded schools fell by 19.5% between 2021 and 2022 from 92,668 to 74,661 (Welsh Government 2022e).

## Disadvantaged and vulnerable learners

The Welsh Government's Renew and reform education recovery plan recognises the impact of the pandemic on 'disadvantaged and vulnerable learners', including those with ALN, children from poorer backgrounds, Black, Asian and ethnic minority pupils, and CLA (Welsh Government, 2021b).

In 2022, the Welsh Government announced an additional £4.5 million of funding to provide tailored support for children with ALN affected by the pandemic (Welsh Government, 2022e). It is unclear how evaluation of the recovery plan's success will reflect either children's rights or children with protected characteristics.

## Tertiary education

The Tertiary Education and Research (Wales) Act 2022 established the Commission for Tertiary Education and Research (CTER) which in 2023 replaces the Higher Education Funding Council for Wales.

The Act places 11 strategic duties on the CTER, including promoting equality of opportunity. The CTER will be responsible for strategy, funding and oversight of further and higher education (including research), adult education and adult community learning, and partnerships and training.

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## Work

Economic inactivity and unemployment rates are higher for 16–24 year olds than for all groups aged below 65. The Programme for Government makes several commitments to support young people into employment, education and training (Welsh Government, 2021c). In 2021, the Welsh Government announced its Young Person’s Guarantee plan to provide everyone in Wales under 25 with the offer of work, education, training or self-employment (Welsh Government, 2023b).



Priorities in the Welsh Government’s 2022 employability and skills plan include creating 125,000 apprenticeships by 2026 (Welsh Government, 2022f). A target of at least 90% of young people aged 16–24 being in education, employment or training by 2050 forms part of the government’s national milestones.

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## Living standards

### Child poverty

**Wales has had a child poverty strategy since 2011 (Welsh Government, 2015) and an action plan to maximise the income of families living in poverty since 2020 (Welsh Government, 2020a), but child poverty remains persistently high.**

The action plan's objectives include to:

- support families to claim financial support and become financially resilient
- address the cost of, and access to, public transport for young people, and
- reduce the cost of sending children to school.

In June 2023, the Welsh Government launched a consultation on a revised Child Poverty Strategy (Welsh Government 2023b), with the aim of publishing it by the end of the year. The draft plan's objectives include:

- reducing costs and maximising incomes of families
- creating pathways out of poverty, and
- supporting child and family well-being, including those with protected characteristics.

In 2022, the Welsh Government consulted on proposals to change school uniform policies, which was intended to cut costs for families (Welsh Government 2022g).

Both we and the Children's Commissioner for Wales have called for the reintroduction of targets to eradicate child poverty and create accountability mechanisms and indicators to meet those targets (EHRC, 2023; Children's Commissioner for Wales, 2022).

### Free School Meals

**The 2021 Co-operation Agreement between the Welsh Government and Plaid Cymru committed to extend free school meals (FSM) with £200 million revenue funding and £60 million capital funding over three years (Welsh Government, 2022k). FSM began to be provided to all reception class children in September 2022. The aim is for all primary school children in maintained schools to be eligible for FSM by 2024 (Welsh Government, 2022h).**

## Basic Income for Care Leavers in Wales pilot

In 2022, the Welsh Government launched its basic income pilot for young people leaving care. This group was selected because of the challenges and barriers they face, including poverty, and the extra support needed to help their transition to adulthood (Welsh Government, 2023c).

The three-year voluntary scheme is open to young people who turned 18 between July 2022 and June 2023; this includes unaccompanied asylum seeking children under the care of Welsh local authorities. It will provide young care leavers with £1,600 (£1,280 after tax) a month for two years following their 18th birthday no matter whether they are employed or in education. This basic income will replace most benefits but some benefits such as Personal Independence Payments and Housing Benefits for those in supported housing will still be available. The Welsh Government expects about 500 young people to be eligible and the pilot has a budget of £20 million.

## Personal security



The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 came into force in 2022. It makes all types of physical punishment of children illegal, including smacking, hitting, slapping and shaking.

The Act requires the Welsh Government to produce reports on its effects in 2025 and 2027. The initial monitoring data covers out-of-court parenting support offers (an alternative to prosecution) and referrals to social services (Welsh Government 2023d).

In 2022, the Welsh Government published a framework on reducing restrictive practices and stated that 'restraints that cause pain intentionally should never be used' (Welsh Government, 2022i). The framework is intended for use across childcare, education, health and social care settings and aligns with the principles in our own human rights framework for restraint (EHRC, 2019). Welsh ministers will review the framework's implementation and impact in 2024.



## Social care

**The high number of CLA in Wales is a persistent issue. Research by the Senedd found this increased by 22.9% between 2013 and 2022, from 91 per 10,000 in 2013 to 112 per 10,000 for under 18s in 2022 (Welsh Parliament, 2023a).**

An update to the Programme for Government commits to improving children’s social care and outcomes for children who have experienced care (Welsh Government, 2021d). The commitment to eliminate private profit from the care of CLA was part of a consultation on proposals for primary legislation (Welsh Government, 2022j).

The Programme for Government Update also commits to funding advocacy services to prevent families breaking up, and regional residential services closer to home for children with complex needs.

The Senedd’s Children, Young People and Education Committee conducted an inquiry into the Welsh Government’s progress on reforming services for CLA and care leavers. It reported in May 2023 and made recommendations including making ‘care experience’ a protected characteristic under the Equality Act 2010; giving children in care and care leavers a statutory right to long-term advocacy support; and legislating to place a duty on local authorities to calculate maximum safe caseloads (Welsh Parliament 2023b).

The Welsh Government’s 2021 Strategy for unpaid carers recognises the high proportion of carers aged under 25, at approximately 30,000, in Wales, with the highest number of carers aged under 18 in the UK. It notes the challenges they face and the support they need, particularly given the impact of the pandemic (Welsh Government, 2021e). The strategy’s priorities include:

- encouraging local authorities to help schools identify and support young carers
- improving access to post-compulsory education, short breaks and respite, and
- supporting young carers in the workplace.

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## Health

### Physical health

The pandemic had significant implications for children's physical health, and waiting times increased across the health service. Plans to reduce waiting times and alleviate the backlog of appointments and treatments gives explicit priority to children (Welsh Government and NHS Wales, 2022).

The Welsh Government's Healthy Weight: Healthy Wales strategy aims to reduce obesity (Welsh Government, 2019b). Priorities include:

- considering a ban on sales of energy drinks to children under 16 – this was subject to consultation in 2022 (Welsh Government, 2022k)
- limiting the establishment of hot food takeaways near schools, and
- improving active travel routes to school.

In 2019, the Welsh Government, Sport Wales and Public Health Wales invested £5.4 million in the Healthy and Active Fund (Welsh Government, 2019c). This provides financial support to projects that promote and enable healthy activities for children and young people, among other groups.

### Mental health

Numerous reports have highlighted the challenges facing mental health services for children and young people in Wales. Senedd committee reports in 2018 and 2020 noted a lack of specialist treatment and early interventions, and concerns that service improvements were not happening quickly enough. A Public Health Wales report presented evidence that young people were less confident about obtaining mental health information and support online, declining from 53% in 2020 to 42% in 2021 (Edmonds et al., 2022).

**The Welsh Government introduced new statutory guidance in 2021 to require all schools to embed a whole-school approach to mental health and emotional well-being in everyday practice (Welsh Government, 2021f).**

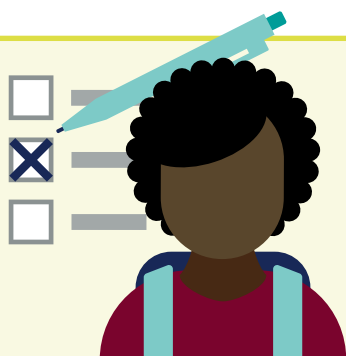
This allows schools and colleges to decide what mental health support they fund and provide, such as counselling services, teacher training, emotional literacy support assistants (ELSAs) and intervention programmes.

The Welsh Government's Together for Mental Health Delivery Plan 2019–22 sets out several priority actions for children and young people (Welsh Government, 2020b). These include:

- improving access to, and timeliness of, interventions
- significantly reducing waiting times
- extending the reach of services into schools, and
- improving crisis and out of hours services.

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## Participation



The Senedd has passed the Local Government and Elections (Wales) Act 2021 and the Senedd and Elections (Wales) Act 2020 to extend the right to vote to 16- and 17-year-olds in Wales.

This younger age group were eligible to vote for the first time in the 2021 Senedd election and 2022 local government elections.

## Older people

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### Age-friendly Wales

**The Welsh Government's 2021 Age friendly Wales strategy (AFS) adopts a rights-based approach, informed by the UN Principles for Older Persons (Welsh Government, 2021g).**

It has four key aims:

- to enhance well-being
- to improve local services and environments
- to build and retain people's own capabilities, and
- to tackle age-related poverty.

These aims focus on areas including health and social care, housing, transport, community participation and facilities, lifelong learning and digital confidence. The AFS aims to support unpaid carers, tackle loneliness and isolation, and end abuse of older people. A cross-cutting theme of the AFS is supporting people to live well for longer and prioritising prevention. An age index for Wales has been created to monitor progress.

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### Education

As part of work on lifelong learning, in 2019 the Welsh Government launched a £4,000 bursary scheme for people over the age of 60 to undertake a master's degree (Welsh Government n.d.). The bursary grant aims to help older students who cannot obtain the same financial support as younger people.

The AFS 2022 delivery plan includes actions to support lifelong learning, such as to help older people become more digitally confident (Welsh Government, 2022I).

### **Work**

The AFS delivery plan also outlines actions to support older workers, including through all-age apprenticeships. In 2019/20 more than 4,000 people aged over 50 were undertaking an apprenticeship.

The plan commits the Welsh Government to encourage employers to provide age-friendly workplaces to support the rising number of older people and those with caring responsibilities in the workforce.

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### **Living standards**

#### **Housing**

Several housing reviews in 2018, including our own Housing and disabled people inquiry and an Audit Wales report, drew attention to the challenges and complexities of securing housing to support disabled people to live independently (EHRC, 2018; Audit Wales, 2018).

This evidence prompted the Welsh Government to produce service standards for housing adaptations in Wales to improve their delivery and installation (Welsh Government, 2019d).

#### **Social care**

Priorities in the Welsh Government's 2020 strategy on 'Loneliness and social isolation (connected communities)' include better infrastructure, such as transport links, and digital inclusion (Welsh Government, 2020c). The strategy aims to benefit different groups of people but identifies older people as at increased risk of experiencing loneliness and social isolation and as requiring additional support.

## Unpaid carers



Various reports and evaluations have found support for unpaid carers severely lacking in Wales (Welsh Parliament, 2019; Llewellyn et al., 2022).

Priorities in the 2021 Strategy for unpaid carers (Welsh Government, 2021e) include:

- improving carers' assessments
- improving access to information, advice and assistance, and
- increasing access to short breaks and respite care.

In 2022 the Welsh Government published its Charter for unpaid carers (Welsh Government 2022m), which sets out the legal rights for unpaid carers, including under the Social Services and Well-being (Wales) Act 2014 and relevant human rights.

## Residential care

In 2019, the Welsh Government increased the capital limit used by local authorities to determine how fees are charged for residential care. This enables people to protect up to £50,000 of savings or capital from incurring charges. It is the highest allowance of its kind in the UK (Welsh Government 2019e).

The Welsh Government's 2021 Care homes action plan is a response to the pandemic's impact on care homes and their residents (Welsh Government, 2023e). It addresses themes we previously highlighted in our briefing on the impact of COVID-19 in residential care homes as significant concerns, including infection prevention, use of personal protective equipment, residents' well-being, and general and clinical support for care homes (EHRC, 2020a).

## Prevention of abuse of older people

In 2022, the Welsh Government consulted on a national plan to prevent abuse of older people (Welsh Government, 2022n). The plan's three overarching themes are:

- supporting older people to live independently and access safeguarding services
- access to services for older people experiencing domestic abuse or sexual violence, and
- ensuring older people who receive care and support are protected from the risk of abuse and neglect.

Consultation responses (Welsh Government 2023f) suggested improving the plan by:

- broadening its objectives to include people not receiving care and support
- providing a stronger focus on the rights of older people
- addressing the needs of older people experiencing domestic abuse, and
- creating a report mechanism for the delivery of the plan.

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## Health

**The Dementia Action Plan for Wales 2018-22 (DAP) aims to establish Wales as a dementia-friendly nation (Welsh Government, 2018).**

One of its main goals is to enable people living with dementia to maintain their independence and remain at home. It sets out actions to increase care and support services, reduce risk and delay the onset of dementia and improve early recognition, identification, assessment and diagnosis.

An update to the DAP identified priorities to support recovery from the COVID-19 pandemic (Welsh Government, 2021h). There is an ongoing independent evaluation of the DAP.<sup>18</sup>

The Healthy Ageing Programme is part of the AFS. It aims to increase older people's physical activity and support people to live longer. The Welsh Government has committed to spend £5.4 million through the Healthy and Active Fund on projects to encourage healthy and active lifestyles (Welsh Government, 2019f).

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18 The Welsh Government commissioned Opinion Research Services (ORS) to evaluate the plan's impact and determine whether it has achieved its aims. The evaluation was still happening at the time of writing so there are no results available yet.



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## Participation

### Transport

Our research in 2019 found that older and disabled people face a broad range of barriers to travelling independently in Wales. These barriers affected their ability to live independently, including access to services and opportunities to socialise with others, which consequently affected their physical and mental health. A key barrier for older people was digital exclusion in the move to online journey planning (EHRC, 2020b).

### Internet access

Between 2018/19 and 2021/22, the proportion of households with internet access at home improved for people aged 65–74 (83% to 88%) and 75 and over (54% to 71%). The proportion of older people who personally use the internet also increased to a similar level.



In 2021/22, 86% of people aged 65–74 and 68% of people aged 75 and over said they personally use the internet. However, this means that 14% and 32% respectively are digitally excluded (Welsh Government, 2022o).

## Outcomes

### Children and young people

#### Education

##### Young carers

Welsh Government analysis from the National Survey for Wales (NSW) indicates there are 30,000 unpaid carers in Wales aged under 25, with 63% of those aged 16–24 supporting someone else for one to five hours a week and 4% of this age group spending 50 or more hours per week caring (Huang et al 2021, Welsh Government, 2021i).

At the time of the 2021 census there were approximately 8,200 young carers in Wales (1.8% of 5–17-year-olds) (ONS, 2023a). It was estimated that 1,171 young carers had a support plan in March 2021, increasing to 1,510 in March 2022 (Stats Wales, 2022a), but some local authorities were missing data for 2021 and 2022.

**The demands of caring can affect educational attainment and prevent young carers from fulfilling their potential. Public Health Wales research indicates young carers (16–22) are more likely than non-carers to live in deprived areas and have the greatest need for education to improve their life chances (Huang et al., 2021).**

The findings suggest that a combination of caring responsibilities and the level of deprivation in a particular area for school-aged carers may impact participation in school. The report shows a significantly reduced level of participation in tertiary education for young carers compared to their peers, irrespective of levels of deprivation. These factors potentially affect future economic prospects.

The educational attainment data from the Wales Children Receiving Care and Support Census shows that there is a significant attainment gap for CLA and young carers (StatsWales, 2019a). The data groups both CLA and young carers together, which means we do not have evidence for young carers specifically.

**For the period 2017–2019, the percentage of children receiving care and support who achieved the Level 2 (inclusive) target outcome for Key Stage 4 increased and the attainment gap narrowed.**

In 2018/19 14.7% of this group of children achieved 5 A\*-C grade GCSEs, including English or Welsh first language and mathematics, compared with 12.2% in 2016/17 (StatsWales, 2019b). However, 53.8% of all pupils achieved the same Level 2 (inclusive) outcome in 2018/19, compared with 55.7% in 2016/17 (StatsWales, 2019c).

Earlier research based on the Wales Children in Need Census, showed that in 2014/15 15.0% of CLA and young carers achieved the target of 5 GCSEs Grade A\*-C, including English or Welsh first language and mathematics, compared with 57.9% of all students (StatsWales, 2016; 2018). Though data from periods before and after 2016 cannot be directly compared due to changes in methodology, the earlier findings with the data from 2017-19 suggest a pattern of a fluctuating attainment gap rather than a decreasing one. The attainment gap for CLA and young carers in Wales is consistent with the evidence of the long-term educational disadvantage for CLA and young carers found in England and internationally (Hewitt et al., 2019).

### Education mainly outside school

Welsh Government data for 2021/22 shows 4.8 in every 1,000 pupils had at least one other 'educated other than at school' (EOTAS) provision, down from 5.6 in every 1,000 in 2009/10 (Welsh Government, 2022p). This includes children in pupil referral units and other alternative school provision. Of the EOTAS pupils, 80.5% were mainly educated outside school (3.8 in every 1,000 pupils) in 2021/22, up from 42% (2.1 in every 1,000) in 2009/10.

EOTAS rates for children with ALN were higher overall, at 20.5 pupils per 1,000 in 2021/22, rising from 8.1 per 1,000 pupils in 2009/10, and 84.7 per 1,000 for children with local authority maintained Individual Development Plan (IDPs).

In 2021/22, 36.4% of pupils mainly educated outside school were eligible for FSM compared with 21.3% of pupils in school.

In 2021/22, 9.8 out of every 1,000 pupils were classified as 'elective home educated',<sup>19</sup> an increase from 1.6 in every 1,000 in 2009/10. According to the same Welsh Government publication, the largest increase in home education was among children aged five and the rate of 16-year-old pupils being home educated increased to 32 times what it was in 2009/10.

**According to the same Welsh Government statistics, between 2018/19 and 2021/22 the number of home-educated children rose from 2,626 to 4,681.**

Some parents reported this was a positive choice, but others said it was a forced decision based on factors such as lack of appropriate school placements for children with ALN or penalties arising for persistent absence (Welsh Government 2022p).

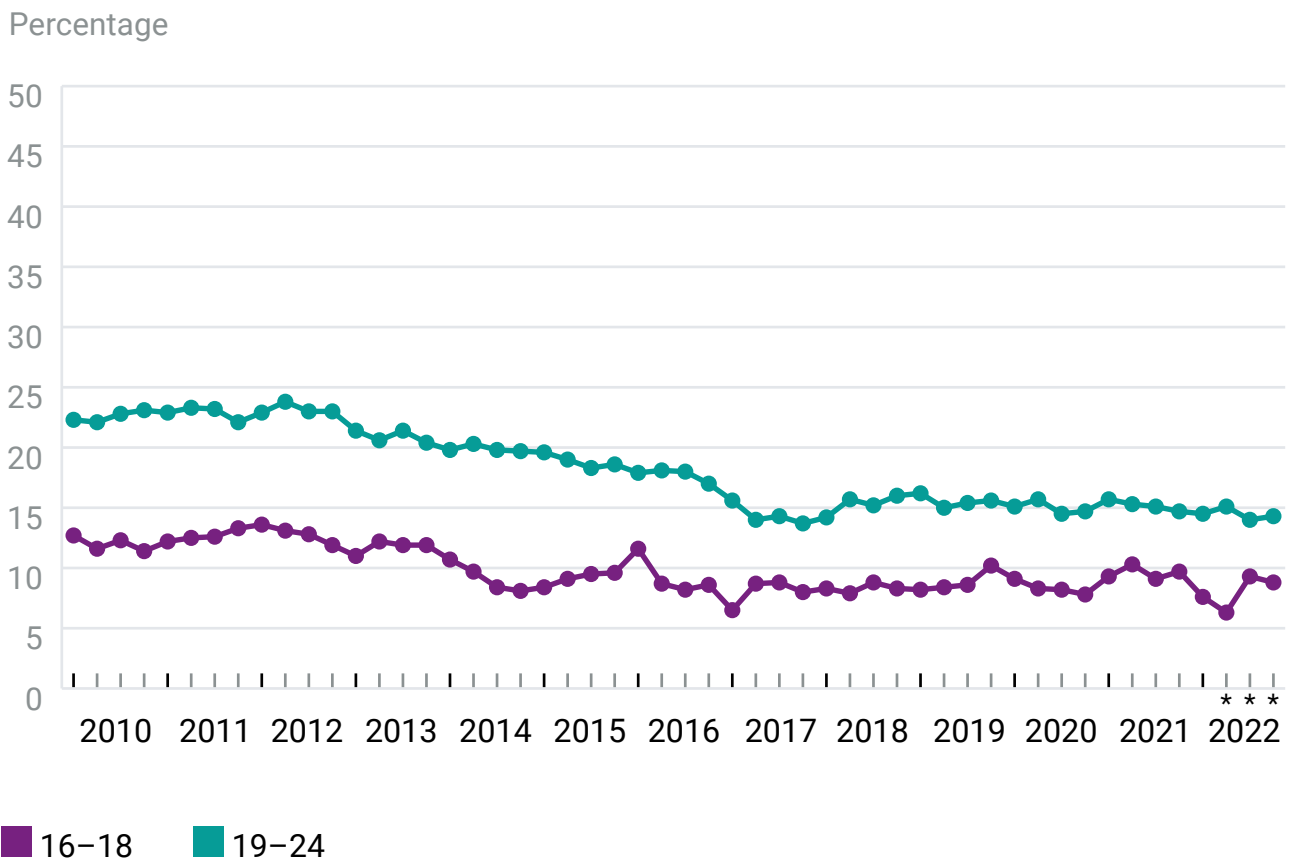
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<sup>19</sup> Elective home education data are not included in the EOTAS figures.

### Young people not in education, employment or training (NEET)

Recent findings from the CASCADE research centre in Wales show that 13–14-year-olds with experience of care had expectations of attending university that were significantly lower than those of their peers. The same children were less likely to then be in higher education aged 20 (Williams et al., 2020). Analysis of the Office for National Statistics (ONS) Annual Population Survey (APS) shows that there was a significant decrease in the proportion of young people aged 16-18 who are NEET in 2014, and for those aged 19-24 who are NEET up to 2017, but with no significant change after (Welsh Government, 2023g).

**Figure 10: Quarterly trends in the proportion of NEET young people aged 16–18 and 19–24, 2010 Q1 to 2022 Q3, Wales<sup>20</sup>**



(Source: Annual Population Survey)

<sup>20</sup> Periods marked \* have been assessed as low quality due to small sample size.

Additional Welsh Government data suggests 13.6% (14,200) of young people aged 16–18 were NEET at the end of 2021 compared with 11.7% (11,900) at the end of 2020.<sup>21</sup> This increase coincides with a rising economic inactivity rate among this age group (excluding students) plus a slight growth in unemployment. The data found 16.3% (37,800) of young people aged 19–24 were NEET in 2021 compared with 15.8% (37,700) in 2020. With current data to 2021, we cannot yet observe the impact that the pandemic and increases in the cost of living may be having on the number of young people who are NEET (Welsh Government, 2023h).

## Work

### Trends in employment rates

Our analysis of Annual Population Survey data found the 2019/20 employment rate for young people aged 16–24 was the second lowest after the pre-retirement group (55–64 years) rate. This remained the same throughout the pandemic (2020/21 and 2021/22).<sup>22</sup>



In addition to low employment rates, 16–24 year olds have higher rates of unemployment (11.4%) than any other group. Adults aged 25–34 were the second most commonly unemployed group (3.4%).

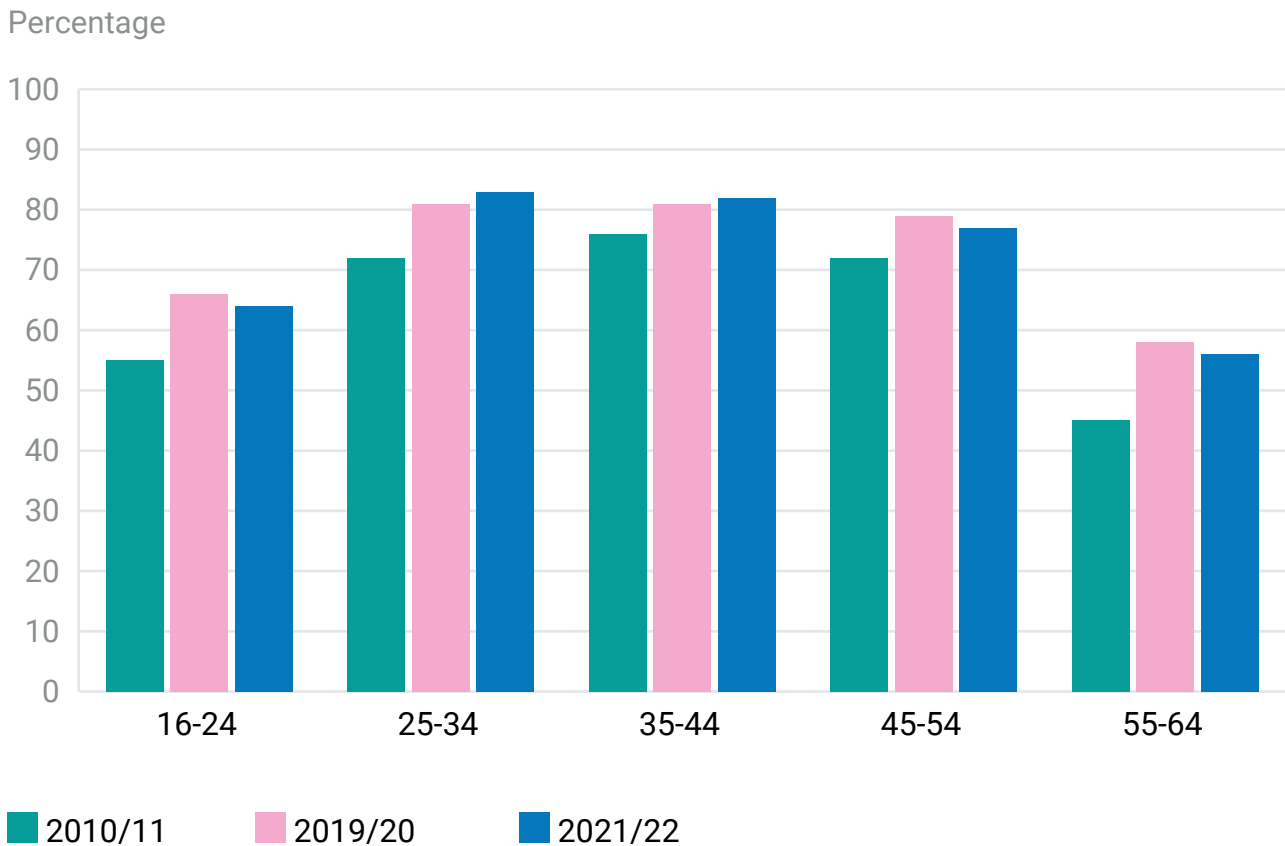
21 This provisional figure needs to be interpreted with caution as it is provisional and may be revised when more data becomes available.

22 This analysis of employment rates excludes all full-time students to avoid the younger, less economically active, student population skewing employment rate figures too much. Unless specified, all other analysis includes students.

## Age

Analysis found that young people aged 16–24 experienced one of the largest rates of growth in employment between 2010/11 and 2019/20. This group also showed significant declining unemployment rates over time. Between 2019/20 and 2021/22, there was no significant change in the employment rate of the 16–24 age group.<sup>23</sup>

**Figure 11: Employment rates (excluding students), Wales, 2010/11 to 2021/22**



(Source: EHRC analysis of Annual Population Survey)

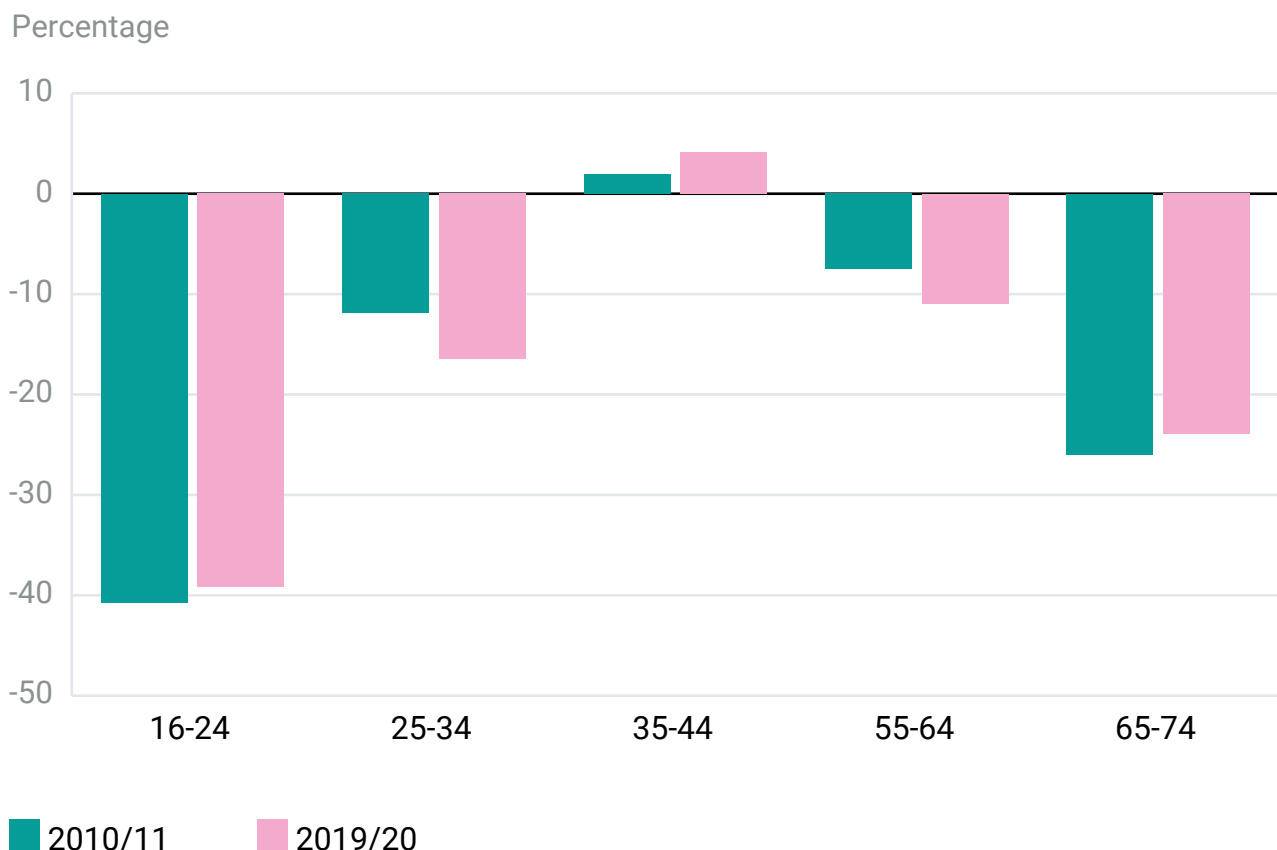
<sup>23</sup> All analysis in this paragraph excludes all full-time students. See footnote 19 for details.

## Earnings

As may be expected, younger entrants into the labour market are generally paid less than other groups. In 2019/20, median hourly earnings in Wales were significantly lower for those aged 16–24 (£8.59) and 25–34 (£11.79) compared with workers aged 45–54 (£14.12).

Our analysis of APS data suggests that wage gaps are not improving for young people. Between 2010/11 and 2019/20 earnings for workers aged 16–24 grew from £7.95 to £8.59, but similar rates of growth were seen by the highest earning groups (ages 35–44 and 45–54). This means the wage gap between those aged 16–24 and older workers of 45–54 has remained unchanged.

**Figure 12: Percentage Gap in Median Hourly Earnings with 45–54 year olds, Wales, 2010/11 and 2019/20**



(Source: EHRC analysis of Annual Population Survey)



### Occupational segregation

Our analysis of Welsh APS data indicates that, as may be expected, workers aged 16–24 are more likely to be in insecure employment and / or a low-paid occupation (LPO). There are no signs of improvement.

In 2019/20, 18.5% of workers aged 16–24 were in insecure employment compared with 5.7% of those aged 45–54. This gap in insecure employment has shown no significant change over time, with the same proportion of young people in insecure employment in 2010/11.

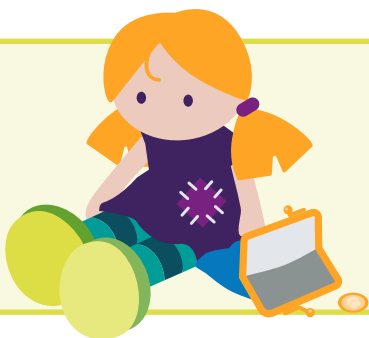
Younger workers are more likely to be in an LPO compared to all other age groups, with 56% of those aged 16–24 in an LPO in 2019/20 compared with 24.3% of workers aged 45–54. Though the proportion of workers aged 16–24 who are in an LPO has fallen from 60.1% in 2010/11, the gap with the 45–54 age group has shown no significant change.

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## Living standards

### Poverty

Welsh Government data analysis indicates children are consistently more likely than working-age adults and older people to be living in poverty.

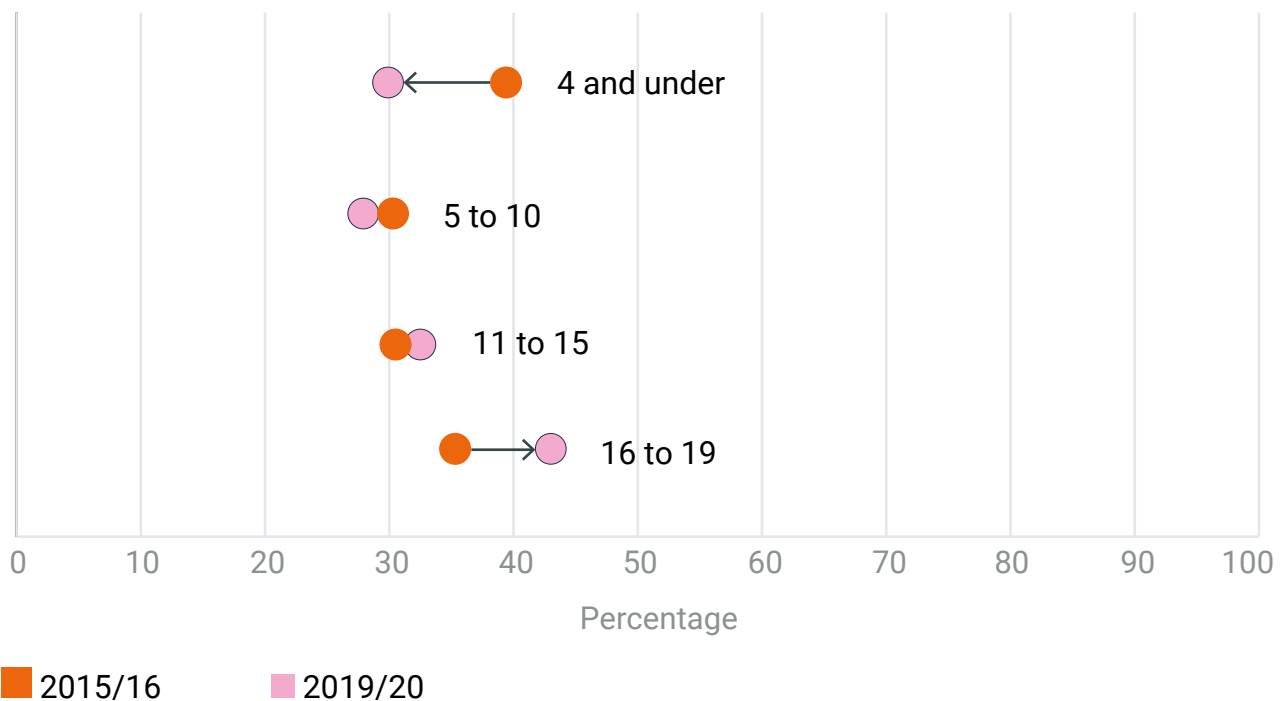


In 2020–2022, 28% of children were living in poverty, before the biggest impacts of the increased cost of living (Welsh Government, 2023b).

Our analysis of the Welsh data in the Family Resources Survey (FRS) found there was no significant difference in child poverty overall and by age group between 2015/16 and 2019/20, though there were annual fluctuations.

Year-on-year estimates can be unreliable and not statistically significant due to the small sample size in Wales, but using a three-year rolling average increases reliability. Welsh Government data analysis found an increase in child poverty between 2015–2018 (28%) and 2017–2020 (31%) based on the unrounded data, followed by decrease to financial year ending 2020–2022 (28%) while still advising caution on the interpretation of short-term changes (Welsh Government, 2021j; Welsh Government, 2023i).<sup>24</sup>

**Figure 13: Percentage of children in poverty in Wales, overall and by age group, 2015/16 to 2019/20<sup>25</sup>**



(Source: EHRC analysis of the Family Resources Survey)

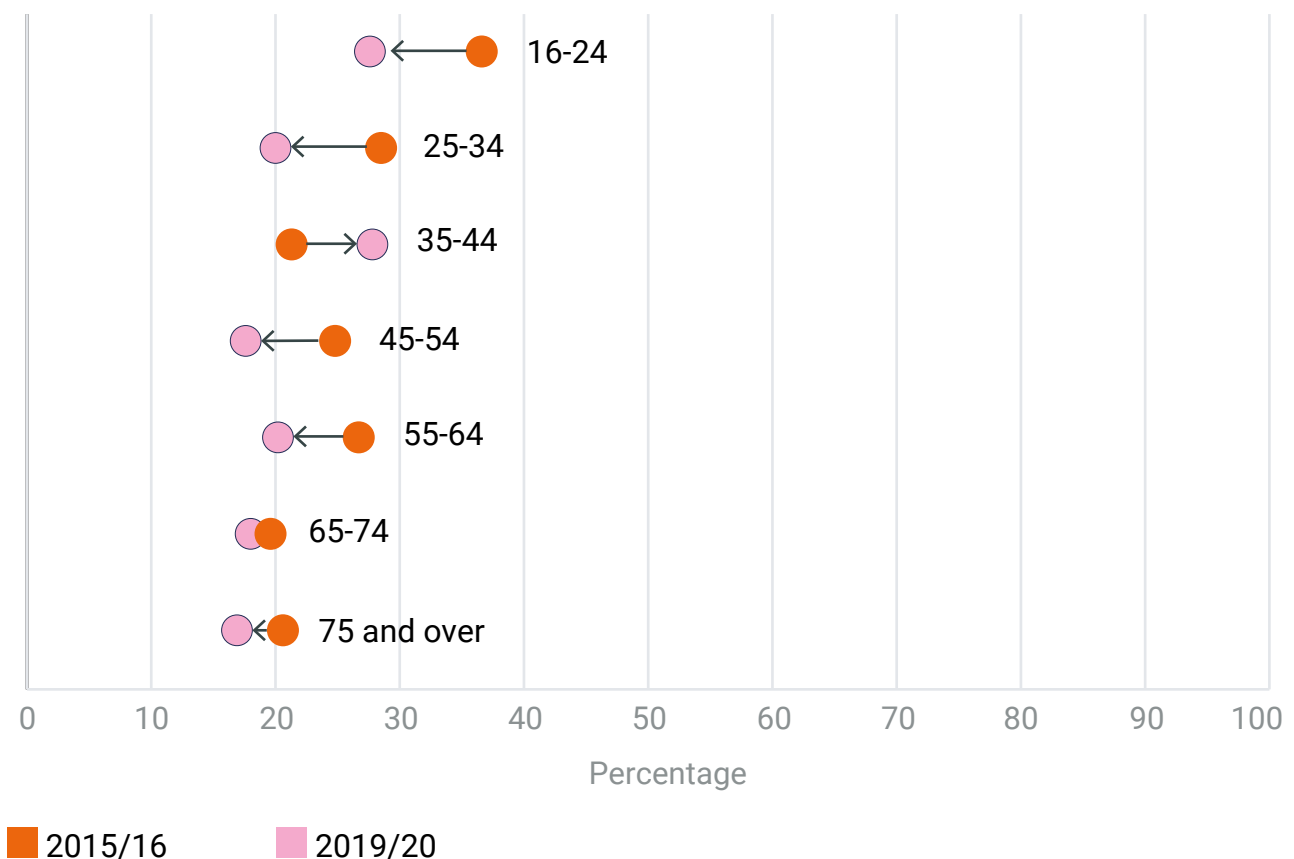
<sup>24</sup> Data for 2020–2022 omitted data for the financial year end 2021 period.

<sup>25</sup> The category 16–19 refers to dependent children.

## Age

Our analysis of the FRS found that adult poverty declined between 2015/16 and 2019/20 among those aged 25–34 (from 28.5% to 20.0%) and 45–54 year olds (from 24.8% to 17.6%). The 16–24 age group did not see any statistically significant change between 2015/16 and 2019/20 and their level of poverty remained high. Due to the small sample size in Wales, year-on-year estimates can have wide confidence intervals that mean the changes are not statistically significant.

**Figure 14: Percentage of adults in Wales in poverty, by age group, 2015/16 to 2019/20**



(Source: EHRC analysis of the Family Resources Survey)

The FRS data shows that the improvement in poverty for adults aged 25–34 during this period was accompanied by a reduction in the proportion experiencing severe material deprivation, which declined from 28.1% to 19.9% between 2015/16 and 2019/20.

### Food insecurity

According to the Food Standards Agency (FSA)'s survey, Food and You 2, food insecurity is higher for some working-age groups compared with older adults. The specific age groups that were higher varied between July 2020 and July 2022. In wave five people aged 16–54 had significantly higher levels of food insecurity compared to people aged 55 and above (FSA, 2023).

### Homelessness

The Housing (Wales) Act 2014 places duties on local authorities to help prevent people who are threatened with homelessness from becoming homeless (section 66) and to help people already homeless to secure accommodation (section 73). Data is collected about the person applying for support, known as the main applicant.

Under-25s make up a small proportion of people applying for support for homelessness. Statutory homelessness data (StatsWales, 2022b) shows that, in 2021/22, 1.5% of applicants threatened with homelessness or assessed as homeless and needing accommodation were aged 16–17, while 19.6% were 18–24 and 78.8% were aged 25 and over.

This is a decrease since 2016/17 of 0.8 percentage points for 16–17 year-olds (from 2.2%) and 4.5 percentage points for 18–24 year-olds (from 24.1%), and an increase of 5.4 percentage points for people aged 25 and over (from 73.4%).

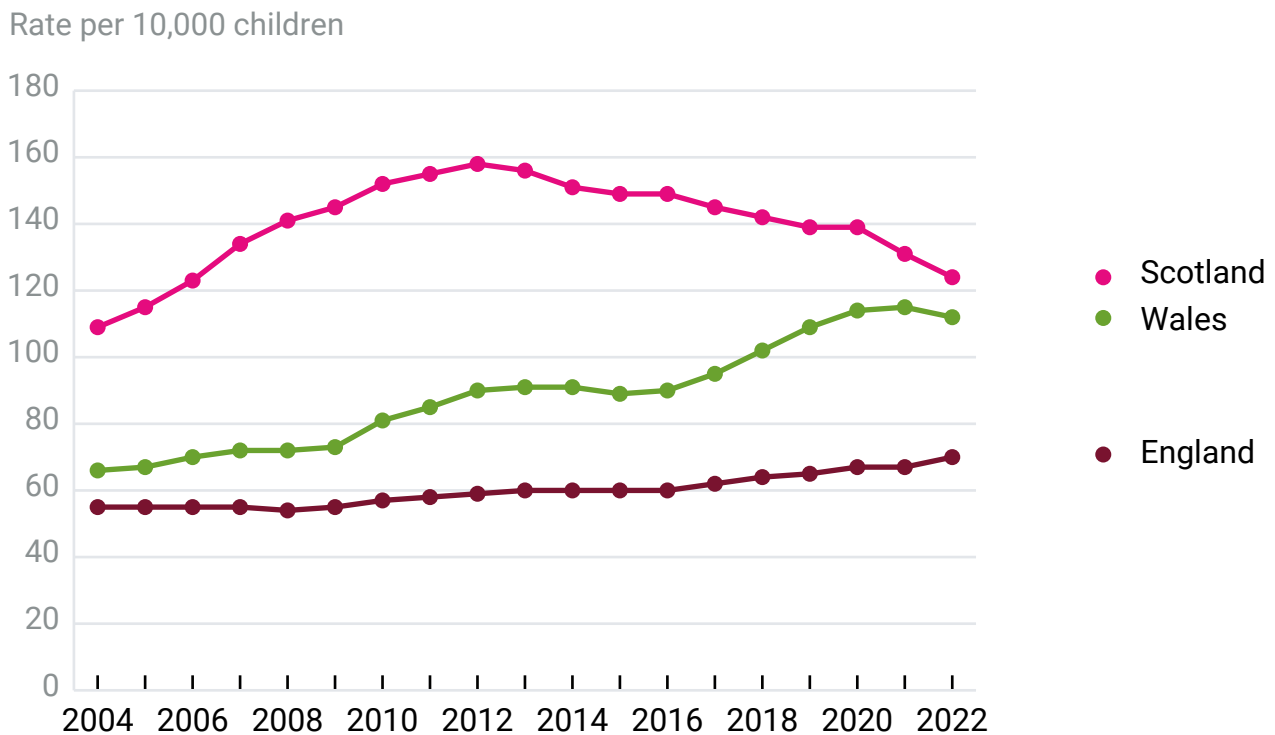
Women of all ages were more likely than men to be applicants threatened with homelessness in 2016/17 and 2021/22. But there were variations between age groups among applicants assessed as homeless. In both these years, more women than men aged 18–24 were applicants assessed as homeless, but more men than women aged 25 and over were applicants assessed as homeless. Among young people aged 16–17, more women than men were applicants assessed as homeless in 2016/17 but the same number of men and women were applicants assessed as homeless in 2021/22.

### Children looked after by local authorities

There were 7,080 children looked after (CLA) by local authorities in Wales on 31 March 2022, down from 7,245 in 2021 and 7,165 in 2020. But CLA numbers have grown over the longer term, from 5,610 in 2015 and 5,160 in 2010. On 31 March 2022, 69.4% of these children were in foster placements (StatsWales, 2022b). Nearly two in five (39.4%) CLA in Wales were aged 10–15, similar to England (StatsWales, 2022c).

The rate of CLA in Wales was the second highest in Britain in 2022 and has been increasing substantially over the last decade compared to England and Scotland until a recent decline. However, as the three nations operate under different legislative frameworks, they are not directly comparable.

**Figure 15: Rate of children looked after per 10,000 children in England, Scotland and Wales, from 2004 to 2022<sup>26</sup>**



(Source: Scottish Government)

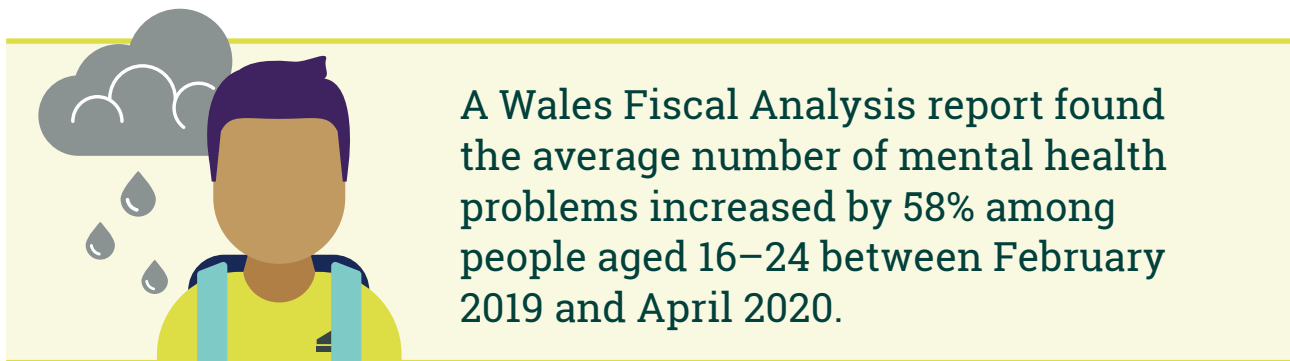
26 This chart is adapted from Scottish Government (2023), Children’s Social Work Statistics Scotland: 2021 to 2022.

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## Health

### Mental health

The COVID-19 pandemic had an adverse impact on young people’s mental well-being. The SHRN student health and well-being survey found the percentage of pupils reporting very high symptoms of poor mental health increased from around one in five (19%) to one in four (24%) between 2019/20 and 2021/22<sup>27</sup> (Page et al., 2021; Page et al., 2023).



According to the report, this increase for 16–24 year-olds was the highest out of all age groups over 16 in both periods (Wales Fiscal Analysis, 2021).

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27 Symptoms of poor mental health are measured by the Strengths and Difficulties Questionnaire (SDQ).

## Access to mental health care

The demand by children and young people for help from community mental health teams is high in Wales.

**An NHS Benchmarking Network (NHSBN) data analysis found referrals to child and adolescent mental health services (CAMHS) grew by 39% between 2020/21 and 2021/22 and Wales has the highest referral rate (per 100,000) in the UK (NHSBN, 2023).**

There are long CAMHS waiting times, with 24% of patients in Wales waiting over 18 weeks from referral to treatment in 2021/22, compared with 21% of patients across the UK.

This analysis also suggested Asian / Asian British children were under-represented in community caseloads and admissions to children and young people units. Children from a mixed ethnic background were over-represented in community caseloads and those from a Black background over-represented in inpatient beds. However, data collection on ethnicity in CAMHS in Wales needs to be improved and the current evidence should be viewed with caution.

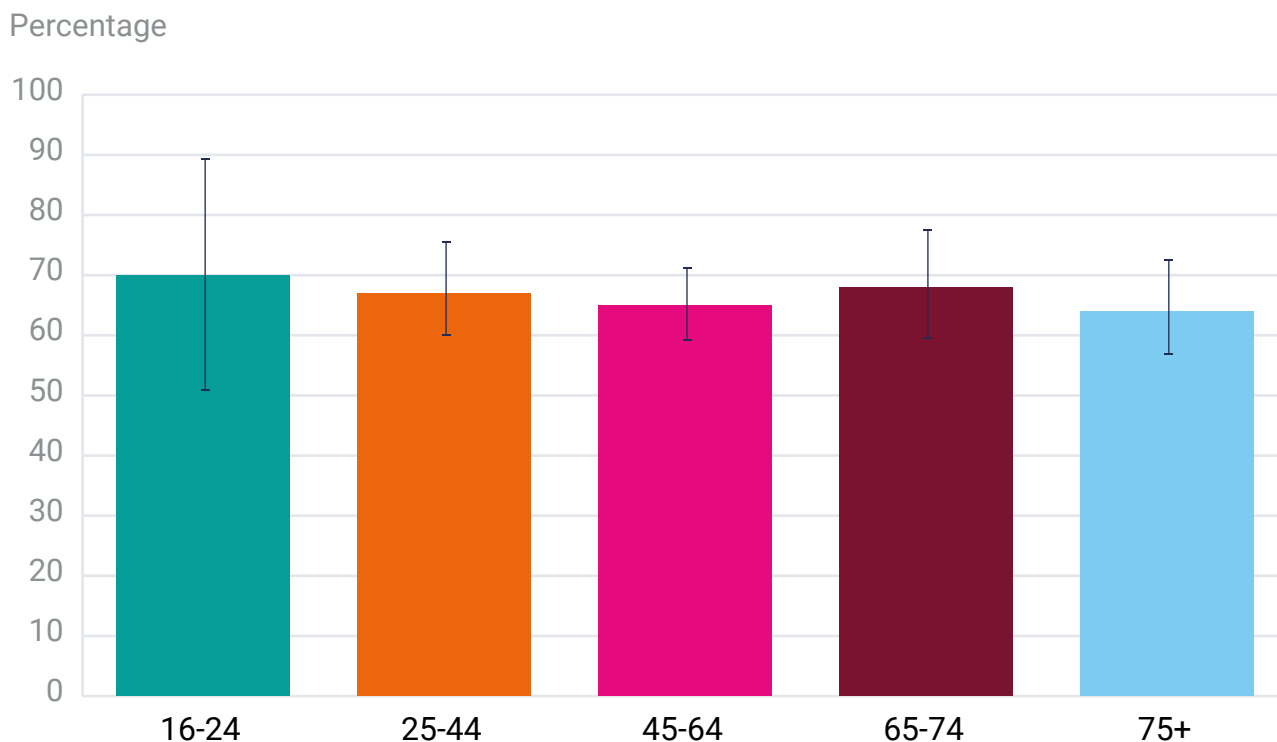
## Access to health care and information

Analysis of the National Survey for Wales highlighted that between 2015 and 2022 younger people were consistently more likely to find it easier to make a GP appointment at a convenient time compared with older age groups, but there is uncertainty in these estimates. For example, data collected in 2021/22 shows the 16–24 age group were most likely (70%) to report a GP appointment was easy to access, but this figure may sit between 52% and 89%,<sup>28</sup> as shown in Figure 16. Other research by Welsh Government found that 93% of people aged 16–24 said they could get the right information, advice and support when unwell or injured, compared with 80% of those aged over 75 in 2019/20 (Welsh Government, 2021k). However, further investigation is needed to understand any differences between age groups as well as the factors that may be driving any differences.

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28 This is calculated based on a 95% confidence interval.

**Figure 16: Proportion of people in Wales reporting access to GP appointments at a convenient time to be very or fairly easy by age group, 2021/22**



(Source: National Survey for Wales)

A key factor may be an acceleration in digital healthcare use and further research is needed to assess the impact of this on different age groups (Welsh NHS Confederation, 2020). Research conducted by Public Health Wales pre-pandemic found that 87% of 16–19 year-olds were using digital technology to support their health, compared with 24% of people aged 70 and over (Public Health Wales, 2019).

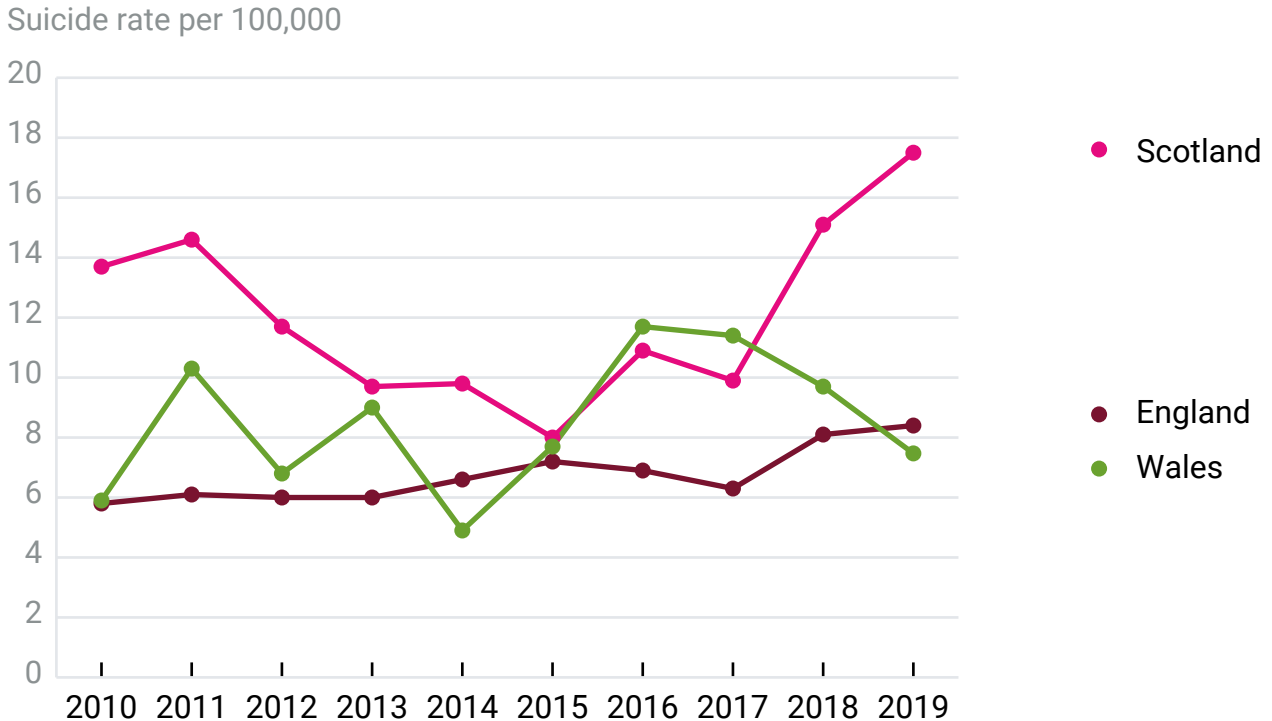
Qualitative research on access to primary care found that, while views were mixed across all age groups, older participants tended to be less interested in making increased use of technology to access primary care (Welsh Government, 2019g). Analysis by Audit Wales indicates that, in 2021/22, less than half of over 75s (41%) had completed activities linked to all five essential digital skills in the past three months compared with 89% of 16–49-year-olds (Audit Wales, 2023). While digital skills are not exclusively about accessing services online, they may indicate older groups are less digitally confident than young age groups.



## Suicide rates

Our analysis of ONS suicide rates data found that suicides among 15–24-year-olds fell between 2016 and 2019. These were still above levels in 2010 as shown in Figure 17, though they were not significantly different. Analysis found the suicide rate declined from 11.7 to 7.5 deaths per 100,000 in this age group between 2016 and 2019. It increased for all other age groups in Wales. This contrasts with trends in England and Scotland, where suicides increased in the 15–24 age group over the same period.

Figure 17: Suicide rate for 15–24 year olds in England, Scotland and Wales 2010 to 2019



(Source: NRS and ONS)

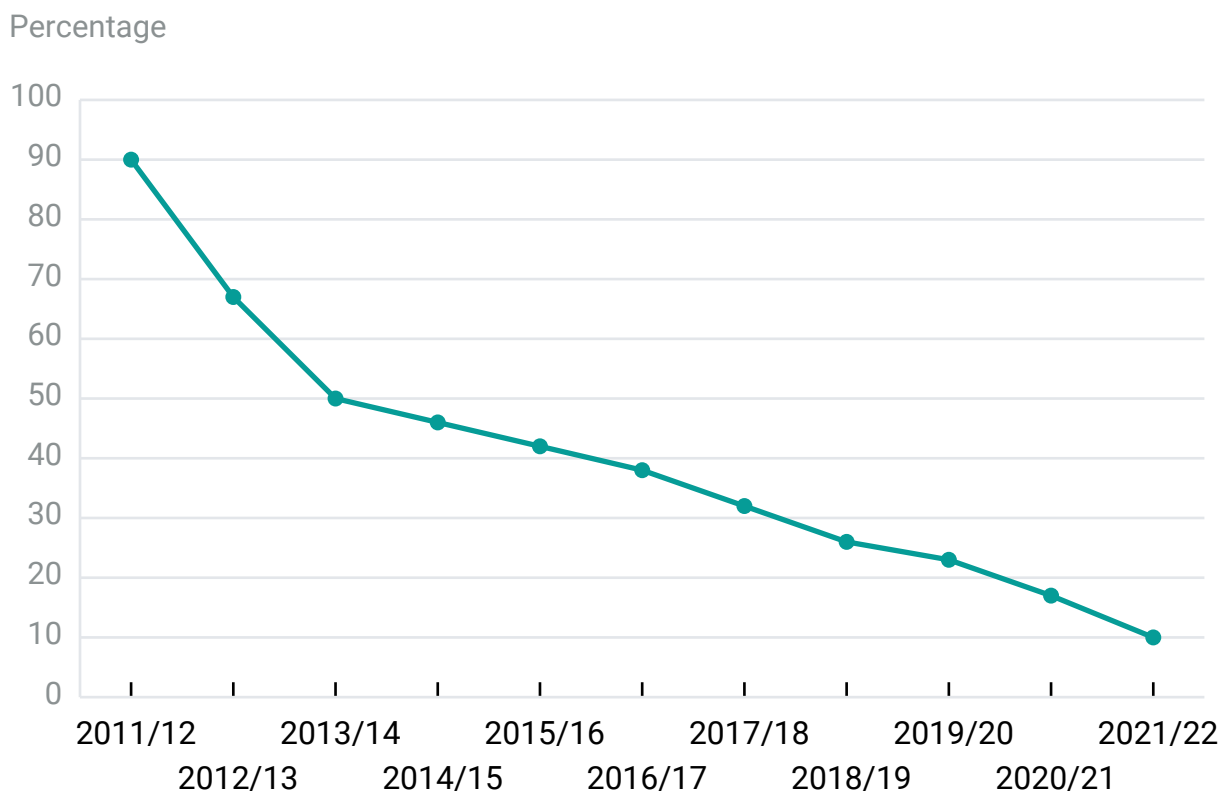
## Justice

### Youth custody

**There were on average 10 children from Wales aged 10–17 in custody in 2021/22,<sup>29</sup> down from 17 children in 2020/21 and the lowest number on record. The average youth custody population has dropped by 88.5% over the past decade.**

The proportion of young people from Wales in the overall youth justice population in England and Wales has fallen from 4.6% in 2011/12 to 2.3% in 2021/22 (Youth Justice Board, 2023).

**Figure 18: Youth custody population aged 10–17 from Wales, 2011/12 to 2021/22**



(Source: Youth Justice Board)

<sup>29</sup> These are cases in which the child's 'home' youth justice service is Wales.

## Domestic abuse

**Data from 2019/20<sup>30</sup> indicates women in England and Wales aged 16–19 were significantly more likely to be victims of domestic abuse in the past twelve months than women aged 25 and over. There were fewer differences by age among men, though those aged 55–74 were less likely to experience domestic abuse than most other age groups (ONS, 2020).**

## Sexual assault

Men and women aged 16–24 in England and Wales are more likely to experience sexual assault than those aged 25 years and over (ONS, 2021a). Younger women (aged 16–24) are more likely to be victims of rape or assault by penetration than women in older age groups (ONS, 2021b).<sup>31</sup>

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30 More recent CSEW data on domestic abuse is based on six months of data collection rather than a full year, and are regarded as less robust and therefore not badged as a National Statistic.

31 Based on three years of pooled data from the Crime Survey for England and Wales – 2017/18, 2018/19 and 2019/20.

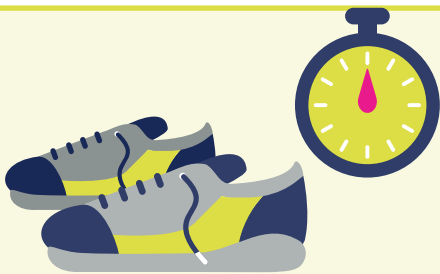
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## Participation

### Civic participation and ability to influence local decisions

SHRN research found that in 2021/22 44% of young people in Wales felt they had a say in planning and organising school activities and events (Page et al., 2023b). Similarly, 44% agreed that pupils got a lot of opportunities to help decide and plan school projects and 46% agreed pupils' ideas were taken seriously in their school.

### Physical activity



In 2021/22, 16.2% of young people reported they did at least 60 minutes of physical activity per day in the past seven days.

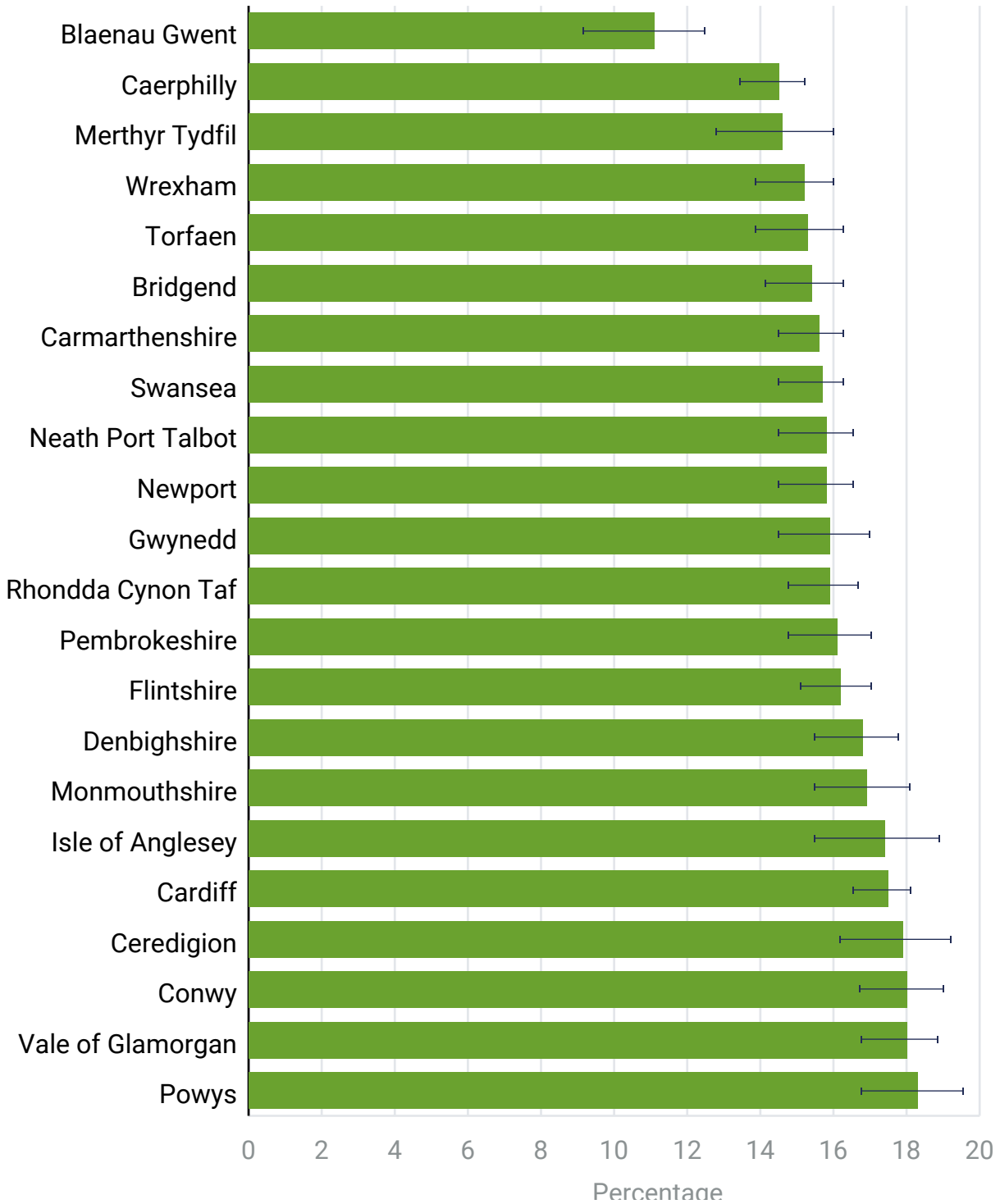
This has fallen since 2016/17 when 18.3% of young people reported meeting the recommended 60-minutes daily activity level (Public Health Wales, 2023).

Significantly fewer young people did the recommended amount of physical activity in Caerphilly and Blaenau Gwent, in both 2019 and 2021 compared with the Welsh average (Public Health Wales, 2023).<sup>32</sup>

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<sup>32</sup> This is based on statistical significance.

**Figure 19: Percentage of young people doing recommended 60-minute daily physical activity in the past seven days, 2021/22, by Welsh local authority**



(Source: Public Health Wales)

### Social and community cohesion

Just over half (53.5%) of young people in Wales reported feeling their teachers cared for them as a person in 2021/22, a percentage which has been steady in 2017. Pupils in Gwynedd, Conwy, Flintshire, Ceredigion and Cardiff are consistently less likely to feel this way, while pupils in Swansea, Neath Port Talbot, Merthyr Tydfil, Blaenau Gwent and Caerphilly are more likely than average to report such feelings (Public Health Wales, 2023).

The same 2021/22 study found 65% of young people agree they get the help and emotional support they need from their family, fewer than the 70% who agreed with this statement in 2019/20. The number of young people who agree they can count on their friends when things go wrong also fell, from 66% in 2019/20 to 63% in 2021/22 (Page et al., 2023b).

## Older people

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### Education

**Analysis of APS data on Wales found people aged 55–64 are least likely to have done any learning activity in the previous three months. But over time the number of people of this age who participate in learning activities has steadily grown between 2010/11 (12.6%) and 2021/22 (16.6%).**

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## Work

### Trends in older working-age adult employment

**The 55–64 age group in Wales had a lower employment rate than all younger age groups between 2010/11 and 2019/20.<sup>33</sup>**

In addition to low employment rates, this group had particularly high rates of economic inactivity. In 2019/20, 40.1% of people aged 55–64 were economically inactive. But the 55–64 age group also saw faster growth in employment than most other groups between 2010/11 and 2019/20, rising from 45.3% to 58.4%. In addition, rates of unemployment and economic inactivity fell for 55–64 year olds.

There was no significant change in the employment rate for people aged 55–64 in Wales between 2019/20 and 2021/22, unlike Britain as a whole, which saw a drop in employment among 55–64-year-olds with rates of economic inactivity also increasing.<sup>34</sup>

Despite long-term growth in employment among the 55–64 age group, their earnings have not grown in real terms between 2010/11 and 2019/20. This has created a 10.9% wage gap with workers aged 45–54, who saw 52% growth in median hourly earnings during the same period.

In 2019/20, workers aged 55–64 were the second least likely age group to be in a high-paid occupation (HPO). The proportion of workers in a HPO in all other under-65 age groups rose between 2010/11 and 2019/20, but rates for 55–64-year-olds showed no significant change. This has significantly widened the gap in HPO rates between workers aged 45–54 and those aged 55–64, from 1 percentage point to 6.9 percentage points.

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33 All analysis in this paragraph excludes full-time students. When students are included, analysis shows that 16–24-year-olds have a lower employment rate than 55–64-year-olds.

34 This difference may be a consequence of smaller sample sizes for Wales than Britain.

### Trends in post-retirement age employment

Employment rates grew for adults aged over 65 between 2010/11 and 2019/20. Rates rose from 1.9% to 3.5% among those aged over 75 and from 11.7% to 15.3% for people of 65–74. Their employment rates are still lower than the rates for all pre-retirement age groups.

Analysis of APS data shows rates of insecure employment are particularly high for 65–74 year-olds.<sup>35</sup>

**In 2019/20, 11.7% of workers aged 65–74 age were in insecure jobs.**

Workers aged 16–24 were the only age group to have a higher rate of insecure employment. The proportion of workers aged 65–74 in insecure employment did not change between 2010/11 and 2019/20.

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## Living standards

### Levels of poverty among older adults

Our analysis of the FRS data for Wales found limited changes in poverty among older adults.<sup>36</sup> Poverty rose among those aged 65–74 from 2010/11 (10.4%) to 2019/20 (18.0%) due to an increase from 2014/15.

Official statistics indicate that households in fuel poverty are generally older (Welsh Government, 2022p). In October 2021, 24% of all fuel-poor households in Wales contained a household reference person (HRP) aged over 75 and 41% had an HRP aged 65 or over.<sup>37</sup>

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35 Data looking at workers aged 75 and over is not robust enough to comment on.

36 This is shown in Figure 14 depicting the percentage of adults in poverty in the young people outcomes section of this chapter.

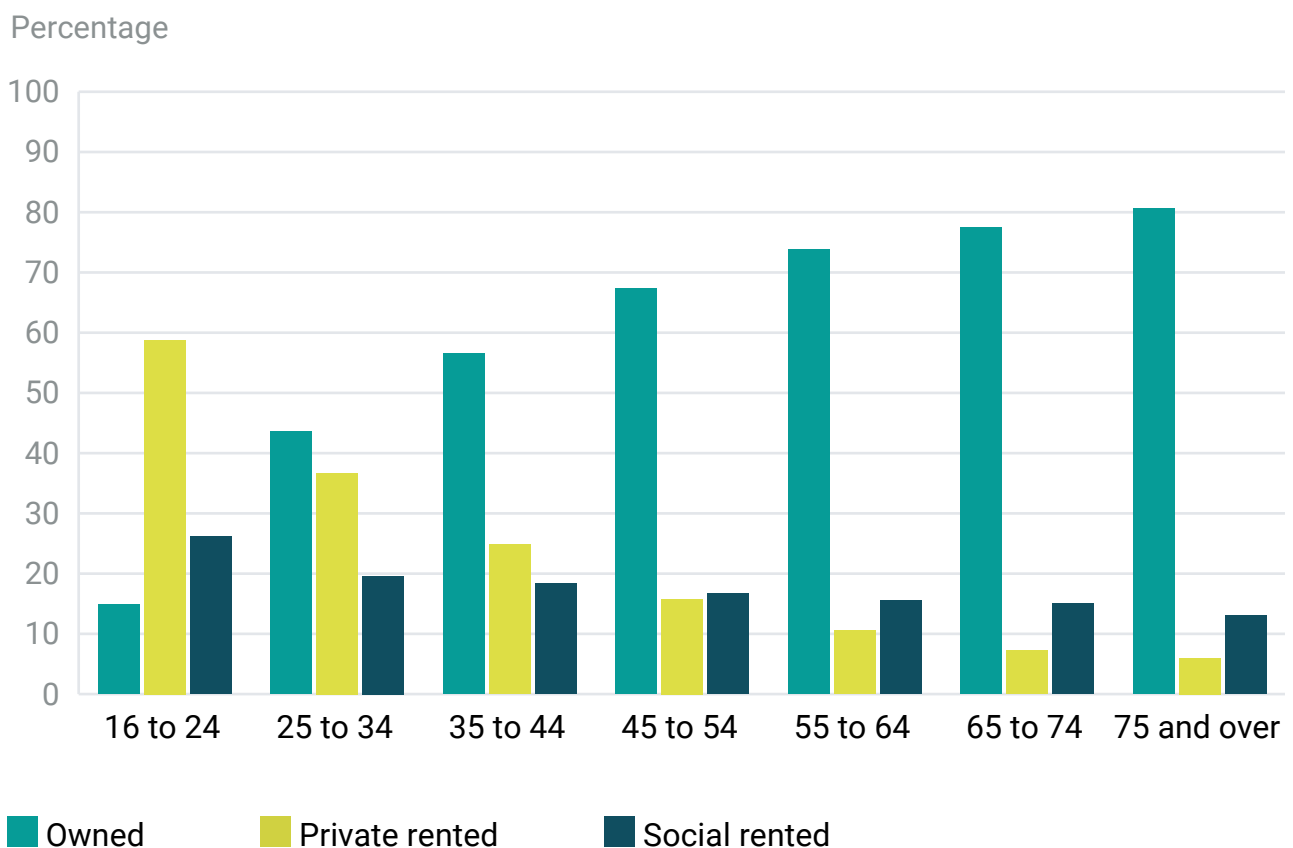
37 The HRP is usually the person in whose name the property is owned or rented.



## Home ownership

Home ownership is higher among older adults than among younger people. Census 2021 data shows that 80.6% of those aged 75 and over were homeowners, almost double the number of homeowners aged 25–34 (43.6%) and more than five times higher than the proportion of people aged 16–24 who owned their own home (14.9%) (ONS, 2023b).

**Figure 20: Housing tenure by age of household reference person in Wales, 2021**



(Source: Office for National Statistics)

However, research by housing charity Care & Repair Cymru suggests older people on low incomes may struggle with costs to maintain their homes, increasing the risk of health problems (Care & Repair Cymru, 2022). Analysis of the 2017/18 Welsh Housing Conditions Survey found 18% of dwellings in Wales had at least one 'category 1' hazard, creating particular risks to older people's health, well-being and safety such as falls and excess cold (Nicol et al., 2022).

### Social care

Most people who use social care services are older adults. Data from the Welsh Government (2019g) shows that, before the pandemic, 75.1% of adults who received social care support during 2018/19 were aged 65 and over, and more than a third (36.6%) were 85 and over.

Our analysis of the National Survey for Wales (NSW) found social care users aged 65 and over were more likely to report that care support services had helped them to have a higher quality of life both before (2018/19) and during the COVID-19 pandemic (2020/21), compared to those aged 45–54 years.

In 2018/19, 60.6% of the 45–54 age group felt this way, compared with 76.0% of those aged 65–74 years and 87.3% of people aged 75 and over. In 2020/21, more social care users aged 65–74 (85.7%) felt this way, while the proportion aged 45–54 (66.4%) and 75 and over (86.7%) remained similar. But this data does not fully capture the impact of the pandemic beyond 2020/21.

### Social care during the pandemic

In the first three waves of COVID-19 (to January 2022), 2,367 deaths of care home residents in Wales involved COVID-19, accounting for 17.4% of all care home resident deaths in Wales. Most of these deaths were of adults aged 65 and over (98.3%), the majority of whom were aged 80–84 (18.3% of all deaths), 85–89 (24.9%) and 90 and over (38.7%) (ONS, 2022a).

In 2020, the Older People's Commissioner for Wales reported on the experiences of older care home residents and their families, and the consequences of restrictions to their physical and mental health. It was also reported that some packages of care delivered to people in their homes were suspended, leading them to rely on friends and family for care (Older People's Commissioner for Wales, 2021).

### Unpaid carers

The 2019/20 NSW found a significant association between age and providing unpaid care. People aged 45–74 were most likely to be carers (Welsh Government, 2021m).

The Census 2021 showed the highest percentage of people providing unpaid care in Wales were aged 55–59 (18.5%), as was the case in 2011 (23.2%). Those aged 80–84 had the highest percentage (7.0%) providing more than 50 hours of care a week (ONS, 2023c). Among women, those aged 75–79 (6.9%) and among men those aged 85–89 (8.7%) provided the highest percentage of 50 or more hours of unpaid care (ONS, 2023a).

Women in Wales were significantly more likely to provide unpaid care in every age group up to 70–74. From the age of 80 onwards, men were significantly more likely to be unpaid carers. There were no significant differences among those aged 75–79 (ONS, 2023a).

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## Health

### Mental health

NSW data shows that people over 65 in Wales reported lower levels of poor mental well-being than younger age groups in 2018/19. The NSW results show that 14.3% of 65–74 year-olds and 15.7% of over-75s had poor mental well-being compared with 24.6% of adults aged 45–54.<sup>38</sup> A study benchmarking the health of older people in Wales against the rest of the UK found over-60s in Wales had the poorest health outcomes for psychological well-being (Hyde et al., 2021).

### Healthy life expectancy

Healthy life expectancy – the number of years an average person can expect to live in good health – was 62.4 years for women in Wales and 61.5 years for men in 2018–2020 (Welsh Government, 2022q). Deprivation can add inequalities – for example, healthy life expectancy was 54.2 years for men living in the most deprived areas, compared with 67.6 in the least deprived areas (ONS, 2022c). The gap was wider among women, with those in the most deprived areas of Wales expected to have 53.3 years of healthy life compared with 70.2 years in the least deprived areas.

This healthy life expectancy gap combines with shorter overall life expectancies in more deprived areas, meaning people living in such areas are likely not only to have a shorter life but to spend a higher proportion of it in poor health. Women in the most deprived areas are expected to spend nearly a third of their lives with an activity-limiting illness. This is likely to link with attendant costs to health services as Welsh Government analysis showed that women in older age groups and people with poor health were the groups most likely to use GP and hospital services in 2021/22 (Welsh Government, 2022r). In spite of this, the most deprived areas have fewer Primary Care staff per 10,000 practice population compared with less deprived areas (Welsh Government, 2022s).

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38 This is measured using the Warwick-Edinburgh Mental Wellbeing Scale (WEMWBS). Poor mental wellbeing is defined as an overall score less than 44.

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## Justice

### Ageing population in prisons

**The number of older people in prisons in England and Wales has increased substantially over time and there are concerns about whether the prison system meets their needs (House of Commons Justice Committee, 2020).**

There were 3,824 people aged 60–69 in prison at the end of March 2023, and 1,876 of these were aged 70 or over (MoJ and HMPPS, 2023). The number of prisoners aged over 50, over 60 and over 70 is projected to increase between November 2022 and November 2024 in line with an expected overall rise in the prison population in England and Wales (MoJ, 2023).

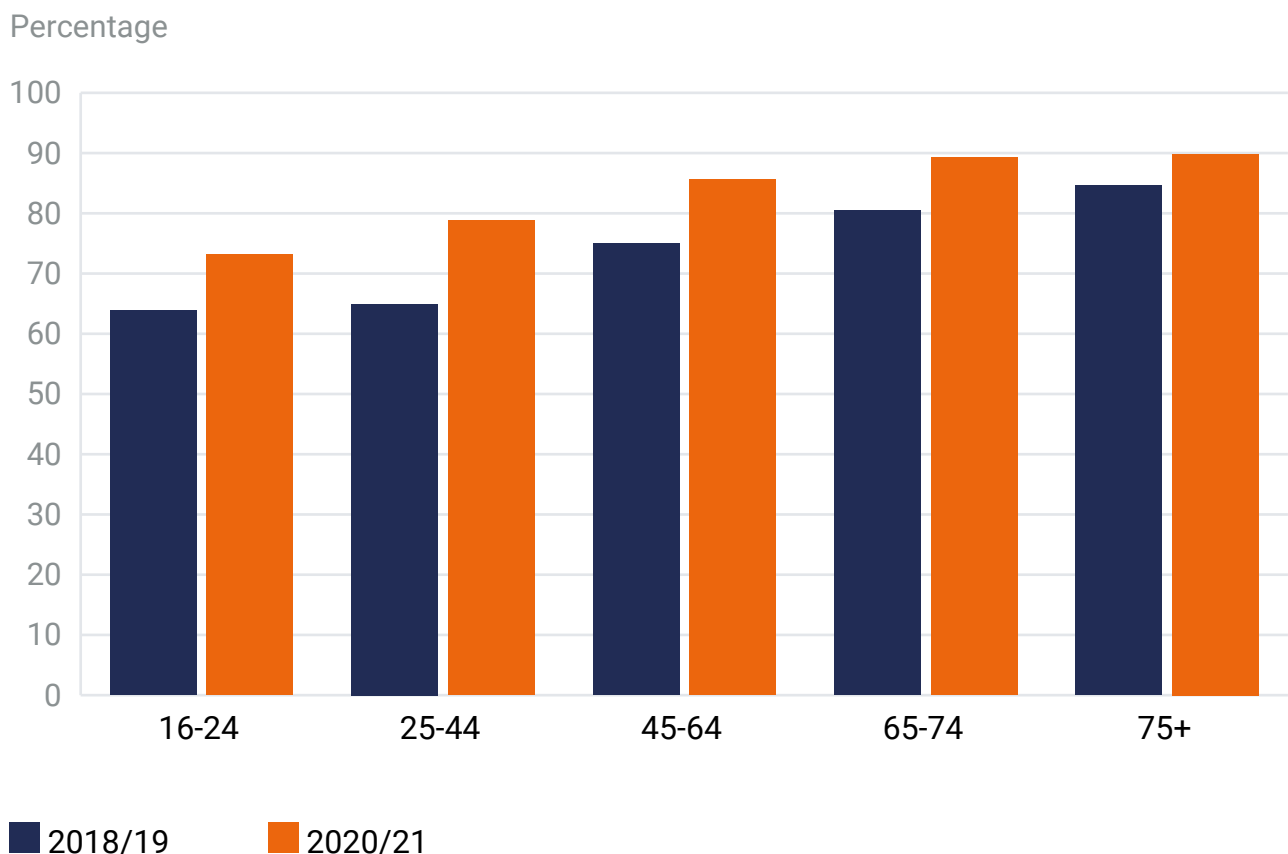
Both a Justice Committee report in England and Wales, and a review of the experience of older prisoners in Scotland, found similar issues relating to the ageing prison population. These included poor general accessibility (particularly in older buildings), difficulty accessing suitable health and social care facilities and a lack of age-appropriate recreation (House of Commons Justice Committee, 2020).

## Participation

### Sense of belonging

NSW findings from 2020/21 suggest that people aged 65–74 and 75 and over are more likely to feel they belong in their local area. However, between 2018/19 and 2020/21 adults in all age groups have become more likely to feel like they belong in their local area (Welsh Government, 2021n).

**Figure 21: Proportion of people in Wales who strongly agree/agree they belong to their local area, by age, 2018/19 and 2020/21**

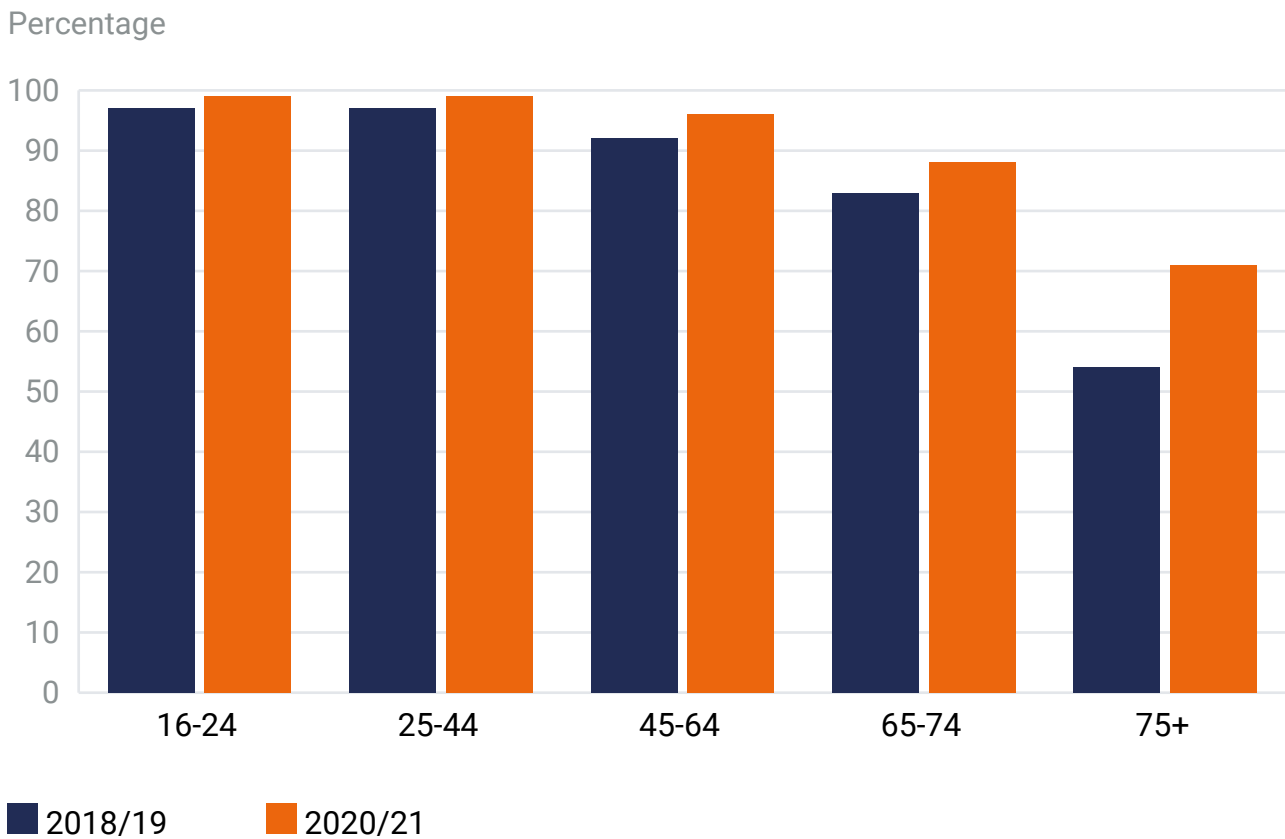


(Source: Welsh Government)

### Internet access

People in Wales aged 65–74 or over 75 were significantly less likely to have internet access at home in 2021/22 than all younger age groups. But the proportion of people in post-retirement age groups who have internet access went up between 2018/19 and 2021/22 (Welsh Government, 2021n).

**Figure 22: Proportion of people in Wales with internet access at home, by age, 2018/19 and 2020/21**

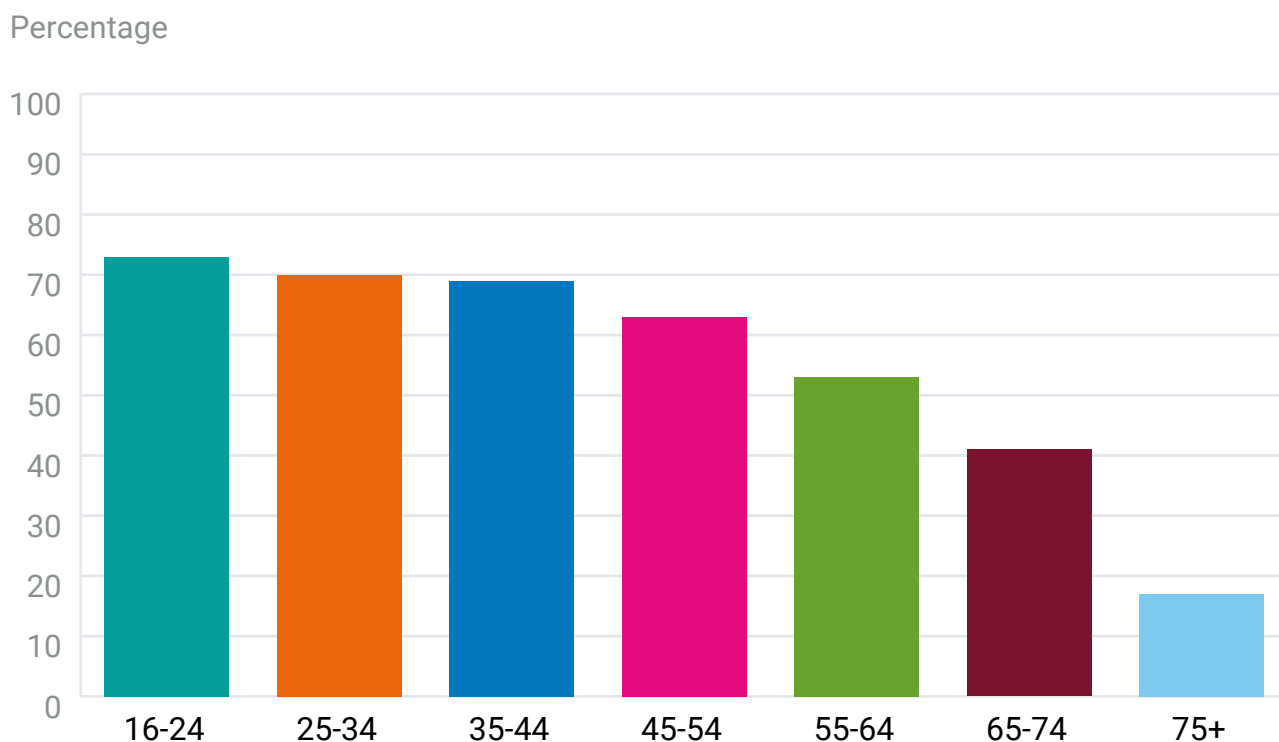


(Source: Welsh Government)

### Participation in sport

NSW data from 2020/21 suggests that people aged 65–74 and 75 and over were less likely than other age groups to have participated in any sport or physical activity. Similar rates of sports participation were seen in 2019/20 (Welsh Government, 2021n).

**Figure 23: Proportion of people in Wales who engaged in sport or physical activity, by age, 2020/21**



(Source: Welsh Government)



## Recommendations

20. The Welsh Government and other key stakeholders should take action to address barriers to older people's access to high quality all age apprenticeships.
21. The Welsh Government, through its Mental Health Strategy, should increase access to age-appropriate mental health services for children and young people.
22. The Welsh Government and local authorities should address the high and rising numbers of children looked after in Wales.
23. Local authorities should comply with the Social Services and Well-being (Wales) Act 2014 to conduct carers needs assessments and then act on the needs identified to ensure carers' health and well-being needs are met.
24. The Welsh Government should increase digital inclusion for those aged over 65 and ensure that services such as health and social care are accessible for those without access to the internet or digital literacy skills.

# Disability

At the onset of COVID-19, there were some positive changes in the labour market for some disabled people. However, these have not lasted and employment and pay gaps remain an issue.

The education attainment gap for disabled children is significant. The provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 may have a positive impact by creating a unified legislative framework, integrating the process of assessment, planning and monitoring support for learners with additional learning needs, and improving systems for providing information and advice and resolving concerns. But it is too early to evaluate the new system, there is uncertainty about funding and there are concerns about implementation following implementation delays. The provisions of the Act predate the pandemic and the resulting exacerbation of the educational challenges that disabled children and their families face.

The COVID-19 pandemic had a significantly disproportionate impact on disabled people in all areas of life, highlighted in the report 'Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19' (Welsh Government, 2021b). The Welsh Government responded by creating the Disability Rights Taskforce and dedicated working groups.

There are difficulties in understanding the inequalities faced by specific groups of disabled people. The differences in the gaps and rates between groups are not always clear, due to the lack of available evidence, issues of aggregation or sample and population sizes in the data. The issues faced by people with a learning disability, for example, may be concealed by the aggregation or conflation with learning difficulties into a single category in data sets. To ensure the evidence in this report is reliable and robust aggregated figures have been used.

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### **Definitions and terminology**

In general, we use language in this report in accordance with the preferences of disabled communities, for example using the terms 'disabled people' and 'people with a learning disability'.

We use the term Additional Learning Needs (ALN) rather than Special Educational Needs (SEN) to be consistent with the change in language in Welsh policy. However, if SEN is a term used in a specific evidence source, then this will be the term used when discussing that evidence. The term 'Additional Learning Needs' is defined in Part 2, s2 of the Additional Learning Needs and Educational Tribunal (Wales) Act 2018. Evidence here is usually at an aggregated level to ensure the figures are reliable and robust. We often have just two categories, 'disabled' and 'non-disabled', for the evidence. Where we have disaggregation, we have used the terminology from the relevant data set, usually lists of 'types of impairment'.

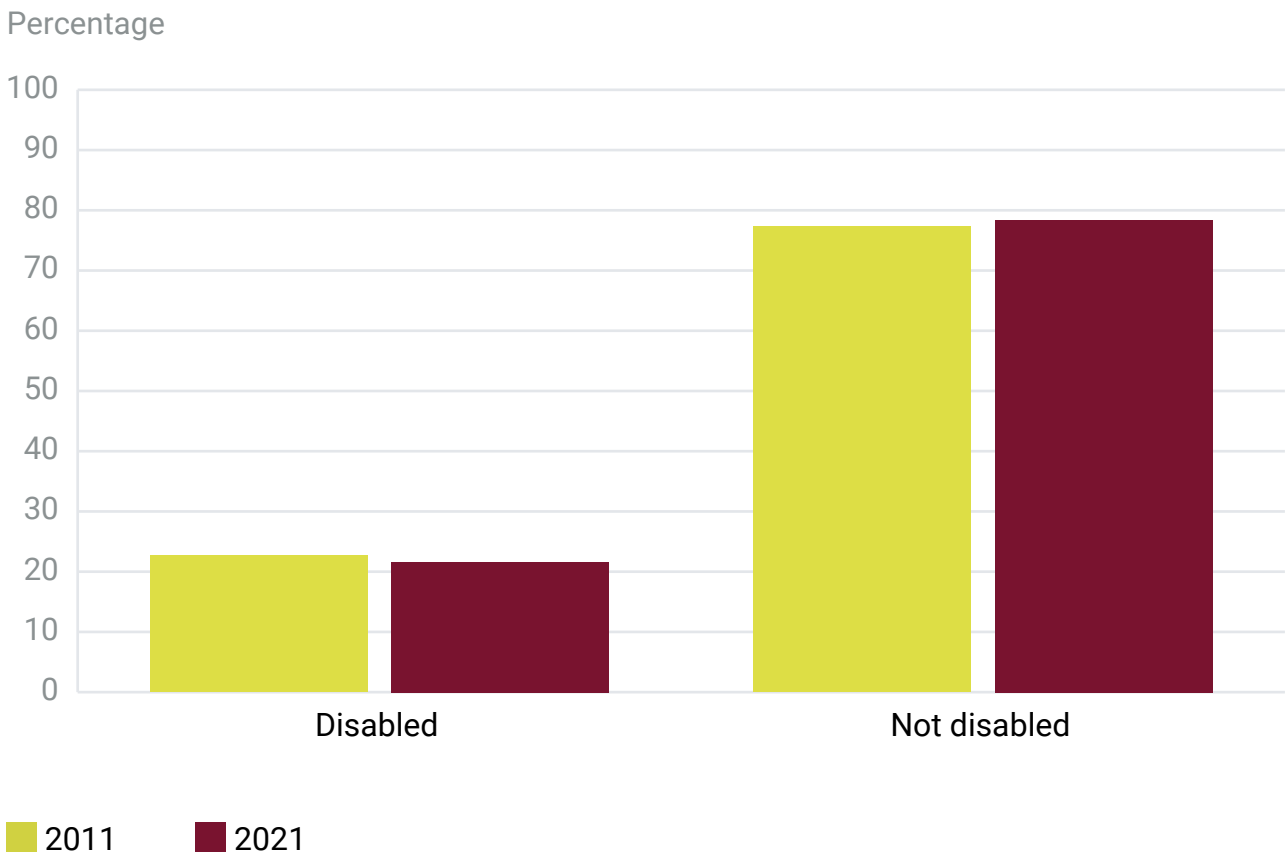
### Key findings

- The education attainment gap at foundation phase level between disabled and non-disabled children has widened. In 2018/19, 42.5% of pupils with a disability / SEN achieved foundation phase outcomes compared to 92% of pupils without a disability / SEN.
- Disabled adults are less likely to be employed than non-disabled adults. However, the disability employment gap narrowed from 39.6 percentage points in 2013/14 to 36.2 percentage points in 2019/20. Despite employment gaps improving, earnings gaps are worsening, as disabled workers earned 15.1% less in 2019/20, compared to 8.0% less in 2013/14.
- Disabled people are less likely to be homeowners than non-disabled people and are more likely to be living in poverty and severe material deprivation. However, there has been a significant decrease in the proportion of disabled people living in severe material deprivation, from 40.5% in 2015/16 to 24.3% in 2019/20.
- Disabled adults report poorer mental health outcomes than non-disabled adults, as 34.3% of disabled people reported having poor mental health, compared to 15.4% of non-disabled people in 2018/19.
- Disabled people have been significantly over-represented in deaths from COVID-19. People with a learning disability were three to eight times more likely to die from COVID-19 than the wider population.
- The proportion of disabled people reporting experiencing domestic abuse in the past 12 months is around three times greater than that reported by non-disabled people. Disabled people are also less likely to have confidence in the criminal justice system.

## Demographics

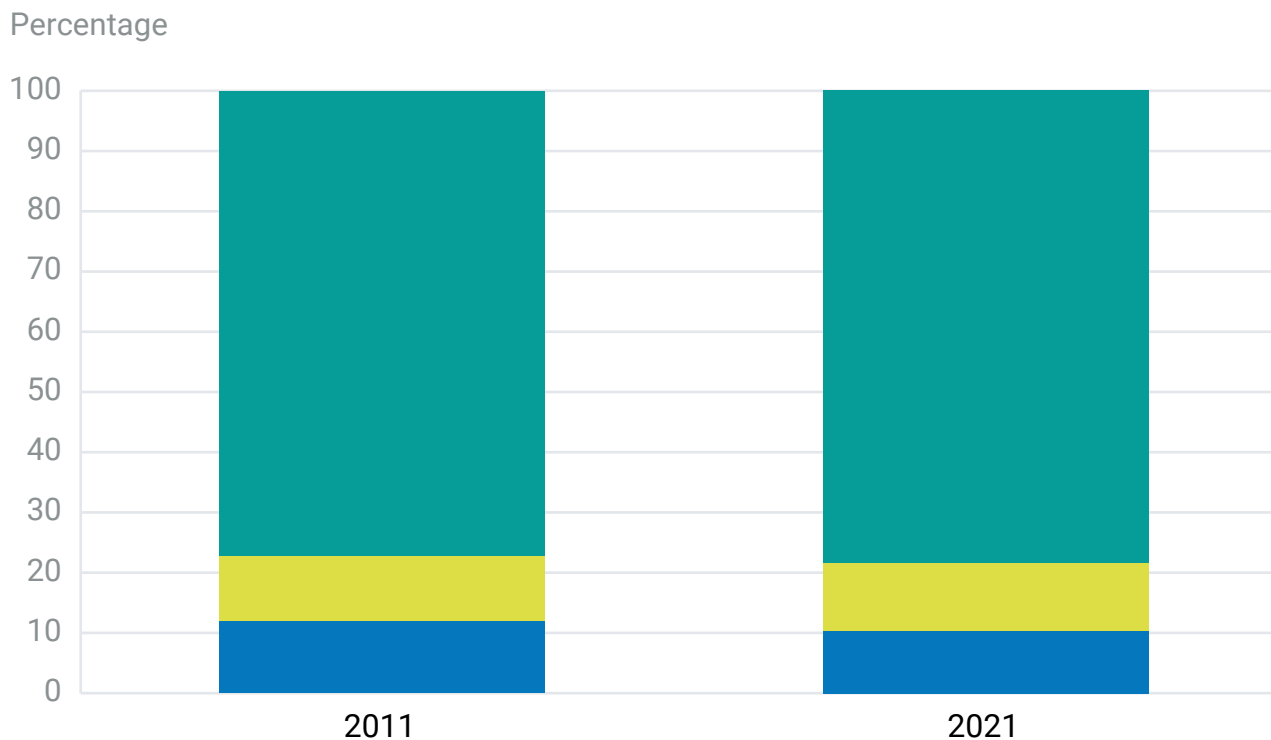
The 2021 census shows that disabled people make up 21.6% of the population of Wales. This percentage has decreased since the 2011 census (22.7%) and the number of disabled people has fallen by over 25,000 (ONS, 2023). The census results also show that 11.3% of the population of Wales are disabled people who report that their daily activities are limited a little and 10.3% who report that their daily activities are limited a lot.

**Figure 24: Percentage of disabled people in total population of Wales: census results 2011 and 2021**



(Source: Office for National Statistics)

**Figure 25: Disabled people in Wales by level of activity limitation: census results 2011 and 2021**



- Not disabled
- Day-to-day activities limited a little
- Day-to-day activities limited a lot

(Source: Office for National Statistics)

## Legal and policy developments

The Programme for Government 2021 to 2026 (Welsh Government, 2021a) sets out commitments to address inequalities faced by disabled people. These include increasing disabled people's employment, legislation to reduce disability pay gaps, making public transport more accessible and incorporating the UN Convention of the Rights of Persons with Disabilities (UNCRPD) into Welsh law.

The Welsh Government's Strategic Equality Plan 2020–2024 (Welsh Government, 2020a) shows commitment to a Social Model of Disability to create better policy and services. The government first made this commitment in 2002.

Before COVID-19, 'Action on disability: the right to independent living framework and action plan' (Welsh Government, 2019a) set out the actions the Welsh Government was taking to improve the lives of disabled people across Wales and fulfil its obligations under the UN CRPD.

The Welsh Government commissioned an inquiry in response to the impact of the pandemic on disabled people.

**The resulting 'Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19' report (Welsh Government, 2021b) highlighted a wide range of factors, including discrimination, poor housing, poverty, employment status and poor services, that contributed to the disproportionate number of deaths from COVID-19 among disabled people.**

The First Minister of Wales established the Disability Rights Taskforce to bring together disabled people, government and disabled people's civil society organisations to develop a cross-governmental action plan to address the barriers highlighted in the report.

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## Disability

The taskforce has identified seven priority areas: understanding and embedding the Social Model of Disability;<sup>39</sup> access to services (including accessible communications); affordable and accessible housing; employment and income; travel; children and young people; and independent living, health, well-being and social care.

### Human rights

In their response to the ‘Strengthening & Advancing Equality and Human Rights in Wales’ (Hoffman et al., 2021) research report, the Welsh Government has committed to exploring further incorporation of convention rights and a potential Human Rights Bill for Wales, as well as actions to: develop guidance on human rights; incorporate human rights in their integrated impact assessments; and review the Public Sector Equality Duty (PSED) in Wales. A Human Rights Advisory Group has been established to oversee this work.

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## Education

Education policy is devolved to Wales. In September 2021, the Welsh Government began a three-year phased implementation of the Additional Learning Needs and Educational Tribunal (Wales) Act 2018, a new statutory framework to change the separate systems for special educational needs (SEN) and learning difficulties and / or disabilities (LDD) in further education and create a single system for supporting learners up to the age of 25 with additional learning needs (ALN).

The new framework aims to improve the system by ensuring the views of children and their parents are listened to, the right support is put in place quickly, education and health services work together and, if children and their parents are not happy with decisions, they have legal rights to challenge them (Welsh Government, 2022a).

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39 The social model of disability is a way of thinking about disability, created by disabled people. It recognises that people with impairments are disabled by barriers that commonly exist in society. These barriers can be physical, social and attitudinal and can prevent disabled people’s inclusion.



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### Work

In 2018, the Welsh Government responded to evidence of the low number of disabled apprentices and a recommendation from the Senedd Economy and Infrastructure and Skills Committee with the Inclusive Apprenticeships: Disability Action Plan for Apprenticeships 2018–21. This set out a range of commitments, including: modify apprenticeship criteria to ensure flexibility to meet the needs of disabled people; raise awareness among employers of the support available; and improve routes into apprenticeships (Welsh Government, 2018a). The plan has been supported by an additional payment of £1,500 to employers for each disabled apprentice they hire. In its next Equality Annual Report (covering 2019 to 2021,) the Welsh Government reported that the number of disabled apprentices had increased year on year, reaching 6.9% in 2019 (Welsh Government, 2021c).



The Welsh Government's 2018 Employability Plan recognised the low number of disabled people in work and set commitments to reduce the number of disabled people out of work (Welsh Government, 2018b).

Its 2022 follow-up plan, Stronger, Fairer, Greener Wales – A Plan for Employability and Skills, highlighted the actions taken (Welsh Government, 2022b). These included establishing a network of Disabled People's Employment Champions to support businesses with the recruitment and retention of disabled people and the publication of guidance for employers (Welsh Government, 2020b).

### Health

Health policy and social care policy are devolved to Wales.

In June 2020, through the Health and Social Care (Quality and Engagement) (Wales) Act, the Welsh Government created provision for the new Citizen Voice Body for Health and Social Care in Wales (Llais). This will represent health and social care users to challenge decisions and help improve services. Llais was established in April 2023.

The Welsh Government has published several cross-cutting strategies for health and social care that aim to improve services for disabled people.

### Autism

In 2021, the Welsh Government published a code of practice on the delivery of autism services and supporting guidance, developed under the Social Services and Well-being (Wales) Act 2014 and the National Health Service (Wales) Act 2006 (Welsh Government, 2021d). The code aimed to clarify the responsibilities of health boards, local authorities and regional partnership boards and the services they provide to support autistic people. A 2021–22 delivery plan focused on priorities including support for autistic people from ethnic minority backgrounds (Welsh Government, 2021e).

**In July 2022, the Welsh Government announced an additional £12 million funding to support a new Neurodivergence Improvement Programme. The programme will develop an integrated approach to identifying and supporting people with neurodiverse conditions, seeking to address assessment waiting times and provide additional advice and support services for parents and carers (Welsh Government 2022c).**

### **Learning disabilities**

The Welsh Government's 2022 Learning Disability Strategic Action Plan builds on the previous Improving Lives programme (Welsh Government, 2022d). The plan focuses on priority areas including: reducing health inequalities and avoidable deaths; social care; supporting independent living; improving access to services through increased access to advocacy; education; employment; and housing.

### **Mental health**

Together for Mental Health is the Welsh Government's 10-year cross-governmental strategy to improve mental health and well-being across all ages (Welsh Government, 2012). The strategy is based on a human rights approach and has six high-level outcomes, including improving the mental health and well-being of the whole population and reducing the impact of mental health problems. It aims to reduce the inequalities, stigma and discrimination experienced by people experiencing mental health problems and mental illness and ensure individuals have better access to, and experience of, support and services. A National Mental Health Partnership Board was set up to oversee implementation and progress. An evaluation of the strategy was due to be completed in 2022.

### **Dementia care**

In 2018, the Welsh Government launched its Dementia Action Plan for Wales 2018–2022, aiming to establish Wales as a dementia-friendly nation (Welsh Government, 2018c). Please see the Older People section in the Legal and Policy Development section in the Age Chapter.

### **Social care reforms**

Social care services in Wales were under substantial pressure before COVID-19 due to demand for local authority-funded care and staff shortages. The pandemic had a significant impact on the social care sector and support provided to disabled people. Through the Coronavirus Act 2020 the Welsh Government modified certain local authority duties in relation to adult social care.

**As part of its social care reforms, the Welsh Government published the Rebalancing Care and Support White Paper in 2021 which sought to address issues such as the growing demand for care services, complex commissioning practices and a fragmented system with resource challenges (Welsh Government, 2021f).**

It included proposals for a National Framework for care and support that would set standards for social care commissioning, rebalance commissioning to focus on outcomes and quality over cost, reduce complexity and strengthen regional partnerships. A national office would be established to oversee its implementation. A full consultation on the National Framework was launched in May 2023 with implementation in 2024.



**As part of the Co-operation Agreement with Plaid Cymru in 2021, the Welsh Government committed to establish an expert group to provide advice by April 2022 on steps to create a national care service that is free at the point of need (Welsh Government, 2021a).**

The expert group published its advice in 2022 setting out a set of changes required to realise the ambition of a national care service including: establishing a National Care and Support Office; co-producing care with citizens in Wales; supporting and valuing the workforce; supporting what matters; partnering locally around the person needing support; investing in prevention and early intervention; and paying for care (Welsh Government, 2022e).

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## Living standards

### Poverty

Our evaluation report on the implementation of the socio-economic duty by 24 public bodies in Scotland and Wales identified a lack of employment opportunities and housing and health inequalities among disabled people as priority areas for Welsh public bodies to address (EHRC, 2021). Further detail on the socio economic duty is available in the chapter on Developments affecting multiple groups.

### Housing

Many aspects of housing policy are devolved to Wales. In 2021 the Welsh Government issued updated and simplified development quality requirements for building all publicly-funded affordable housing schemes in Wales (Welsh Government, 2021g). They retain the accessibility requirement for all homes to meet the Lifetime Homes Standard.

Several reviews, including our housing inquiry (EHRC, 2018) and an Audit Wales report (Audit Wales, 2018), highlighted the challenges and complexities of securing housing adaptations to support disabled people to live independently. The Welsh Government issued the Housing Adaptations Service Standards in response, aiming to improve the delivery and installation of housing adaptations in Wales (Welsh Government, 2019b).

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### Participation

A longstanding aim of the Welsh Government is to increase the diversity of decision-makers in public life and public appointments. Its Diversity in Democracy programme, which ran from 2014 to 2017, aimed to address this through a mentoring initiative, communications campaign, employer engagement initiative and engagement with political parties. Evaluation of the programme found lack of sufficient remuneration; childcare; and balancing work demands were some of the barriers to greater diversity (McConnel and Stevenson, 2019).

**The Access to Elected Office Fund for Wales enabled disabled people standing for election to the Senedd in May 2021 and local elections in May 2022 to apply for assistance with additional costs such as assistive aids, training, travel, personal assistance and communication support to overcome barriers to standing.**

The Fund received a total of 21 applications from candidates, six of whom were elected to office (Welsh Government, 2022f).

The Local Government and Elections (Wales) Act 2021 includes provisions aimed at increasing diversity of councillors and enabling greater participation in local democracy. This includes duties to encourage local people to participate in decision-making and to prepare and publish a public participation strategy, developed in conjunction with communities.

### Accessible transport

The Programme for Government 2021–2026 (Welsh Government, 2021a) included a commitment to make the public transport system more accessible to disabled people. This sits alongside actions in Llwybr Newydd: the Wales Transport Strategy 2021 (Welsh Government, 2021h). The strategy includes actions to invest in upgrading transport services and infrastructure to ensure they are accessible, and commitments to use inclusive design principles in investment decisions. The Welsh Government's 2022 annual report said it had upgraded services and railway stations to make them more accessible and invested £10 million to ensure 11 further stations on the network provide step-free access (Welsh Government, 2022g).

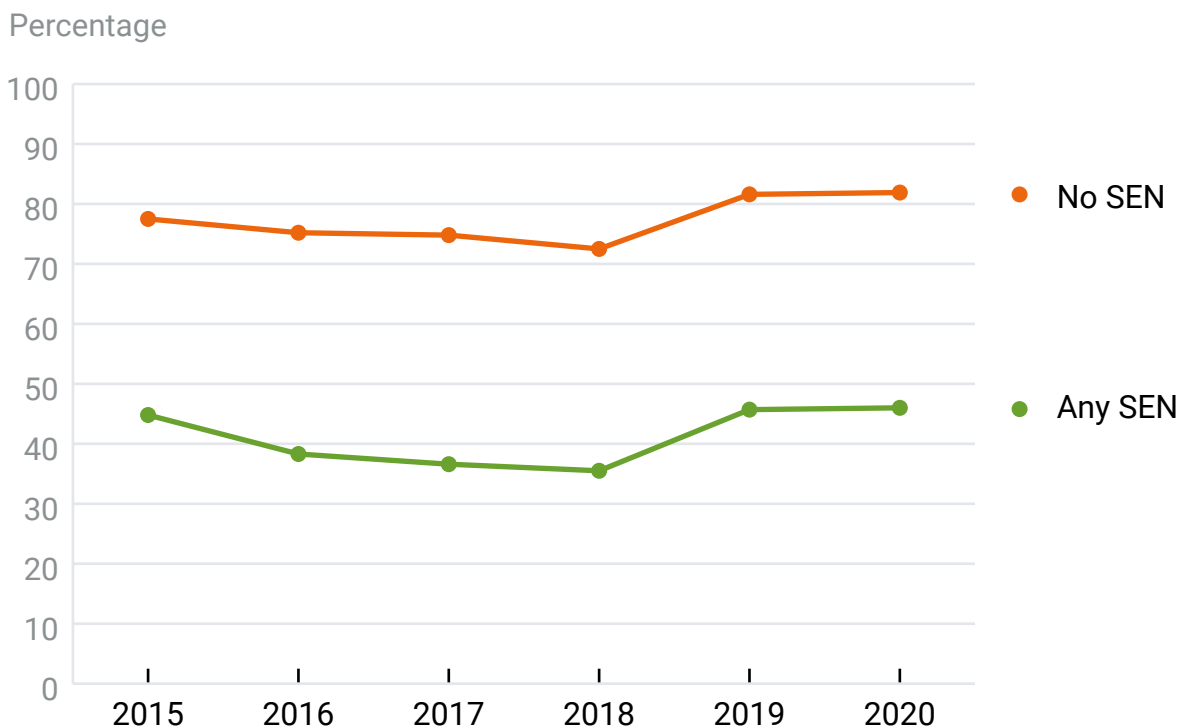
# Outcomes

## Education

### Early years' foundation phase

Analysis of the Welsh Government's foundation phase (ages 3–7) framework outcomes statistics found that, from 2011/12 to 2014/15, attainment for children with a disability / SEN<sup>40</sup> and children without a disability / SEN improved year on year with the gap narrowing to -38.5 percentage points in 2014/15 between children with a disability / SEN (57.8%) and children without a disability / SEN (96.4%). From 2015/16 there was an increase in the attainment gap and by 2018/19 the gap between those with a disability / SEN (42.5%) and those without a disability / SEN (92.0%) widened to -49.5 percentage points and was wider than in 2011/12.

**Figure 26: Attainment gaps between children with and without a disability / SEN – Wales – 2012-2019**



(Source: EHRC analysis of Welsh Government data)

40 The dataset for the evidence used the term SEN. Overtime, in Wales the term in the evidence will move to ALN.

## Disability

Since 2016/17, there is disaggregated data by disability / SEN type. In 2016/17, the highest rate of attainment for children with an identifiable disability / SEN was 64.5%, for those with a hearing impairment. There was a fall in attainment for all disability / SEN types. This fell to 52.9% in 2018/19, a difference of 11.6 percentage points between 2016/17 and 2018/19.

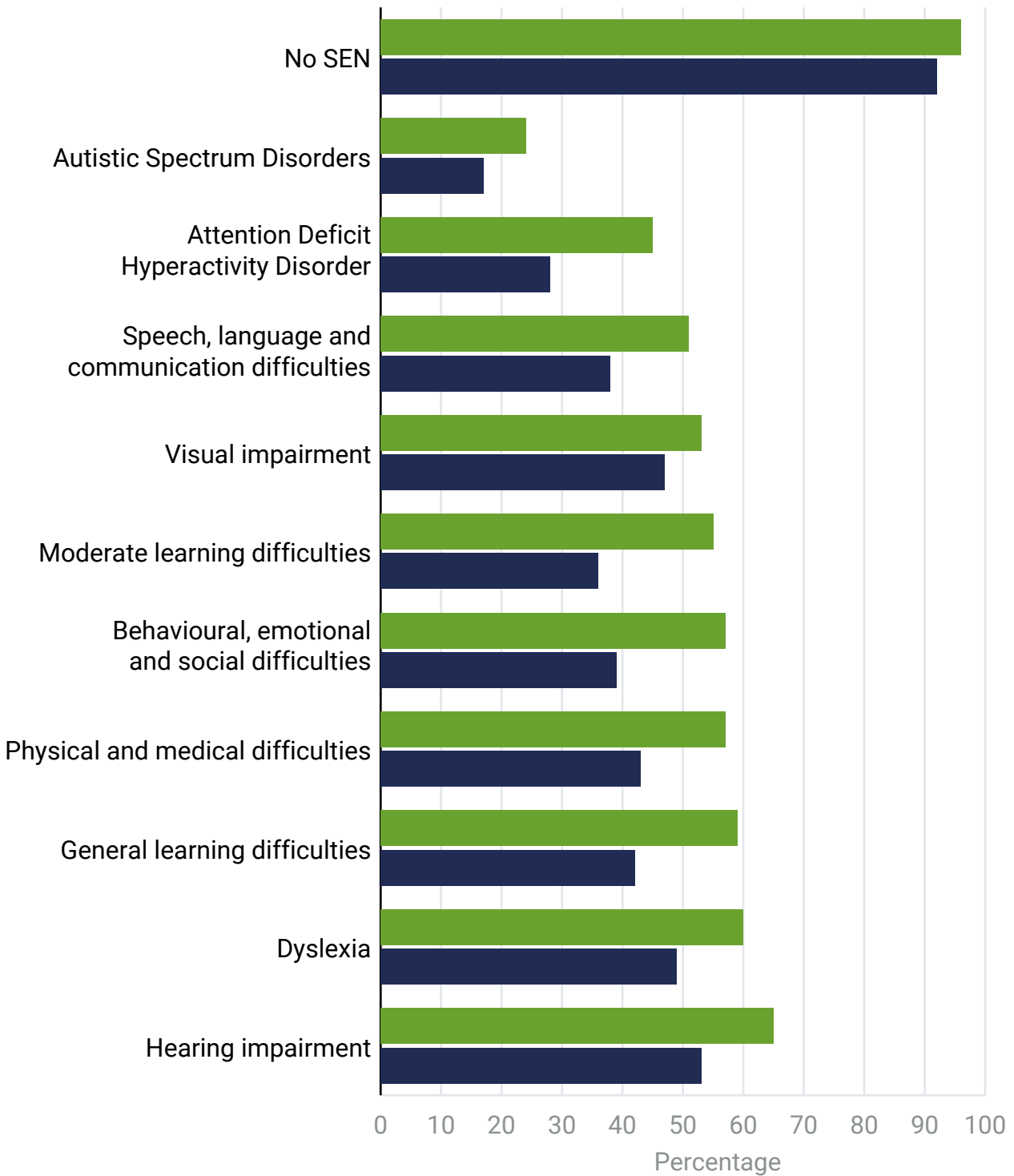
The group of children with a disability / SEN who saw the largest drop in attainment from 2016/17 to 2018/19 were those with moderate learning difficulties, with 55% achieving the required standard in 2016/17, which fell to 36.4% in 2018/19 – a drop of 18.6 percentage points. Among children with behavioural, emotional and social difficulties, 57.2% achieved the required outcomes in 2016/17, falling to 39.5% in 2018/19 – a drop of 17.7 percentage points.



In early years attainment, children with a disability / SEN in Wales are falling behind children without a disability / SEN at a faster rate than in England or Scotland.



**Figure 27: Foundational phase percentage achieved expected outcomes by disability/SEN type, Wales, 2016/17 and 2018/19**



■ 2016/17     ■ 2018/19

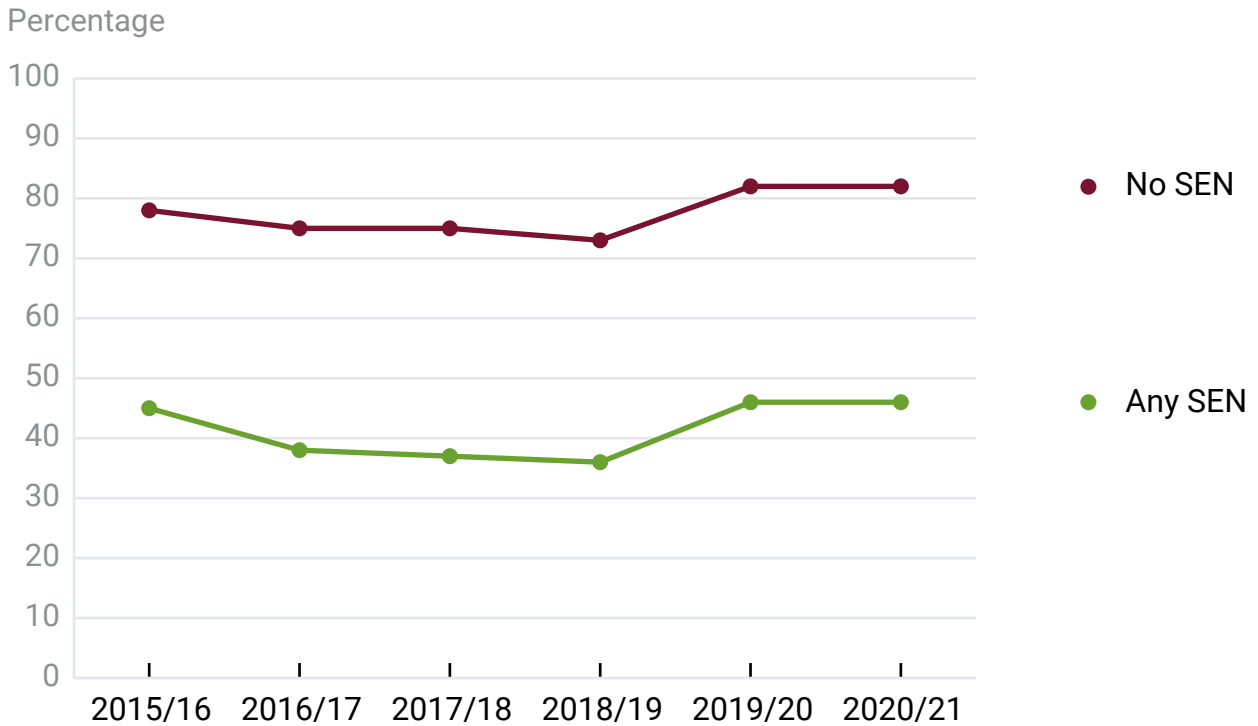
(Source: EHRC analysis of Welsh Government data)

### Key stage 4

By key stage 4 (GCSE year 11, age 16) there continues to be a large attainment gap between pupils with and without a disability / SEN. From 2015/16 to 2018/19, the attainment of both groups decreased year on year, and the gap between them widened each year. Over the last decade key stage 4 performance measures in Wales have changed, making comparisons between nations impossible and potentially distorting trends over time. However, while England and Scotland have seen a positive trend in the attainment of pupils with a disability / SEN and of those without a disability / SEN, this has not been the case for Wales, and the gap between the two groups has remained relatively consistent since 2016/17. According to an Education Policy Institute report, children with a disability / SEN in England and Wales are significantly behind their peers without a disability / SEN (EPI, 2022). In Wales the gap is about 29 months of educational progress while in England it is 24 months.

There was a big rise in attainment of pupils with and without a disability / SEN from 2018/19 to 2019/20. While children with a disability / SEN improved at a higher rate than those without, there remains a large gap between the two groups. Drawing from analysis of Welsh Government data, in 2019/20, 81.6% of children without a disability / SEN achieved the required standard, up from 72.5% in 2018/19. For those with a disability / SEN, attainment increased from 35.5% achieving the required standard in 2018/19 to 45.7% in 2019/20. Even though pupils with a disability / SEN improved at a higher rate than those without in 2019/20, the gap between the two groups was wider in 2019/20 (36 percentage points) than in 2015/16 (32.7 percentage points).

**Figure 28: GCSE attainment by year 11 pupils with and without a disability/SEN – Wales – 2015/16-2020/21**

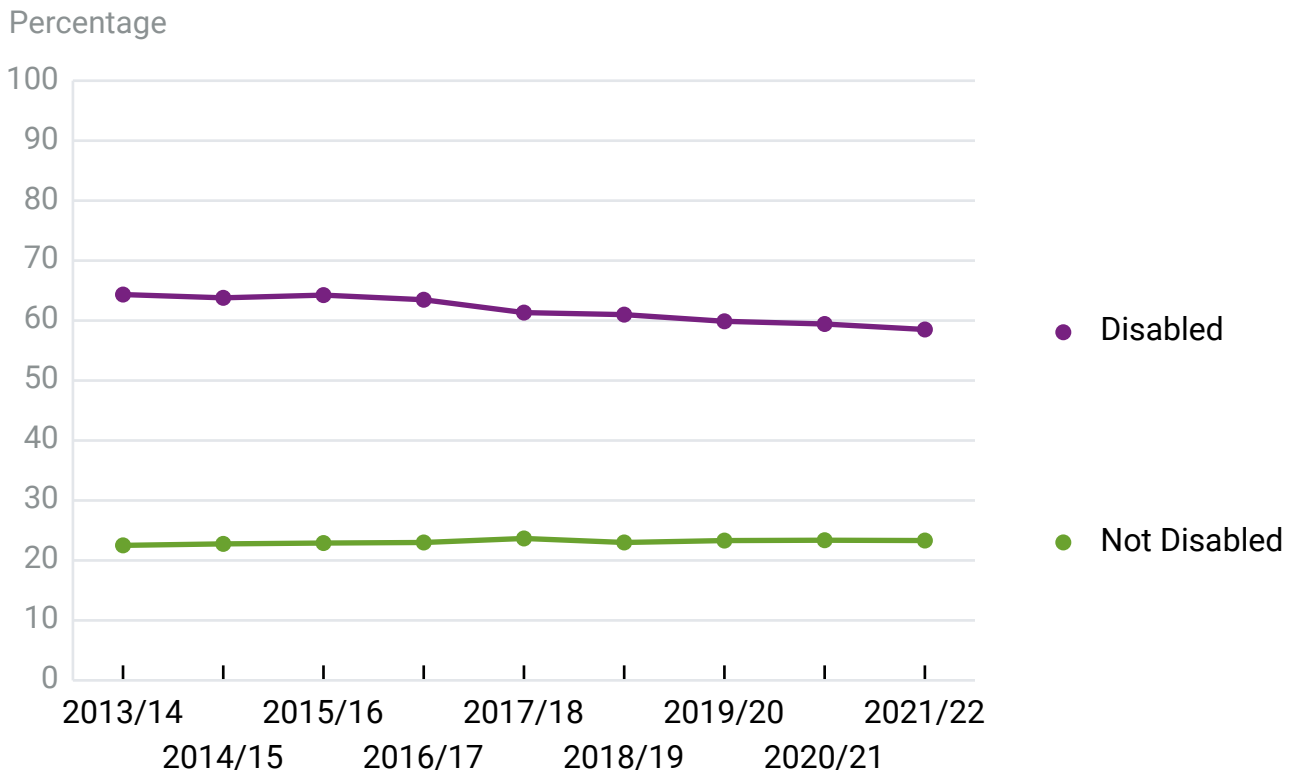


(Source: EHRC analysis of Welsh Government data)

## Work

Disabled people are consistently much less likely to be employed than non-disabled people. However, when comparing 2013/14 to 2019/20, the disability employment gap has narrowed from 39.6 percentage points to 36.2 percentage points (see figure 29). Disabled adults are also more likely to be economically inactive than non-disabled adults (in 2019/20), however, this gap in economic inactivity narrowed between 2013/14 and 2019/20. Disabled adults are also more likely to be unemployed, and the size of the gap showed no significant change from 2013/14 to 2019/20.

**Figure 29: Employment rates, disabled and non-disabled, Wales, 2013/14 to 2021/22**

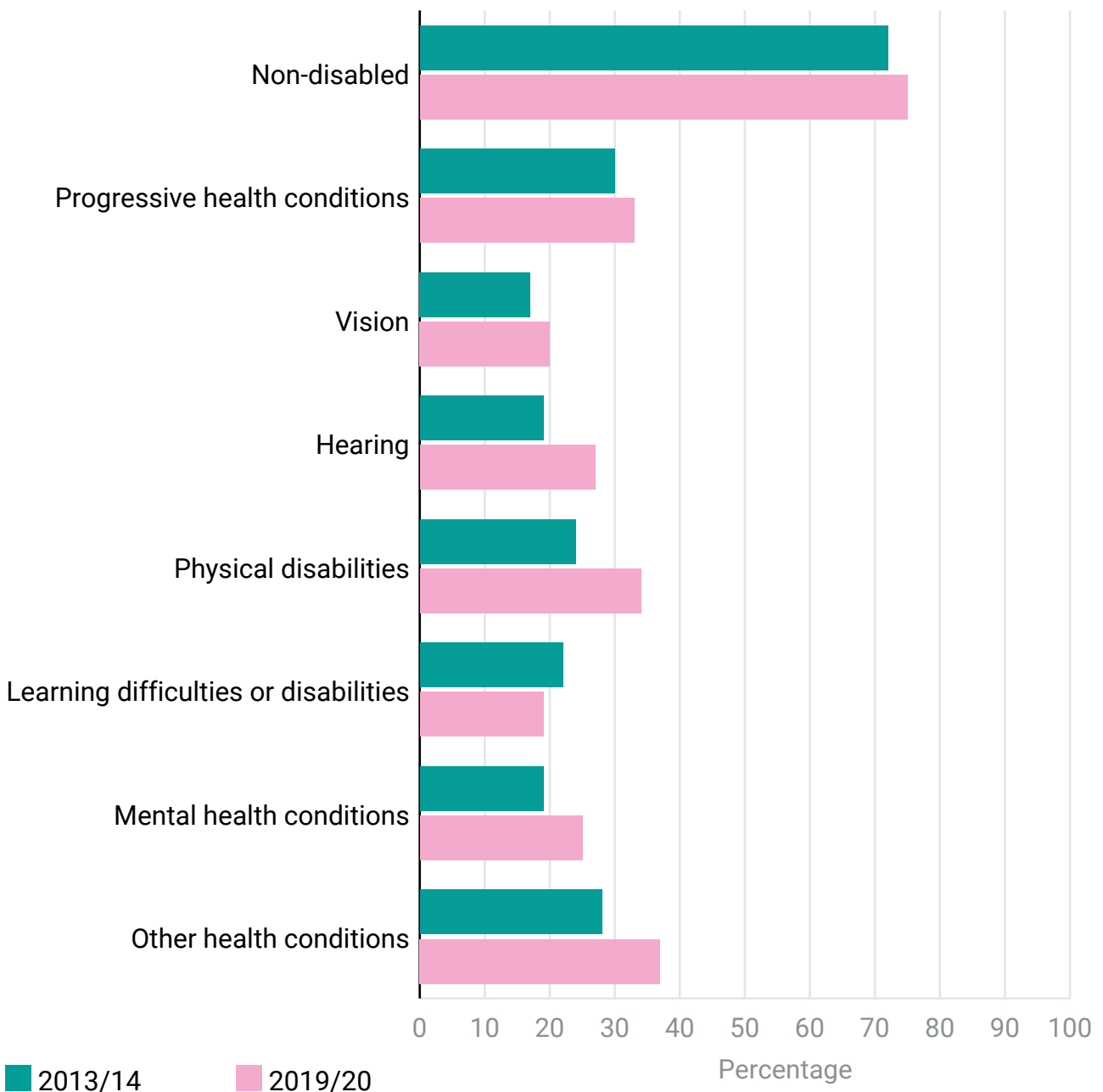


(Source: EHRC Analysis of Annual Population Survey)

## Disability

Individuals with most types of impairment were increasingly likely to be in employment between 2013/14 and 2019/20. Those with vision or learning difficulty impairments were the exception to this. Adults recorded in the data with progressive health conditions, physical disabilities or 'other health conditions' were most likely to be working in 2019/20.

**Figure 30: Employment rates by type of impairment, Wales, 2013/14 and 2019/20<sup>41</sup>**



(Source: EHRC Analysis of Annual Population Survey)

<sup>41</sup> Changes over time in employment for vision and learning difficulties are not statistically significant.

## Disability

As shown in figure 30, employment rates for adults with ‘learning difficulties and learning disabilities’ are particularly low. Only 18.7% of this group were employed in 2019/20. However, further research by Mencap indicates that grouping together all individuals with ‘learning difficulties and learning disabilities’ masks further labour market disparities which exist within this group. In 2019, Mencap surveyed people with ‘learning disabilities’ in the UK. Their analysis showed that employment rates differ depending on the amount of support that a person with a learning disability needs. Those who need high levels of support have the lowest employment rate (less than 5%), followed by those who need ‘medium’ levels of support (9%) and those who need the least support (32%) (Mencap, 2020).<sup>42</sup>

Further data shows that the overall employment rates for people with learning disabilities in England and Scotland (as reported by local authorities) are much lower than the employment rates reported in APS data for the ‘learning disability and learning difficulty’ group (Mencap, n.d). These data disparities highlight a need to understand the varying experiences of individuals within the ‘learning disabilities and difficulties’ group. One way in which the Welsh Government could improve understanding is to report specifically on individuals with ‘learning disabilities’, as is done in England and Scotland.

While disability gaps in employment in Wales have been closing since 2013/14, the same cannot be said about earnings. Disabled workers’ median hourly earnings have stagnated and non-disabled workers’ earnings have grown.



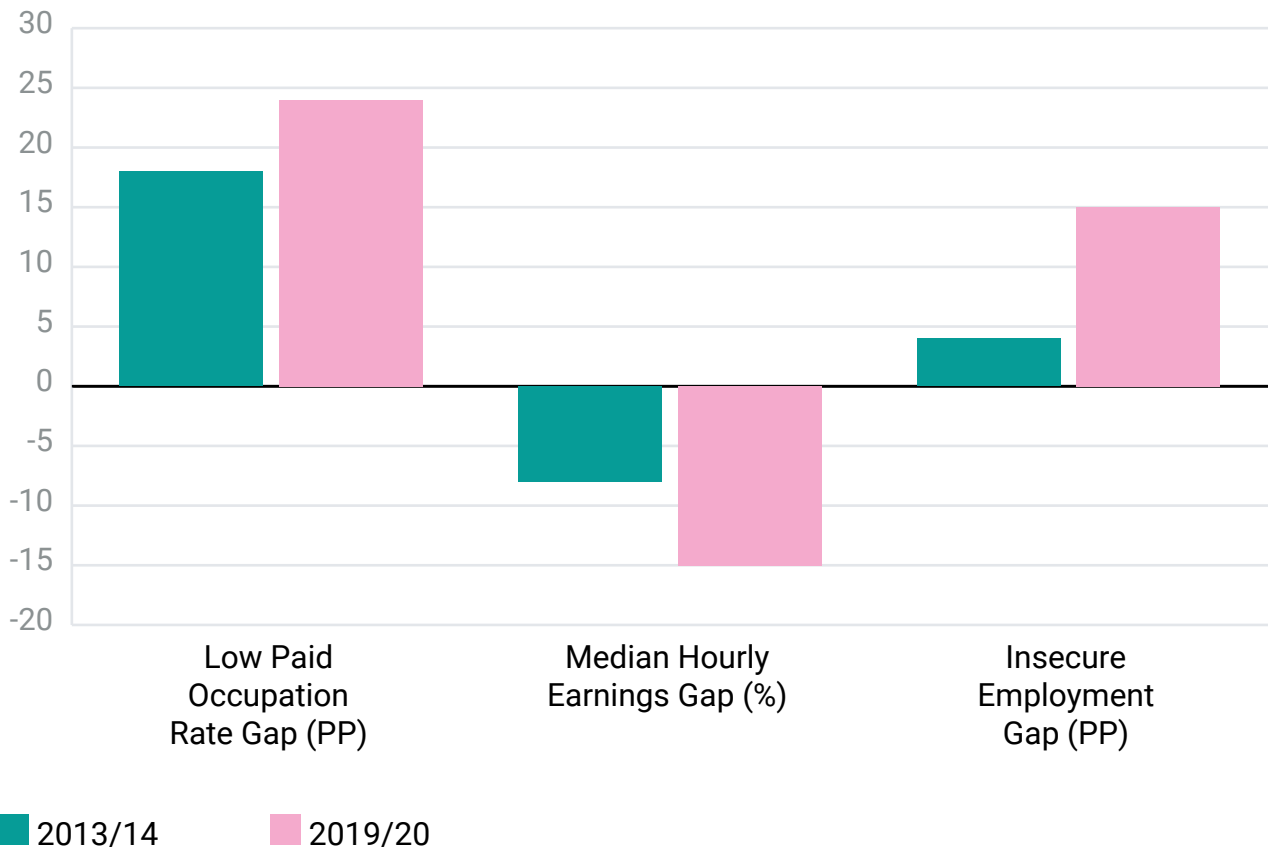
The disability earnings gap more than doubled between 2013/14 and 2019/20 (see figure 31).

Similarly, the proportion of disabled workers in a low-paid occupation (LPO) showed no change from 2013/14 to 2019/20, while non-disabled workers became increasingly less likely to be in an LPO during this period.<sup>43</sup>

42 Mencap’s analysis is UK-based and looks at adults aged 16–64.

43 Low-paid occupations include those in caring, leisure, sales and customer services or elementary occupations, such as cleaners or kitchen and catering assistants.

**Figure 31: Percentage point (PP) gaps between disabled and non-disabled groups in rates of employment, unemployment and economic inactivity , Wales, 2013/14 and 2019/20**



(Source: EHRC Analysis of Annual Population Survey)

In 2020/21, following the onset of COVID-19, there were some short-term shifts in labour market differences between disabled and non-disabled workers, but most of these changes were not sustained into 2021/22. An increase in the insecure employment gap was the exception. Prior to the pandemic, in 2019/20, the proportions of disabled and non-disabled workers who were in insecure employment were similar. However, disabled workers' insecure employment rate showed a significant increase in 2021/22, creating a significant gap in insecure employment rates between disabled and non-disabled workers.<sup>44</sup> A widening disability gap in insecure employment rates during the pandemic was unique to Wales; it was not seen in England or Scotland.

<sup>44</sup> Since 2013/14, 2015/16 and 2018/19 are the only other years to have a statistically significant gap in insecure employment.

### Living standards

#### Home ownership

**Disabled people in Wales are less likely than non-disabled people to own their own home. In 2020/21, 41.3% of working-age disabled people lived in owner-occupied housing compared with 56.4% of non-disabled people and a higher percentage of them lived in socially rented housing (ONS, 2022).**

#### Child poverty

Our analysis of the Family Resources Survey (FRS) found no significant differences in child poverty between disabled and non-disabled children between 2012/13<sup>45</sup> and 2019/20. There were also no significant changes in child poverty for either group between 2012/13 and 2019/20 and 2015/16 and 2019/20.<sup>46</sup>

Welsh Government analysis found that, based on a two-year average, in 2020-22, 31% of children who lived in a family where there was someone with a disability were in poverty compared with 26% of those in families where no one was disabled (Welsh Government, 2023).

#### Adult poverty

Disabled people in Wales are more likely to face higher levels of poverty, including fuel poverty. In October 2021, households with someone who has a long-term limiting illness (16%) were more likely to be fuel-poor than households without (12%) (Welsh Government, 2022h).

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45 The definition of disability in the FRS was changed in 2012/13.

46 Our analysis of the FRS ends at 2019/20 as data for 2020/21 are subject to additional uncertainty at this level.

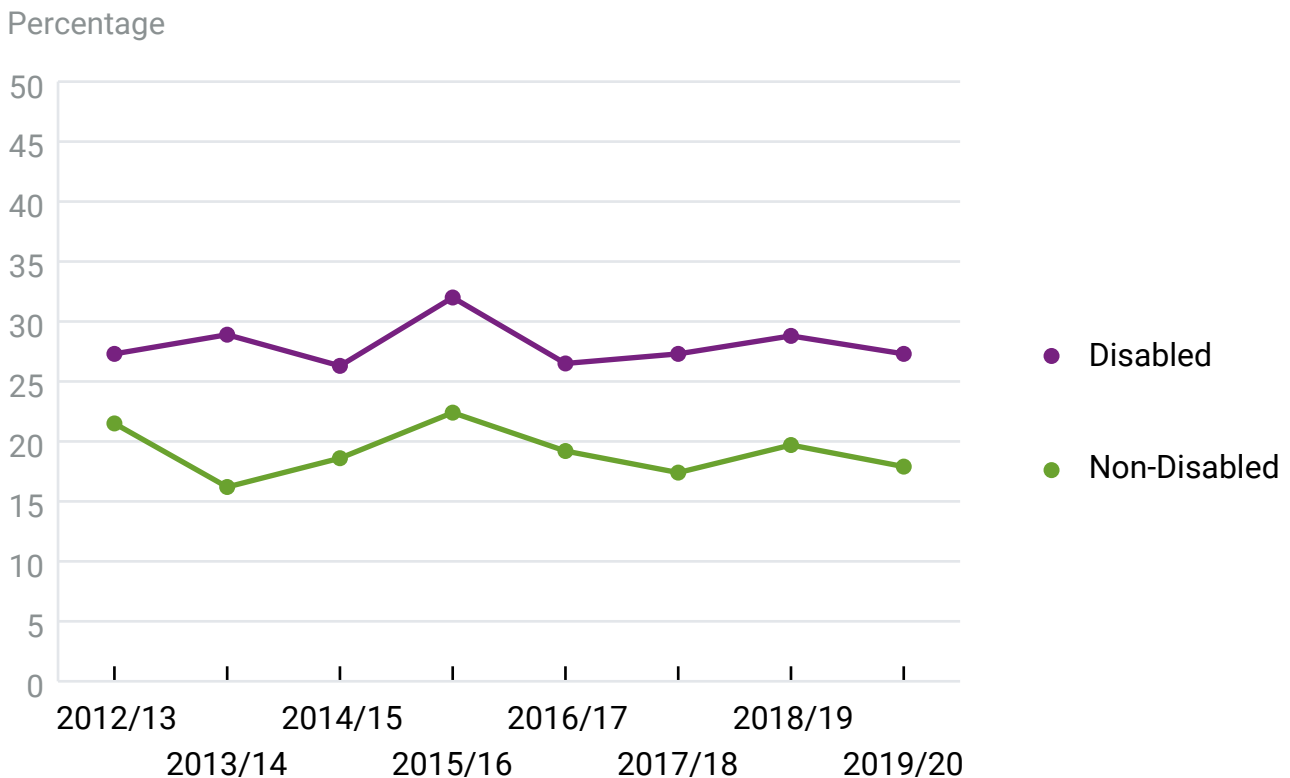


## Disability

Our analysis of the FRS found that poverty was significantly higher among disabled adults in each year between 2012/13 and 2019/20.<sup>47</sup> Poverty decreased for non-disabled adults between 2012/13 and 2019/20 and 2015/16 and 2019/20 but did not significantly change for disabled adults. For disabled adults, poverty levels in 2019/20 were the same as those seen in 2012/13.

Year-on-year estimates can be unreliable due to the small sample size in Wales. Welsh Government analysis found that based on a two-year average, in 2020-22, 28% of working-age adults who lived in a family where there was someone with a disability were in poverty compared with 16% of those in families where no one was disabled (Welsh Government, 2023).

**Figure 32: Relative poverty among disabled and non-disabled adults – Wales – 2012/13 – 2019/20**



(Source: EHRC analysis of the Family Resources Survey)

<sup>47</sup> Our analysis of the FRS ends at 2019/20 as data for 2020/21 are subject to additional uncertainty at this level.

### Severe material deprivation

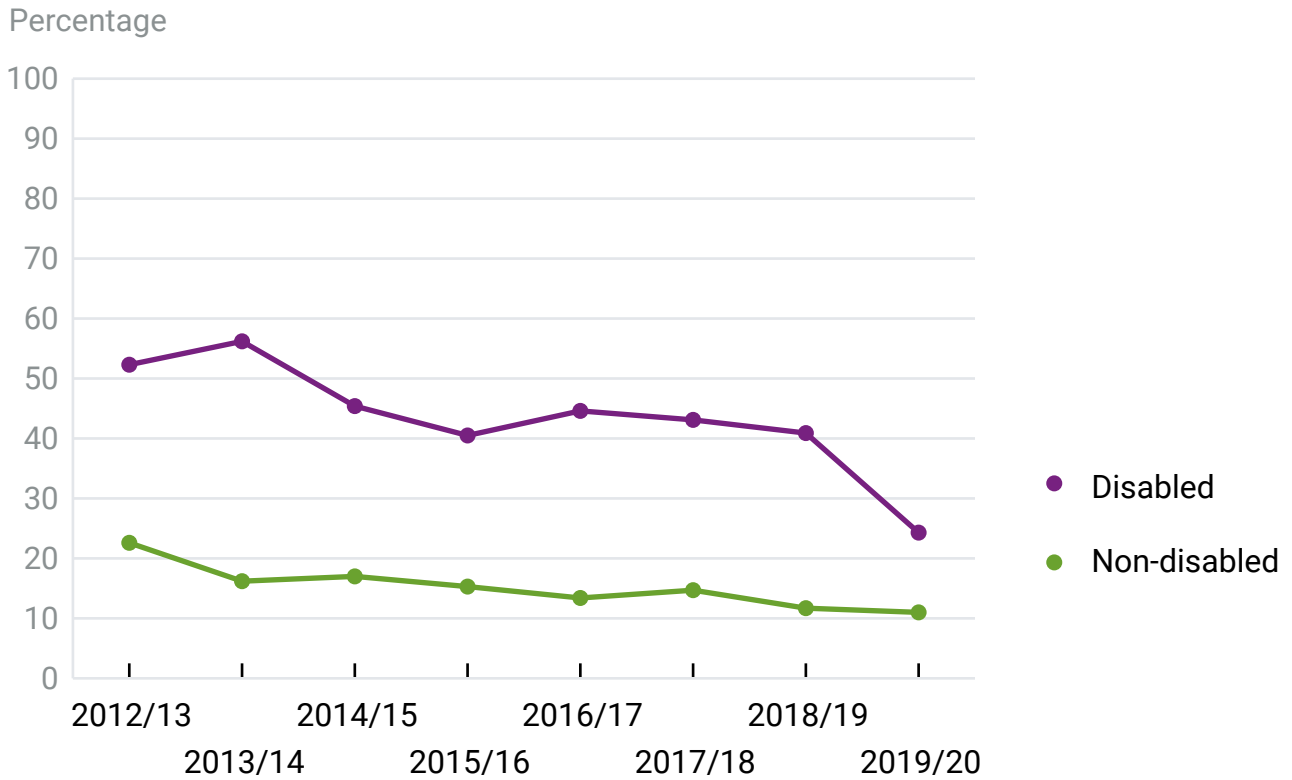


Our analysis of the FRS found that severe material deprivation was higher among disabled adults than among non-disabled adults in each year between 2012/13 and 2019/20.<sup>48</sup>

This is measured in adults aged 16–59, excluding dependent children aged 16–19. In 2012/13, 52.3% of disabled people experienced severe material deprivation compared with 22.6% of non-disabled people. Over time, severe material deprivation declined for both groups. Between 2015/16 and 2019/20, severe material deprivation fell among disabled adults from 40.5% to 24.3% and among non-disabled adults from 15.3% to 11.0%. However, a gap has remained between the two groups. The smallest gap (13.3 percentage points) between the two groups was in 2019/20, due to a statistically significant and sizable decline in severe material deprivation for disabled people from 40.9% in 2018/19 to 24.3% in 2019/20. These figures do not reflect recent increases in the cost of living.

48 Our analysis of the FRS ends at 2019/20 as data for 2020/21 are subject to additional uncertainty at this level, and several questions asked as part of the measure were affected by legal restrictions.

Figure 33: Severe material deprivation among adults – Wales – 2012/13 – 2019/20



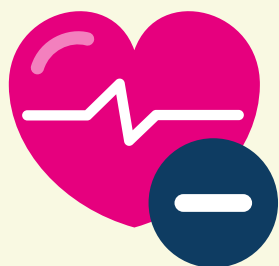
(Source: EHRC analysis of the Family Resources Survey)

In five waves of the Food and You 2 survey, low food security was significantly higher among adults with a long-term health condition than among those without. In wave one (July to October 2020), 21% of adults with a long-term health condition had low food security compared to 14% of adults without. By wave five (April to July 2022), low food security increased for adults with a long-term health condition (35%) and for those without (22%) (Food Standards Agency, 2023).

### Health

Between 2016/17 and 2019/20 the number of disabled people in Wales who reported being in good health grew from 35.8% to 37.7%. In contrast, over the same period non-disabled people saw a slight fall in reported good health, from 90% to 89.2%, narrowing the inequality. The 2019/20 figures were higher than in England where 36.3% of disabled people reported good health but lower than in Scotland (40%). This increasing trend pre-pandemic was seen in all impairment types, with the largest changes among people with vision impairments and hearing impairments.

The most recent National Survey for Wales (NSW) data shows persistent inequality between disabled and non-disabled people. In 2021/22 34.7% of disabled adults reported good or very good health compared with 65.3% of non-disabled adults.<sup>49</sup> Our own analysis of NSW data shown in figure 34 indicates disabled adults in material deprivation report poorer health.

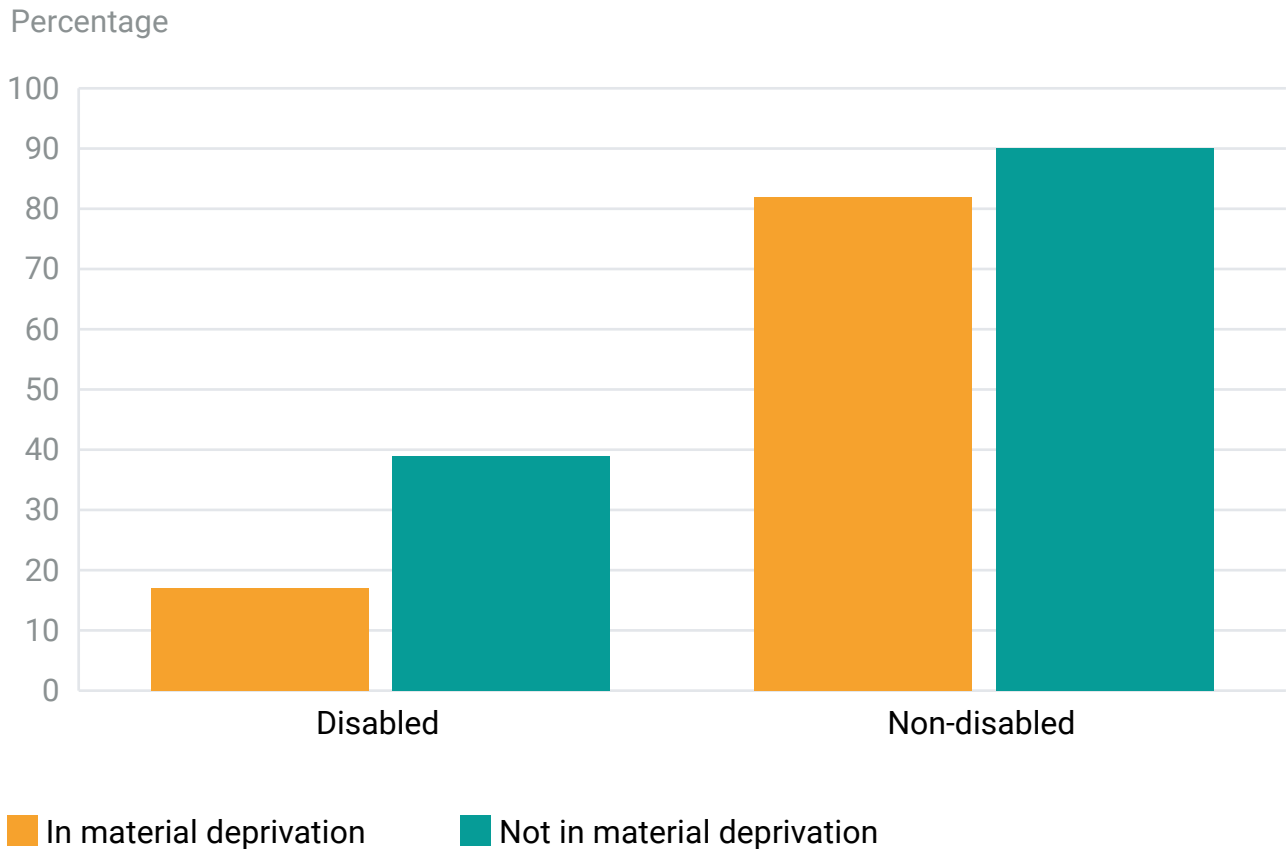


Among disabled people in material deprivation in 2021/22, 17.4% reported very good or good health compared with 82.3% of those in material deprivation who are not disabled.

In contrast, 38.8% of disabled adults not in material deprivation reported good or very good health.

<sup>49</sup> The National Survey for Wales methodology changed in 2020/21 so this figure cannot be directly compared with pre-pandemic figures.

**Figure 34: Self-reported good or very good health split by disability status and deprivation, 2021/22 – Wales**



(Source: EHRC analysis of National Survey for Wales)

Before COVID-19, the proportion of disabled adults who reported that it was very or fairly easy to get a GP appointment at a convenient time ranged between 51% and 57% between 2016–2020. Disabled people responding to the National Survey for Wales were consistently less likely to report that this was very or fairly easy than non disabled people over this period, though the differences were only significant for 2016/17 and 2017/18.

We also found that a high proportion of disabled people reported poor mental health compared with non-disabled people. In 2018/19, 34.3% of disabled people stated they had poor mental health compared with 15.4% of non-disabled people.

**In Wales, disabled people were disproportionately affected by COVID-19, particularly those with learning disabilities. A study using linked Welsh NHS data found that people with learning disabilities were three-to-eight times more likely to die from COVID-19 than the wider Welsh population (Public Health Wales, 2020).**

In addition, young people with learning disabilities saw an adverse impact on their mental health (Public Health Wales, 2020). According to the 2021 Locked out report (Welsh Government, 2021b), 68% of deaths from COVID-19 in Wales were disabled people. The report concluded that key factors contributing to this disproportionate death rate were poor housing, employment rates, place of abode, inadequate health and social care services, confusing information, lack of personal protective equipment (PPE) and barriers accessing adequate healthcare.

## Justice

### Domestic abuse

In Wales, disabled people are more likely to experience domestic abuse.



Analysis found that in 2019/20 15.3% of disabled people reported they had experienced domestic abuse in the past 12 months compared with 5.2% of non-disabled people.

### **Confidence in the criminal justice system**

Disabled people have less confidence in the criminal justice system (CJS) than non-disabled people and are less likely to agree that the CJS treats people as innocent until proven guilty, according to the Crime Survey for England and Wales (CSEW). In 2017/18, 69.6% of non-disabled people agreed with this statement compared with 60.5% of disabled people.

### **Hate crime**

In 2021/22, police forces in Wales recorded 6,295 hate crimes, an increase from 4,654 in 2020/21. In 2021/22, 864 of these hate crimes related to disability, an increase from 504 in 2020/21 (Home Office, 2022; Home Office, 2021).

Hate crime recorded by the police has risen over time in England and Wales, and these increases are believed to be mostly driven by improved recording practices (Home Office, 2022).

### **Inclusive justice**

Our report in 2019 on inclusive justice found that, in England and Wales, disabled defendants faced barriers including unclear or complicated language, sound and image quality affecting participation in video hearings, and a lack of identification of a need for reasonable adjustments to be made.

The Commission on Justice in Wales has also identified specific barriers for disabled people accessing the criminal justice system due to legal aid cuts under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commission on Justice in Wales, 2019).

### Participation

#### Access to public services

The COVID-19 pandemic negatively affected disabled people's human rights, particularly in relation to their care and treatment. In 2021/22, 80% of disabled people had access to good services and facilities compared with 89% of non-disabled people (Welsh Government, 2021i).

**The Welsh Government's 'Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19' evidence report suggests that the social exclusion that disabled people experienced during the COVID-19 pandemic led to feelings of confusion, isolation and fear (Welsh Government, 2021b).**

In 2021/22, 42% of adults with a longstanding illness, disability or infirmity participated in at least one sport or physical activity compared with 68% who did not have a longstanding illness, disability or infirmity (Sport Wales, 2022).



## Recommendations

25. The Welsh Government, local authorities and schools should address the widening attainment gap between disabled and non-disabled children, by:
  - evaluating the implementation of the ALN Act and the new Curriculum for Wales, ensuring disaggregation of data by protected characteristics to address any disproportionate negative impact on disabled children since its introduction
  - setting equality objectives to address attainment gaps for disabled learners, and
  - putting in place accessibility strategies and plans that take account of Population Needs Assessments. Welsh Ministers and Education Tribunal for Wales should use their powers ensure that these are in place.
26. The Welsh Government should address the under-representation of disabled people participating in and completing apprenticeships, including by evaluating its apprenticeships programme for disabled people and holding apprenticeship providers to account for implementation through procurement and funding mechanisms.
27. When reviewing its Mental Health Board Strategy and the Welsh Government should address the poorer mental health outcomes for disabled people.

# Gender reassignment

**Trans and non-binary people in Wales, as elsewhere in Britain, report discrimination, bullying and issues with health services and outcomes. The Welsh Government has responded with measures including peer support in healthcare provision.**

Significant evidence gaps across all areas of life for trans and non-binary people are prevalent in Wales as throughout Britain. In Wales, there are some clear policy and action plans to address the inequalities faced by LGBT groups, including sexual minorities.<sup>50</sup> There are also areas of research and policy in Wales that focus on young people and particularly disadvantaged and marginalised groups within LGBT communities, such as people seeking asylum and refugees.

More work should be done to improve data collection and policy implementation to capture the distinct, varying and intersectional challenges faced by LGBT people. Particular attention is needed to fill the evidence gaps found in Wales.

Positive initiatives in Wales to address inequalities people face because of their gender identity include the Welsh Government's LGBTQ+ Action Plan and the new Equality Evidence Unit.

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### Definitions

Throughout this report, when reporting on external research or data, we use the terminology of the source material. As a result, this chapter uses different terms when referring to the protected characteristic of gender reassignment and to gender identity.

The Schools Health Research Network (SHRN) uses the terminology 'young person who identifies as neither a boy nor a girl', but we recognise this group of respondents may not capture trans students with complete accuracy.

The terminology we use is outlined opposite.

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<sup>50</sup> The term 'sexual minorities' encompasses all sexual orientations other than heterosexual / straight.

**Gender reassignment:** A protected characteristic under the Equality Act 2010. Gender reassignment means proposing to undergo, undergoing or having undergone a process to reassign your sex. To be protected from gender reassignment discrimination or harassment, a person does not have to have undergone any medical treatment or surgery to change their birth sex to their preferred gender. A person can be at any stage in the transition process, and it does not matter whether they have applied for or obtained a Gender Recognition Certificate.

**Gender Recognition Certificate (GRC):** GRC is a document recognising a person's acquired gender as their sex in law.

**Non-binary:** A person who does not identify as entirely male or female.

**Non-trans:** Non-trans people (or non-trans men/non-trans women) are those whose gender identity matches their sex registered at birth.

**Trans:** Trans people (or trans men/trans women) are those with the protected characteristic of gender reassignment. The Equality Act 2010 uses the term 'transsexual' for individuals who have the protected characteristic of gender reassignment. We recognise that some consider this term outdated, so we use the term 'trans' to refer to a person who has the protected characteristic of gender reassignment. This does not generally include non-binary individuals, unless stated.

**LGBT:** This acronym refers to those with the protected characteristics of sexual orientation (Lesbian, Gay and Bisexual) and gender reassignment (Trans). Some, including the Welsh Government, use a longer acronym, to include those who identify as Queer, Questioning or with other gender identities. In this report, we use the acronym used in the source material, and otherwise LGBT.

Both policy and evidence on sexual orientation is often presented for or about LGBTQ+, LGBT or lesbian, gay and bisexual people as a whole group. It can be difficult to separate information to look at gender reassignment separately. We acknowledge that LGBT communities have led policy developments in Wales and conducted much of the work on the evidence available. There nonetheless remain challenges in analysing policy and outcomes related to sexual orientation and the inequalities faced by specific groups. Those challenges are reflected through this chapter.

## Key findings

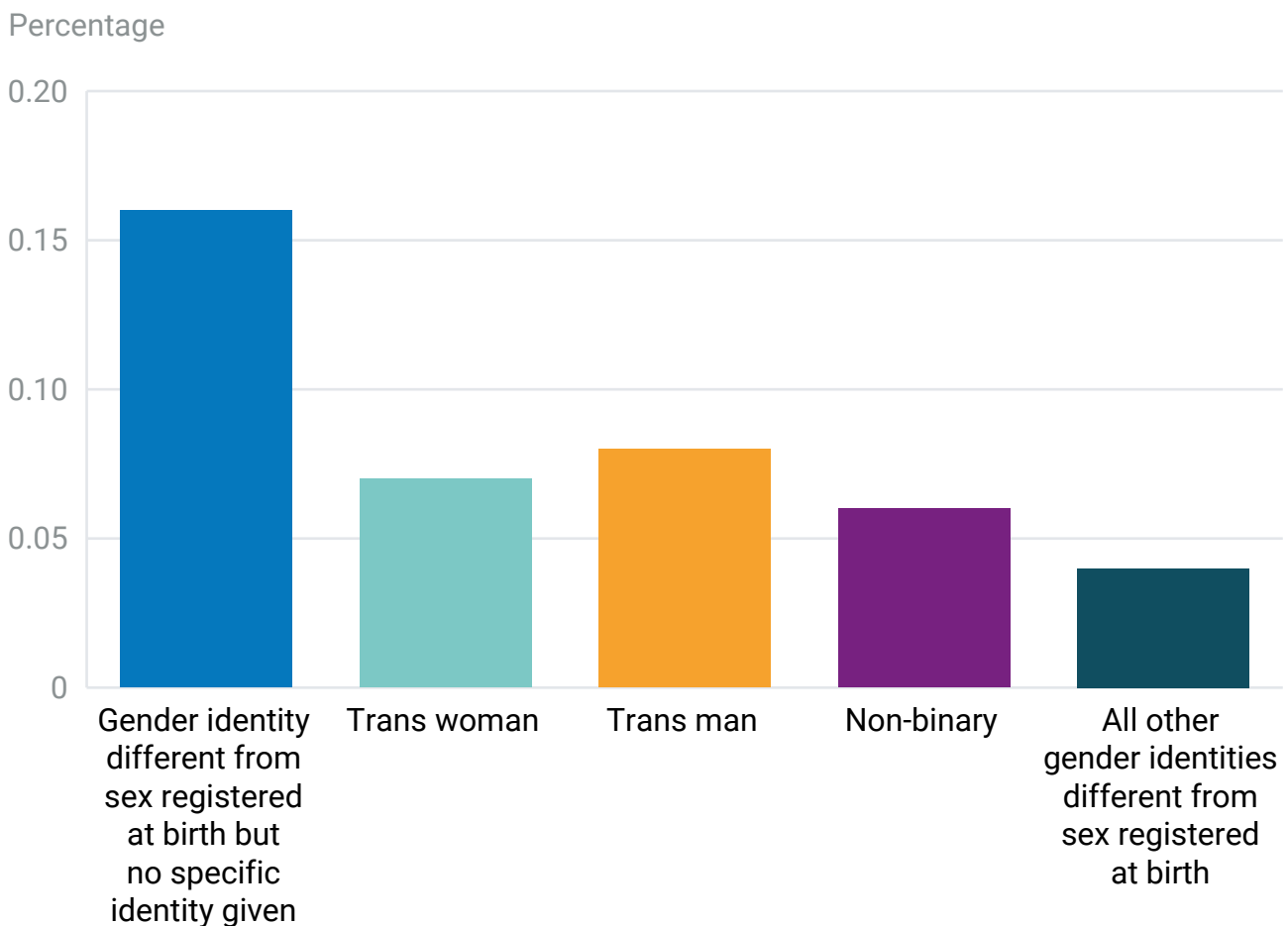
- There is currently limited research focused on trans people in Wales. However, there are now gender identity questions in School Health Research Network (SHRN) surveys and the Census 2021.
- In 2021/22, 62% of school children who identify as neither a boy nor a girl report having been bullied in the past couple of months, compared to 28% of girls and 34% of boys. Those who identify as neither a boy or girl report having poorer mental health.
- Waiting times for the Welsh Gender Service are currently lower than in England and Scotland but still higher than Welsh Government targets and demand is increasing. Furthermore, adults seeking gender-related surgery may have to travel to England for treatment, which may create financial barriers.
- Older trans people in Wales report that health and social care providers lack the knowledge required to care for them. Trans people also have concerns that they may not receive care sensitive to their gender identity, particularly in social care settings.
- Trans people in Wales are afraid of facing discrimination in the workplace. A 2018 survey found almost half of trans respondents hid their gender identity at work and almost a third experienced negative comments from co-workers.

## Demographics

The Census 2021 included a voluntary question on gender identity for the first time for all respondents age 16 and over, giving an indication of the size of the population whose gender identity is different from the sex registered at birth.

The census found that 0.4% of respondents in Wales identified themselves as having a gender identity different from their sex registered at birth. A further 6.32% of respondents did not answer this question. The number of people identifying as having a gender identity different from their sex registered at birth is lower in Wales than in England, where 0.55% of the population identified in this way (ONS, 2023a; Welsh Government, 2023a).

**Figure 35: Percentage of respondents identifying with a gender identity different from their registered sex in Wales, 2021 census**



(Source: Office for National Statistics)

## Legal and policy developments

### Policy summary

LGBT policies and actions formed part of the Programme for Government 2021-2026 (Welsh Government, 2021a).



The 2021 Co-operation Agreement with Plaid Cymru aims to ‘make Wales the most LGBTQ+ friendly nation in Europe’ (Welsh Government, 2021b).

The Welsh Government’s 2023 LGBTQ+ Action Plan is a key policy intervention on gender reassignment in Wales and provides the framework for most government actions on this protected characteristic. It contains over 46 actions and sub-actions (Welsh Government, 2023b).

When the action plan was put out for consultation, responses centred on:

- banning conversion practices, and
- the belief that issues relating to sex, sexual orientation and gender should be covered by different action plans (Wavenhill, 2022).

The Welsh Government’s action plan is LGBTQ+ inclusive, meaning most of its commitments relating to gender reassignment also apply to sexual orientation. As a result, many commitments and policy interventions highlighted in this chapter are also covered in the Sexual Orientation chapter.

The new Welsh Government Equality Evidence Unit aims to develop evidence to help understand the inequalities faced by LGBT people (Welsh Government, 2022a).

The LGBTQ+ Action Plan signals the Welsh Government’s intention to seek devolved powers in relation to Gender Recognition.

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## Gender reassignment

In December 2022, the Scottish Government passed the Gender Recognition Reform (Scotland) Bill. If enacted, this legislation would remove evidence requirements, including the requirement for a diagnosis of gender dysphoria, to create a 'self-ID' system for gender recognition. It would also reduce the age limit from 18 to 16 and the time a person needs to live in their acquired gender before obtaining a GRC.

The UK government blocked the legislation using section 35 of the Scotland Act 1998 (giving it the power to intervene in certain cases), on the basis that it could affect the operation of reserved legislation (the Equality Act 2010) outside Scotland. The Scottish Government is challenging this action in court, which is scheduled to be heard by Lady Haldane at the Court of Session in September 2023.

The LGBTQ+ Action Plan commits the Welsh Government, throughout devolved policy areas, to:

- recognise non-binary and intersex people, and
- review the language used in policies and guidance so this is sensitive to gendered language and gender markers.

In non-devolved policy areas, the Welsh Government commits to initiate conversations with the UK government to recognise non-binary people on passports and driving licences.



### Education

The Welsh Government's action plan sets out its commitment to design and implement a fully LGBT inclusive whole-school approach. It aims to achieve this by, among other things:

- ensuring education resources are LGBT inclusive and bilingual
- helping schools meet mandatory LGBT inclusive requirements of the statutory relationships and sexuality education (RSE) code and guidance (Welsh Government, 2022b)
- providing all staff in schools and other educational settings with professional learning opportunities to understand the essential elements of LGBT inclusive education
- working with the Higher Education Funding Council for Wales (HEFCW), now the Commission for Tertiary Education and Research, to encourage universities to consider intersectionality issues, including gender reassignment, when deciding how to support their diverse staff and student populations
- providing comprehensive transgender guidance for schools and local authorities so they can implement national guidance rather than individual organisations having to deal with challenges, and
- offering practitioners professional learning and support in recognising, recording and challenging prejudice-based bullying and harassment.

**The Welsh Government will expect local authorities to improve access to, and use of, data gathered by schools concerning bullying, harassment and discrimination towards LGBT people, in line with their PSED responsibilities.**

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### Work

The Welsh Government pledges under the action plan to encourage private sector employers to be LGBT inclusive. In addition, it will work with employers to develop better ways to provide them with information, advice, guidance and support on employing LGBT workers, including help to understand their legal responsibilities.

The Welsh Government has also committed to exploring a sustainable funding model for organisations supporting LGBT young people. In addition, the Welsh Government aims to help the LGBT youth work sector to assist LGBT young people to access provision, and will try to increase diversity among youth work staff.

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### Living standards

#### Housing

The Welsh Government's action plan commits it to engage with local authorities and care home providers to make sure staff are fully trained about LGBT people's rights and barriers so services meet their specific needs, especially when working with LGBT individuals at risk of becoming homeless.

The Welsh Government also intends to evaluate specialised projects, such as Tŷ Pride, which provides sheltered accommodation for LGBT young people, and gather best practice and principles on LGBT homelessness. These will be shared with local authorities. The Welsh Government has also committed to encouraging the development of LGBT only asylum properties in Wales.

#### Social care

There are commitments in the LGBTQ+ Action Plan to work with Social Care Wales to design and roll out training for the social care workforce and evaluate its effects.

The action plan makes social care service regulation a priority area. Care Inspectorate Wales (CIW) will be expected to look carefully at whether people who received care and support, including LGBT individuals, are treated with respect and sensitivity.

### Health

The Welsh Government's LGBTQ+ Action Plan is intended to 'improve healthcare outcomes for all LGBTQ+ people'. The action plan and Programme for Government both commit to a ban on all aspects of 'conversion practices' within the Welsh Government's current powers and to seek devolution of any necessary additional powers.

An expert working group has been set up to advise the Welsh Government on its proposed actions to ban conversion practices. The NHS does not use such practices and NHS Wales is one of the signatories to the Memorandum of Understanding on Conversion Practices in the UK (BACP 2022).

The Welsh Gender Service (WGS) was first announced by the Welsh Government in 2017. The WGS began seeing people over 18 in 2019 (Welsh Government, 2019a). As part of the LGBTQ+ Action Plan the Welsh Government will continue to develop the WGS and review the gender identity development pathway for young people in Wales. It is too soon to assess these policies.

The LGBTQ+ Action Plan also aims to:

- overcome barriers to LGBT people using sexual health services
- review and improve fertility referral pathways and services for LGBT people, and
- improve access to IVF, including financial costs.

As part of these proposed developments, trans people will have timely access to gamete storage (to freeze eggs or sperm for future use in fertility treatment) so this does not unduly delay a medical transition.

The action plan also commits to changing data-recording and processes for maintaining trans, non-binary and intersex people's medical records to improve patient information used by NHS sex-specific services.

### Participation

The Welsh Government intends its Nation of Sanctuary – Refugee and Asylum Seeker Action Plan (Welsh Government, 2019b) to continue to be LGBT inclusive. It aims to work with specialised asylum and refugee support services to fully understand the needs of LGBT refugees and people seeking asylum.

The LGBTQ+ Action Plan undertakes to get rid of barriers that stop LGBT people reporting hate crime. It also commits to continued investment in hate crime prevention programmes across Wales.

Another pledge in the action plan is to build interfaith conversations encouraging positive interaction between faith groups and LGBT communities.

The Welsh Government will support LGBT people to play an active part in democracy, including in elected roles. It plans to do this by:

- improving access to diverse role models for participation in democracy (including standing for office), and
- continuing to back mentoring schemes such as the Equal Power Equal Voices public life mentoring programme.

The Welsh Government has made its position on trans inclusion in sport clear: they do not support a blanket exclusion of transgender and non-binary people. The LGBTQ+ Action Plan commits to assessing the implementation and effectiveness of the UK sports councils' guidance on transgender inclusion in domestic sport (UK Sport, 2021). The Welsh Government also intends to commission further research into trans people's experiences in sports and to work with sports bodies to improve trans inclusion policies and guidance across Wales.

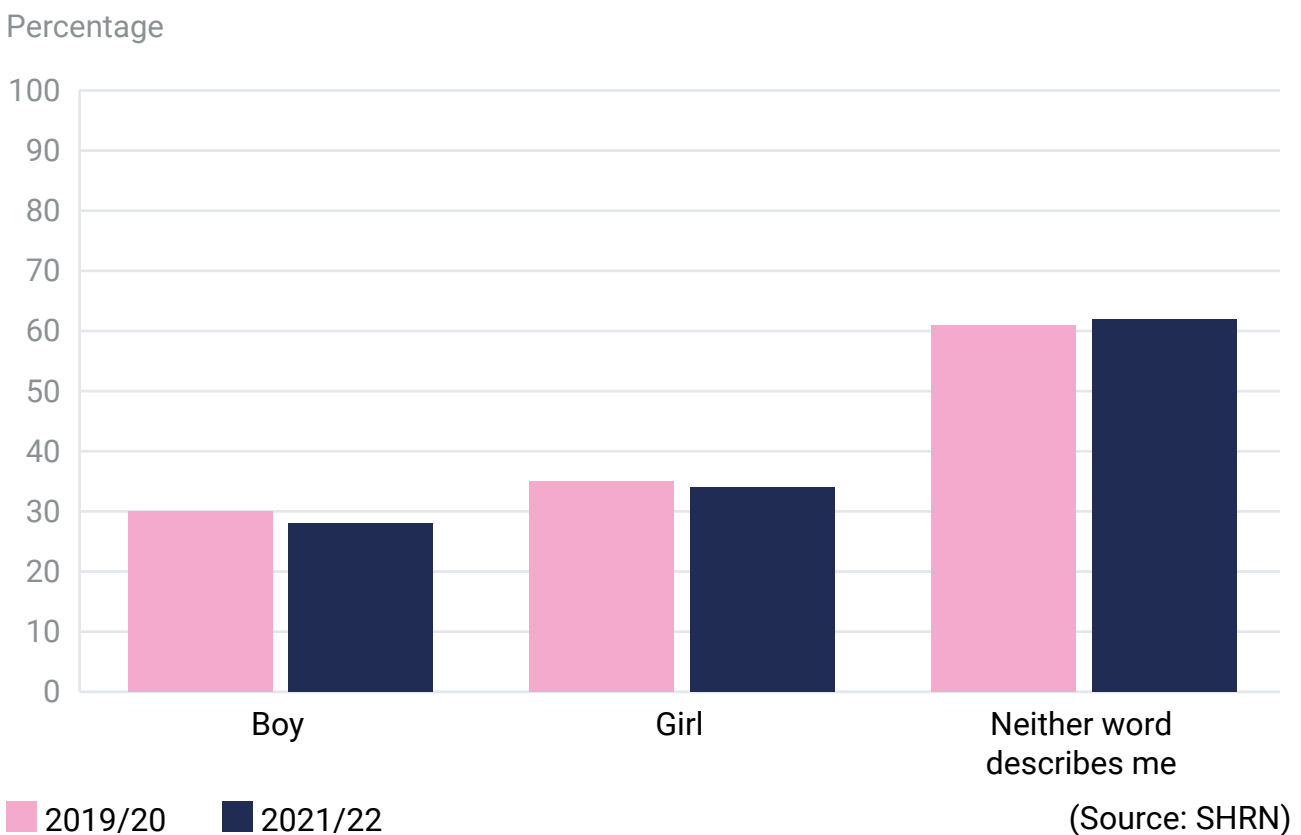
# Outcomes

## Education

### Bullying

Children who identify as neither a boy nor a girl are more likely to be bullied than those who identify as either a boy or a girl, according to the Schools Health Research Network (SHRN) Student Health and Well-being Survey.<sup>51</sup> The 2019/20 survey found 61% of schoolchildren in Wales who identified as neither a boy nor a girl reported being bullied in the past few months compared with 35% of girls and 30% of boys (Page et al., 2021). This increased slightly for those who identify as neither a boy nor a girl in the 2021/22 survey results (62%) but decreased for both boys (28%) and girls (34%) (Page et al., 2023).

**Figure 36: Percentage who have experienced bullying**



<sup>51</sup> This is an annual survey of all maintained middle and secondary schools in Wales. In 2019/20 it included 1,191 students identifying as neither a boy nor a girl.

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## Gender reassignment

Stonewall has also highlighted the issue of trans and non-binary children being bullied. Stonewall Cymru's 2017 study of LGBT students' experience in schools in Wales included 40 trans respondents and a further 24 pupils who were unsure of or questioning their gender identity (Stonewall Cymru, 2017a). The Stonewall Cymru online survey found 65% of trans respondents reported being bullied at school, and this was additionally related to their perceived sexual orientation in 73% of cases.

Stonewall's wider research across British schools in 2017 found 51% of trans respondents had been bullied for being trans, rising to 64% when including trans young people also bullied because of their sexual orientation (Stonewall, 2017b).

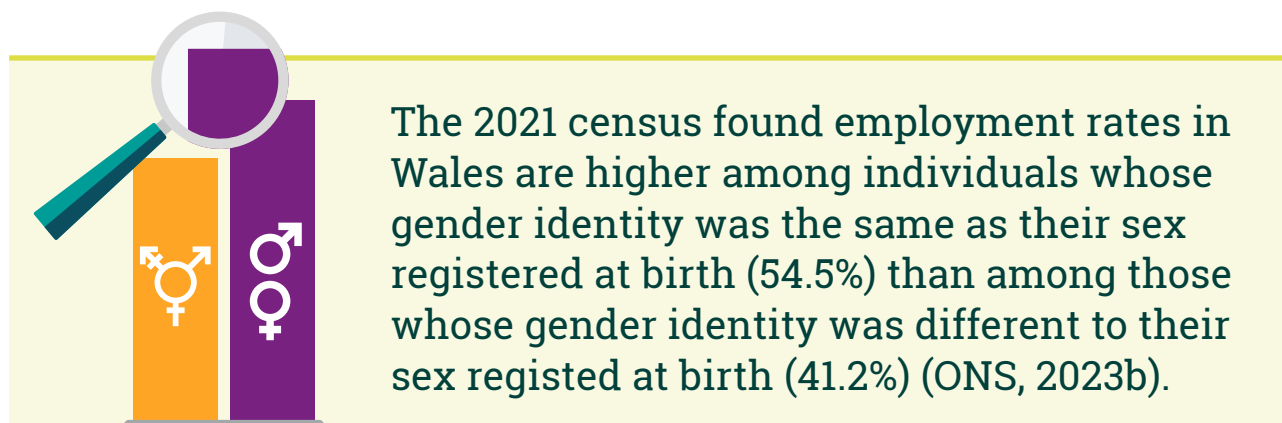
The 2019/20 SHRN research indicates children who identify as neither a boy nor a girl are also more likely (33%) to report having bullied others in the last couple of months than boys (18%) and girls (11%) (Page et al., 2021). This gap remains in the 2021/22 data but the difference has narrowed between those identifying as neither a boy or a girl (19%) compared to boys (17%) and girls (12%) (Page et al., 2023). There are few studies on the reasons for this difference in perpetration, though international research has identified a common association between being bullied and perpetrating bullying among children more broadly and indicates bullying others may be a coping mechanism for trans and non-binary young people (Heino et al., 2021).

## Cyberbullying

Children who do not identify as a boy or a girl are also more likely to experience cyberbullying. The SHRN 2021/22 2019/20 survey found 41% of this group reported being cyberbullied in the past couple of months compared with 20% of girls and 15% of boys (Page, et al., 2023).

### Work

#### Employment



Rates of economic inactivity are higher for those with a different gender identity to their sex registered at birth (51.4%) compared with those with the same gender identity as their sex registered at birth (42.4%). Rates of unemployment are also higher among those with a different gender identity to their sex registered at birth (7.3%) than among those with the same gender identity as their sex registered at birth (3.1%).

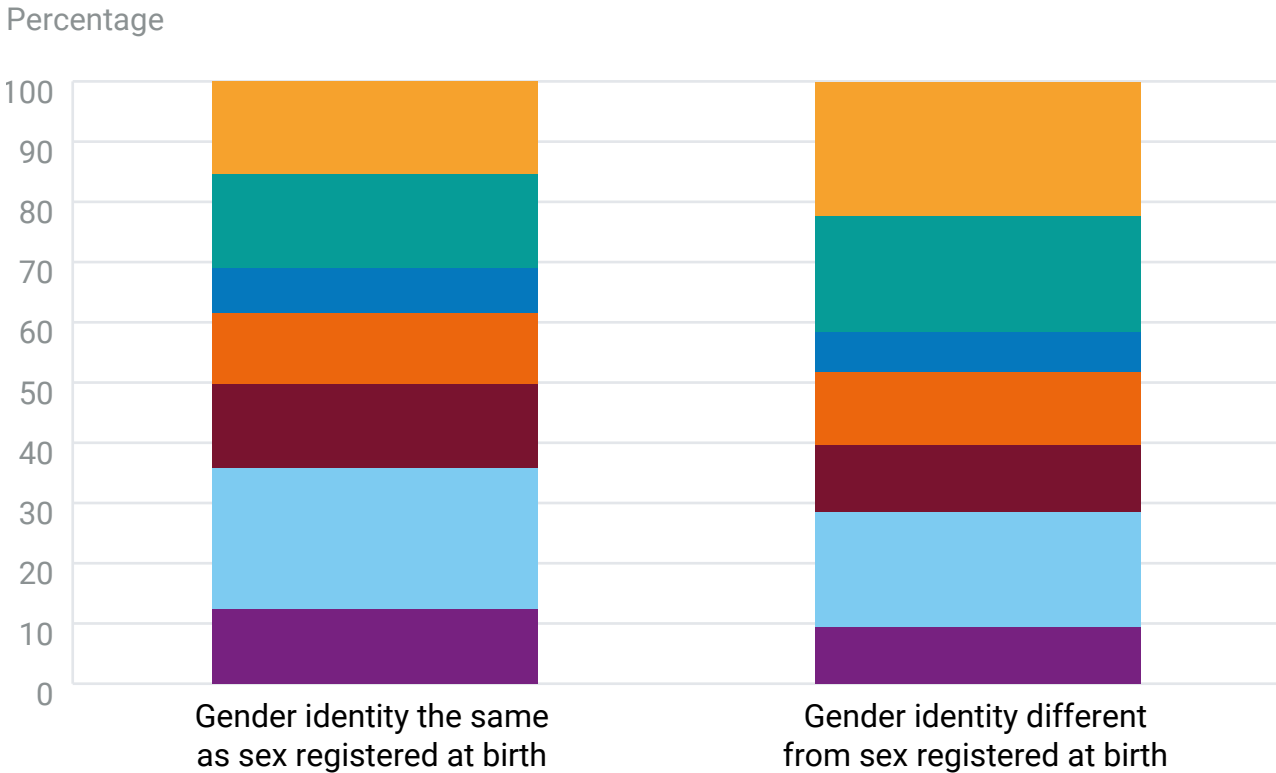
#### Occupational class segregation

Census 2021 data indicates that workers in Wales who have a different gender identity as their sex registered at birth are more likely to be in lower occupational classes and to do routine or semi-routine jobs than workers with the same gender identity as their sex registered at birth. Workers with a different gender identity are less likely to be in the three highest occupational classes.<sup>52</sup>

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52 Occupational classes are based on how jobs are formally classified by the Office for National Statistics (ONS) in terms of their skill level and skill content or specialisation.

**Figure 37: Percentage of workers in each occupational class in Wales by gender identity, 2021 census<sup>53</sup>**



- Routine occupations
- Semi-routine occupations
- Lower supervisory and technical occupations
- Small employers and own account workers
- Intermediate occupations
- Lower managerial, administrative and professional occupations
- Higher managerial, administrative and professional occupations

(Source: Office for National Statistics)

### Occupational industry segregation

The 2021 census found workers in Wales who have a different gender identity to their sex registered at birth were less likely to be employed in public administration, education and health or the construction industry than workers with the same gender identity as their

<sup>53</sup> This analysis only looks at workers, excluding those who are economically inactive or unemployed.



## Gender reassignment

sex registered at birth (see figure 38). Workers with a different gender identity to their sex registered at birth were much more likely to work in distribution, hotels and restaurants and in 'other' occupations.

**Figure 38: The percentage of workers in each industry in Wales, by gender identity, 2021 census<sup>54</sup>**



- Other
- Public administration, education and health
- Financial, real estate, professional and administrative activities
- Transport and communication
- Distribution, hotels and restaurants
- Construction
- Manufacturing
- Agriculture, energy and water

(Source: Office for National Statistics)

<sup>54</sup> This analysis only looks at workers, not people who are economically inactive or unemployed.

### **Bullying and harassment in the workplace**

Research suggests trans people face distinct forms of discrimination and disadvantage in the workplace. A 2017 survey of 1,272 LGBT employees in Wales (Stonewall Cymru, 2018) indicated trans people have a more negative experience at work than LGBT employees as a whole.

The survey found:

- 30% of trans people who responded had been the target of negative comments or conduct by colleagues in the past year because of their gender identity
- 32% of trans employees had experienced negative comments or conduct from clients or customers, and
- 4% of trans workers had been physically attacked for being trans by a customer or colleague in the past year.

Trans survey respondents also feared discrimination and felt anti-discrimination policies in their workplace were inadequate (Stonewall Cymru, 2018). The study found:

- 45% of trans employees had hidden or disguised their identity at work through fear of discrimination
- 50% of LGBT respondents<sup>55</sup> said their workplace did not have equality policies providing appropriate protection to trans people
- 18% of trans respondents were not confident about reporting transphobic bullying to their employer, and
- 34% of trans employees said their senior managers demonstrated visible commitment to trans equality.

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<sup>55</sup> This also includes non-trans lesbian, gay and non-binary respondents.

### Living standards

#### Housing

The 2021 Census showed that 69.9% of the adult population whose gender identity is the same as their sex registered at birth lived in owner-occupied housing in Wales. In contrast, only 41.4% of those with any other gender identity than that of their sex registered at birth<sup>56</sup> were in owner-occupied housing and were most likely to be living in private rented accommodation or living rent free (35.2%) (ONS, 2023c).

Census 2021 data also showed that people whose gender identity was different from their sex registered at birth were more likely to be living in overcrowded accommodation in Wales (8.0%) compared to people whose gender identity is the same as sex registered at birth (3.6%), meaning they have fewer bedrooms than required (ONS, 2023d).

#### Homelessness

Limited research is available on homelessness among trans people, but there is some evidence that homeless services in Wales are not responsive to trans people's needs. A Shelter Cymru study spoke to 25 trans people with experience of homelessness as well as groups offering services to homeless and trans people (Shelter Cymru, 2019). This found the trans participants had been reluctant to seek help when at risk of homelessness so they failed to access support that may have prevented them from becoming homeless. Both trans people and service providers said a lack of trans awareness led to trans service users feeling alienated and not receiving support sensitive to their gender identity.

Further qualitative research involving 19 trans people who had used homelessness hostels in Wales reported that they felt excluded by both staff and other service users when staying in temporary accommodation (England, 2022).

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56 This includes trans men, trans women, gender identity different from sex registered at birth but no specific identity given and all other gender identities.

## Social care

**There is some evidence that social care services may not be designed to support older trans people. Research by the Trans Ageing and Care (TrAC) project found that those in later life were worried about fitting into care homes and how they might be treated (Willis et al., 2019). Some were also concerned about living with dementia and losing control over their appearance and gender identity if they had to rely on social care staff.**

Research on care for older trans people's mental health identified similar concerns about dementia care and practitioner knowledge (Page et al., 2016). Participants in this study also reported positive experiences when they received timely care that respected their knowledge and experience and accepted their identity.

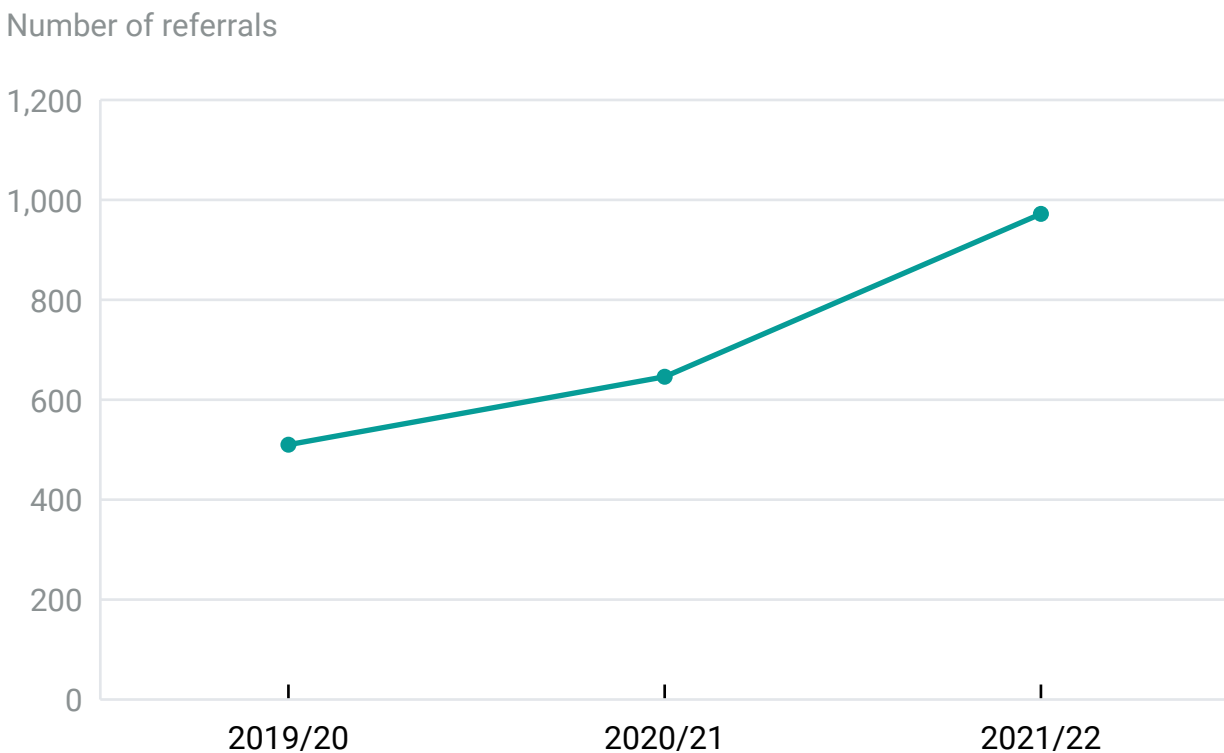
## Health

### Access to gender-affirming treatment

Trans people experience long waits for gender-affirming treatment. The waiting time for a first appointment with the Welsh Gender Service (WGS) was 14 months in May 2023 (NHS Wales, n.d). WGS waiting times are lower than for similar services in other parts of the UK but well above the Welsh Government’s healthcare target of services seeing all patients within 36 weeks. It is unclear how WGS waiting times compare with those for other specialist services in Wales, as gender-affirming treatment waiting times are not measured using the same methods.

Demand for gender-affirming services is growing and there is currently only one specialist clinic in Wales, located in Cardiff (NHS Wales, n.d). The number of referrals to WGS rose from 510 in 2019/20 to 972 in 2021/22. An independent LGBT expert panel reported concerns that services are under-resourced (Welsh Government, 2021c).

**Figure 39: Number of referrals to gender services in Wales, 2019–2022**



(Source: NHS Wales)

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## Gender reassignment

Creation of the WGS in 2019 enabled people seeking gender-affirming care to access some treatments in Wales. But other treatments are unavailable according to the independent expert panel (Welsh Government, 2021c). Surgical treatment requires referral to the NHS Gender Dysphoria National Referral Support Service (GDNRSS) in England. This means that trans people who want surgery must join waiting lists for hospitals in England (GDNRSS, 2021). Individuals will need to pay travel, accommodation and other costs. The independent LGBT expert panel raised concerns that this could create socio-economic barriers for Welsh people who want surgical treatment (Welsh Government, 2021c).

Children and young people must also travel to England for gender-affirming treatment, though NHS Wales is scoping a young person's service for Wales following recommendations from the interim Cass independent review of gender identity services (Cass, 2022).

### Care of older trans people

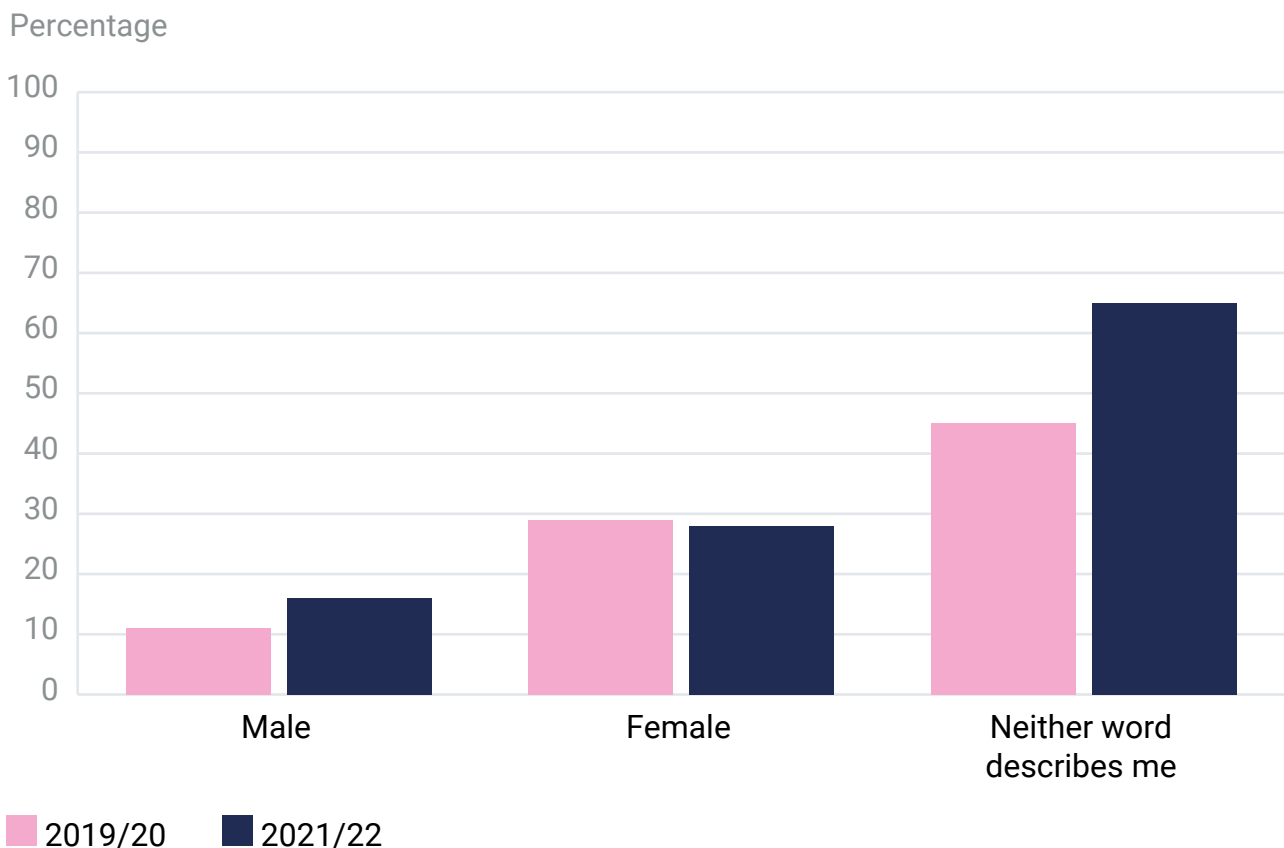
Gender reassignment health services may not provide sufficient support and information for older trans people, including those who transition later in life. Research from the TrAC project found some trans participants were concerned about the unknown effects of taking gender-affirming hormone treatment later in life (Willis et al., 2019). Some were positive about transitioning when they were older and said it gave them 'a new lease of life'. Others regretted they had not done it earlier.

**Overall, participants (both trans people and health and social care practitioners) said that healthcare professionals needed more education and training on gender reassignment later in life.**

### Mental health

Young people who identify as neither a girl nor a boy were shown in the 2019/20 SHRN Student Health and Well-being Survey to have poorer mental health than pupils identifying as a boy or a girl before COVID-19 (Page et al., 2021). Scored using the SDQ composite measure of mental health,<sup>57</sup> 54% of young people who identified as neither a girl nor a boy had mental health symptoms in the very high range compared with 19% of young people overall. This increased to 65% of young people who identified neither as a boy nor girl in 2021/22 compared to 24% across all young people (Page, et al., 2023). These trends are shown in figure 40.

**Figure 40: Percentage of SHRN survey respondents with very high SDQ scores, 2019/20 and 2021/22 – Wales**



(Source: SHRN)

<sup>57</sup> Strengths and difficulties questionnaire (SDQ) score is a robust measure of symptoms of poor mental health. Higher scores indicate more symptoms associated with poor mental health.

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## Gender reassignment

Pupils who identified as neither a boy nor a girl were also least likely (40%) to agree that support was available at their school for students feeling unhappy, worried or unable to cope, compared with pupils identifying as boys (66%) and girls (59%) in 2021/22. Pupils identifying as neither a boy nor a girl were also least likely (34%) to agree that they had the help and emotional support they needed from their family, compared with 65% of all young people surveyed. This figure decreased by five percentage points across all young people compared to 2019/20 but the decrease was greater among those identifying as neither a boy nor a girl (42% to 34%) (Page, et al., 2021). Pupils agreeing there was mental health support at school remained more stable for those identifying as neither a boy nor a girl changing from 41% in 2019/20 to 40% in 2021/22.

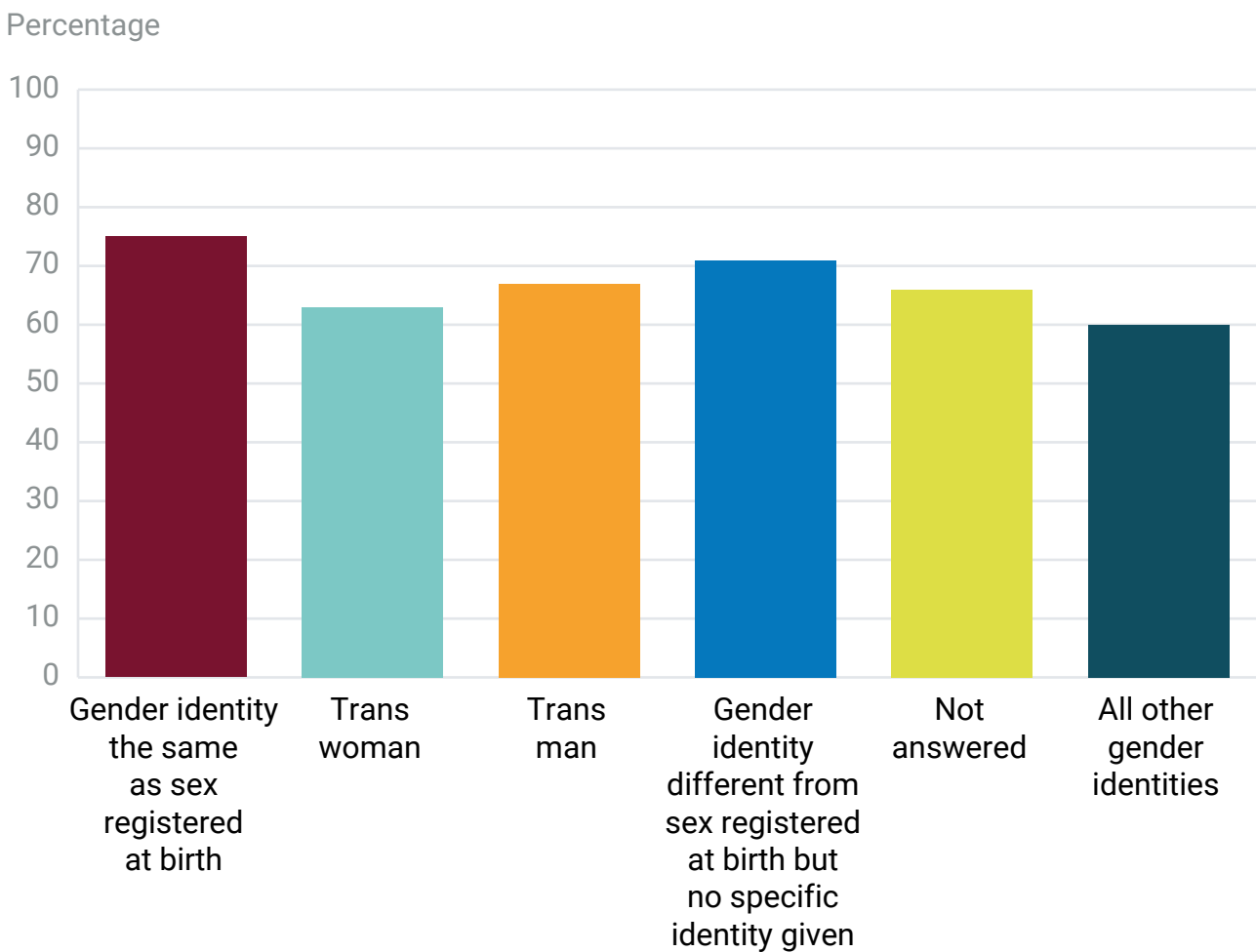
LGBT people in Wales fear disclosing their identity, which has a significant impact on their mental health. The Welsh Government commissioned Stonewall Cymru to carry out a survey in 2020 to inform its LGBTQ+ Action Plan (Welsh Government, 2021c). This found 78% of survey respondents were not open about their sexual orientation or gender identity for fear of a negative reaction and 46% had experienced verbal harassment in the past year. This survey also highlighted that a sizeable minority of Q+ people had negative experiences in healthcare settings in Wales but that the majority indicated that disclosing their gender identity or sexual orientation to healthcare staff had either a neutral or positive impact on care overall. These findings are discussed in further detail in the Chapter on Sexual Orientation.



### Health outcomes

The 2021 census results for Wales showed that people whose gender identity is different from their sex registered at birth report lower levels of good or very good health compared with those whose gender identity is the same as their sex registered at birth. Figure 41 shows that 75% of those whose gender identity is the same as their sex registered at birth report good or very good health, while between 60-71% of those identifying as having different gender identity to their sex registered at birth report good or very good health. Trans women and those with a gender identity different to the available categories in the census report the lowest levels of good or very good health (ONS, 2023e).

**Figure 41: Percentage reporting good health by gender identity – Wales- Census 2021**

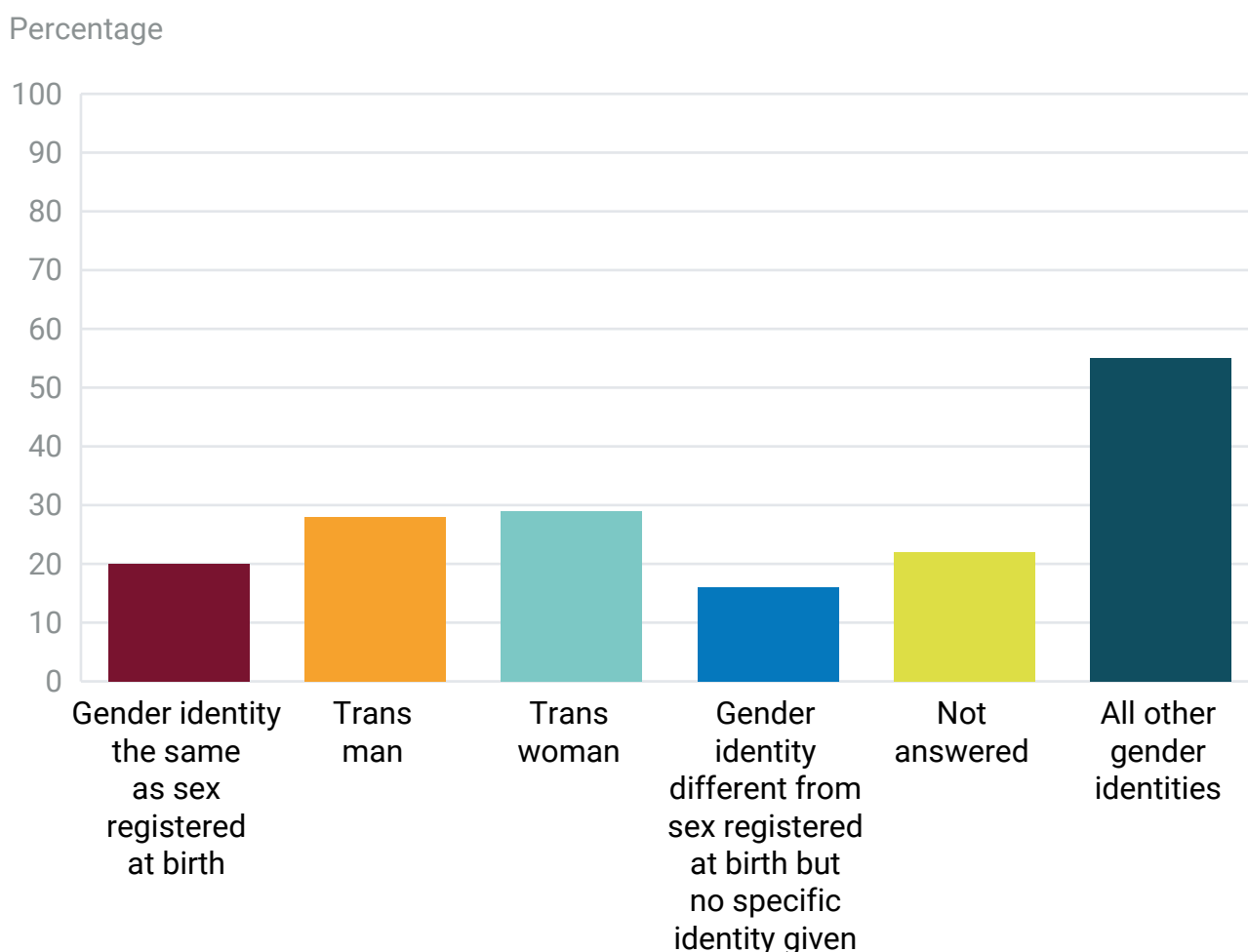


(Source: Office for National Statistics)

## Gender reassignment

In addition, trans men, trans women and those with an 'other gender identity' reported higher percentages of disability under the Equality Act. Figure 42 shows that, among those whose gender identity is the same as their sex registered at birth, 24.4% reported a disability compared with 40.0% among trans men, 42.9% among trans women and 59.2% among those with an 'other gender identity' (ONS, 2023f). Combined with lower levels of good health, this may indicate that trans and non-binary people have specific health and social care needs.

**Figure 42: Percentage reporting a disability under the Equality Act by gender identity, Census 2021 – Wales**



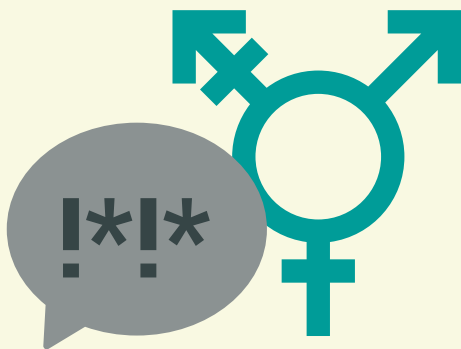
(Source: Office for National Statistics)

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## Justice

### Hate crimes

A small but growing number of hate crimes relating to trans identity have been recorded by police in Wales.



In 2021/22, police forces in Wales recorded 247 hate crimes motivated by trans identity (3.9% of all recorded hate crimes), a rise from 173 in 2020/21 (3.7% of all recorded hate crimes) and 120 in 2018/19 (3.1% of all recorded hate crime).

(Home Office, 2019; 2021; 2022).

All other hate crimes have also seen an increase over this period.

### Participation

#### Civic participation and ability to influence decisions

The SHRN Student Health and Wellbeing Survey found that in 2021/22 fewer children identifying as neither a boy nor a girl felt their ideas were taken seriously (18%) compared with all children (36%). In addition, 27% of young people identifying as neither a boy nor a girl said that students' ideas more generally were taken seriously at school compared with a little under one in two (46%) across all students (Page, et al., 2023). These response levels were similar when students identifying as neither a boy nor a girl were asked if students had a say in planning school activities (28%) and events and if they had many opportunities to help decide and plan school projects (28%).

#### Physical activity

The SHRN study for 2019/20 found 22% of young people who identified as neither a girl nor a boy said they achieved the recommended amount of physical activity of 60 minutes per day compared with 17% of all young people surveyed (Page et al., 2021). In 2021/22, 11% of children identifying as neither a boy nor a girl reported meeting the recommended physical activity levels. This compared to 21% of boys and 12% of girls (Page, et al., 2023).

#### Social and community cohesion

The same research found young people identifying as neither a boy nor a girl were the group least likely to feel accepted by their teachers. In 2021 36% agreed they felt accepted, compared with 76% of boys and 67% of girls (Page, et al., 2023). This has declined from 50% in 2019 (Page et al., 2021).

Those students identifying as neither a boy nor a girl were also most likely (78%) to report feeling lonely during the most recent school summer holiday in 2021/22 compared with 42% of girls and 25% of boys (Page, et al., 2023). Feelings of loneliness over the summer holidays increased among children overall compared to 2019/20 but the greatest increase was observed among children who identify as neither a boy nor a girl (from 61% to 78%) (Page, et al., 2021).

### Recommendations

28. The Welsh Government, Local Authorities, Estyn and schools should address bullying based on gender identity including recording and reporting incidents.
29. The Welsh Government should introduce compulsory measures for public bodies in Wales to record, report and monitor incidents of bullying based on gender identity and evaluate effectiveness of procedures.
30. The Welsh Government should commit to establishing a gender identity service for young people in Wales.
31. The Welsh Government, local authorities and regional partnership boards should use the new National Framework for commissioning care and support to ensure the provision of care services that meet the needs of trans people.

# Race

**There have been areas of positive change in racial inequalities in Wales, including improvements in school-leaver attainment gaps and greater diversity in public appointments. But stark disparities between ethnic groups remain in areas such as education and housing. There is a lack of robust and relevant evidence to help understand, evaluate and measure racial inequalities specific to Wales, which is particularly apparent in crime and justice.**

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## **Definitions**

Data sets for Wales are rarely disaggregated by ethnicity. Analysis here primarily uses three categories to ensure robust samples for statistical analysis: White British, White minority and ethnic minority. In places, White British and White minorities are aggregated into one category. We have retained the terminology used in the data sets for accuracy and added a footnote for clarity where applicable.

## Key findings

- In the primary education foundation phase, there are a range of disparities between the attainment of different ethnic groups. The most notable disparity is for Gypsy, Roma and Traveller (GRT), who have significantly lower attainment rates than all other ethnic groups.
- For school-leavers, aggregated data shows higher attainment among ethnic minority pupils compared to White British. However, the lack of disaggregation and detail in existing evidence could be hiding similar disparities to those found at Foundation Phase.
- In Wales, ethnic minority workers are more likely to be in insecure employment (8.0%) than White British workers (14.2%) in 2019/20. However, this gap in insecure employment has narrowed overtime. Ethnic minority workers were also more likely to work in a low paid occupation.
- Ethnic minority groups in Wales are more likely to report experiences of discrimination and bullying in the workplace.
- Ethnic minorities in Wales are more likely to be living in poverty, as 40% of ethnic minority-headed households (excl. White minorities) were living in poverty, compared to 22% of White-headed households. Some ethnic minority groups are also more likely to experience homelessness and overcrowding and are less likely to be homeowners.
- Evidence suggests that health and social care workers from ethnic minority backgrounds face serious discrimination and prejudice.
- The number of racially or religiously aggravated offences recorded by the police increased from 1,704 in 2017/18 to 2,934 in 2021/22. However, the proportion of offences resulting in a charge has decreased during this period. Black or mixed ethnic people are more likely to have experienced sexual assault in the past year than White, Asian or other ethnic groups.
- The proportion of public appointments of people from ethnic minority backgrounds has increased in recent years.



## Data Considerations

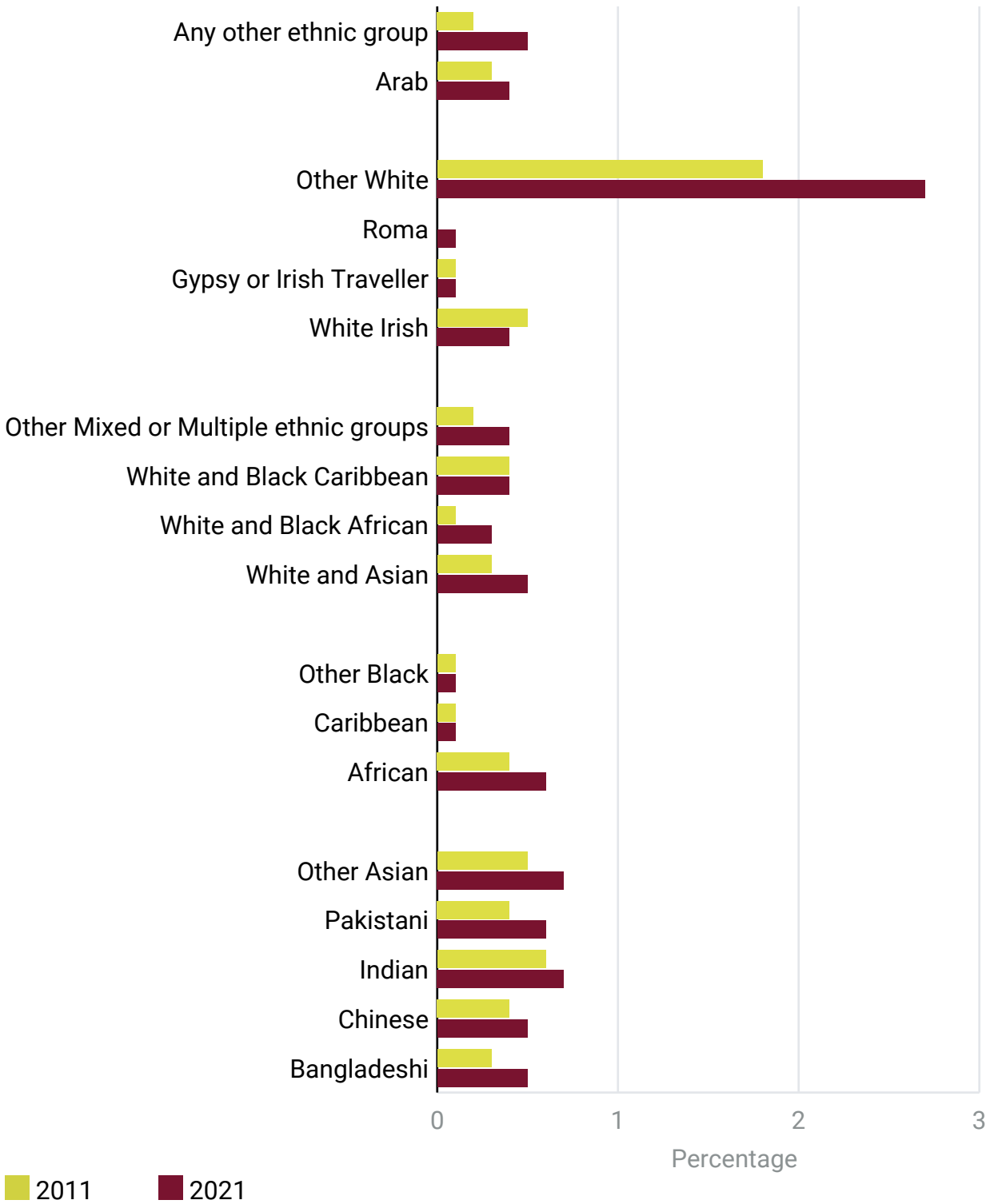
Due to low sample sizes, in some geographies and datasets, we have not been able to create robust estimates for all ethnicity categories in all datasets. Where this is the case, we have aggregated ethnic categories to higher level categories in order to create more robust samples. In this chapter, data aggregation is used when the terms 'ethnic minorities', 'ethnic minorities (excl. White minorities)' and 'White minorities' are referenced.

Ethnic minorities is a term used when data from all ethnic groups aside from White British is combined. When findings are more robust, we can break down ethnic Minorities into White minorities, which derives from all White groups other than from White British and ethnic minorities (excl. White minorities) which derives from all non-White minority groups.

## Demographics

The 2021 census showed fewer people (90.6%) in Wales identified as White Welsh, English, Scottish, Northern Irish or British, a continuing trend from 2011 (93.2%) and 2001 (96.0%). The largest increase was seen in the number identifying as Other White (ONS, 2022a).

**Figure 43: Census data on ethnicity, Wales**



(Source: Office for National Statistics)

## Legal and policy developments

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### Anti-racist Wales Action Plan

**In 2022, the Welsh Government published its Anti-racist Wales Action Plan (ArWAP) (Welsh Government, 2022a), which aims to take a new anti-racist approach to change systems, policies and processes that previously excluded or damaged ethnic minority people (Welsh Government, 2022a, p.5). The ArWAP highlights the importance of a rights-based approach, acknowledging the nature of intersectional racism. This is a different approach to that outlined in the UK government's 'Commission on Ethnic and Racial Disparities' (CRED) report, which cautions against using language such as systemic or structural racism (CRED, 2021).**

The Welsh Government committed to creating this plan in 2020, driven by:

- calls from the Wales Race Forum and other civil society organisations
- the impact of the COVID-19 on ethnic minority groups
- recommendations made by the COVID-19 Black, Asian and Minority Ethnic Socio-economic Subgroup (Welsh Government, 2020a), and
- the resurgence of the Black Lives Matter movement in Wales.

The ArWAP sets a vision for 2030, including initial goals and actions from 2022 to 2024. The Welsh Government has also established its Race Disparity Evidence Unit to assess available race and ethnicity-related data, improve data collection, support informed policy decisions and monitor and evaluate the ArWAP's implementation.

While the cross-government approach was welcomed, there was criticism that some commitments are not new and there is a focus on activity rather than outcomes and a lack of detailed funding commitments.

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## Education

### Curriculum for Wales

In 2021, the Welsh Government accepted all recommendations (Welsh Government, 2021a) of the Black, Asian and Minority Ethnic Communities, Contributions and Cynefin in the New Curriculum Working Group (Welsh Government, 2021b). The new curriculum includes a mandate to teach Black, Asian and ethnic minority histories and experiences. Wales is the first UK nation to do this.

#### **ArWAP commits to action on Curriculum for Wales through:**

- **identity-based bullying / harassment policies,**
- **recruitment, retention and progression of ethnic minority educators, and**
- **improved teacher training (Welsh Government, 2022a, p. 41).**

The Welsh Government funded the Diversity and Anti-Racist Professional Learning (DARPL) project (Welsh Government, 2022a, p.10) and indicated to Estyn (which inspects education and training in Wales) a possible requirement that 2023/24 school inspections would include a best practice review of the curriculum to address diversity (Welsh Government, 2022a, p.18).

### Diversity in education workforce

After research found the Welsh education workforce was less ethnically diverse than its pupils (Education Workforce Council, 2020), the Welsh Government committed to recruit more ethnic minority teachers (Welsh Government, 2021c), including through a financial incentive to recruit ethnic minority entrants to initial teacher education courses (Welsh Government, 2022a, p.12).

## Gypsy, Roma and Traveller provision

**In response to the Enabling Gypsies, Roma and Travellers action plan (Welsh Government, 2018a), Estyn undertook a review of provision for GRT secondary school pupils (Estyn, 2019) and recommended that the government update its 2008 guidance on provision for GRT pupils (Welsh Government, 2008). The ArWAP commits to co-designing and publishing statutory guidance for schools relating to GRT communities in 2023 (Welsh Government, 2022a, p.51).**

## Post-compulsory education

The Tertiary Education and Research (Wales) Act 2022 provides the statutory framework for the establishment of one commission, the Commission for Tertiary Education and Research (CTER) to oversee all post-compulsory education, including a duty to encourage participation in tertiary education and promote equality of opportunity. The CTER will become operational from April 2024. As a condition of funding, the ArWAP expects higher education institutions to commit to race equality charter marks by September 2023 and attain these within three years (Welsh Government, 2022a, p.45).

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## Work

### Ethnicity pay gap

The Welsh Government set a national milestone to eliminate the ethnicity pay gap by 2050, in line with duties under the Well-being of Future Generations (Wales) Act 2015 (Welsh Government, 2021d).



There is little data relating to ethnicity pay gaps.

In the short term, data on Black, Asian and other ethnic minority pay and employment will be incorporated into Welsh Government fair work outcome measures (Welsh Government, 2022a, p.24).

### Ethnic minority recruitment and working conditions

The ArWAP includes commitments to improve recruitment and conditions for ethnic minority workers across the public sector, including a new workforce race equality standard to address poor experiences of ethnic minority health and social care workers. The Stronger, Fairer, Greener Wales Employability Plan aims to implement ArWAP goals by improving ethnic minority participation, particularly by women, in employability and business start-up programmes and increasing funding for ethnic minority community groups (Welsh Government, 2022c).

### Refugee integration

As part of its Nation of Sanctuary commitments, the Welsh Government invested £2 million to develop and implement the ReStart: Refugee Integration Project, which ran from 2019 to 2022, providing accredited ESOL (English for speakers of other languages) courses, employability courses and access to training. The Welsh Government also commissioned research on refugees in the Welsh labour market (Holtom et al., 2020).

### Business start-ups

In 2020, the Welsh Government launched the £1.2 million Business Barriers Wales Fund, with over half the funding reserved for young people not in education or training, disabled people, ethnic minorities, and women to start their own business (Welsh Government, 2020b).

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## Living standards

### Socio-economic duty

Our evaluation of the Socio-economic Duty implementation by 24 public bodies in Scotland and Wales found that more work was needed to understand how the intersection between some protected characteristics and socio-economic disadvantage shapes inequalities of outcome (EHRC, 2021).

### Mitigating the risk of poverty and destitution

The Welsh Government Strategic Equality Plan (SEP) 2020–2024 (Welsh Government, 2020c) includes actions to:

- mitigate the risk of people falling into poverty
- improve outcomes for those most at risk and who live in low-income households, and
- use European Structural Funding (ESF) to help targeted groups, including ethnic minorities, gain essential skills and job-specific qualifications.

**Our 2018 statutory review, *Is Wales Fairer?*, noted the Welsh Government's then Refugee and Asylum Seeker Delivery Plan did not address destitution. The 2019 Nation of Sanctuary plan does, and so have subsequent progress reports. In 2022 the Welsh Government published guidance on the support available to those with no recourse to public funds (Welsh Government, 2022d).**

## Housing

The ArWAP pledges a number of actions on housing including:

- creating a homes' sector workforce that includes ethnic minority people at all levels, including senior leadership and boards
- ensuring ethnic minority people have equal access to homelessness services and homes, and
- taking action on GRT accommodation (Welsh Government, 2022a, p 82).

## Gypsy, Roma and Traveller communities

A 2022 Senedd Local Government and Housing Committee inquiry concluded that, though the Wales statutory framework to promote the planning and development of sites for GRT communities had been in place for almost a decade, local authorities had made little progress in providing enough suitable residential and transit sites (Welsh Parliament, 2022).

### **The Welsh Government accepted all the committee's 21 recommendations, also noting ArWAP commitments to:**

- **ensure full compliance with existing legal mechanisms**
- **pilot a programme of independent advice for those seeking to develop private sites**
- **review the funding policy for Gypsy and Traveller sites, and**
- **redraft Gypsy and Traveller site guidance (Welsh Government, 2022e).**

## Refugee accommodation

The Welsh Government's 2019 Nation of Sanctuary – Refugee and Asylum Seeker Plan committed to improve housing support for refugees and asylum seekers. It confirmed it had funded support to help new refugees find alternative accommodation during the 'move-on period' as well as advocacy forums to enable asylum seekers to discuss issues with their accommodation (Welsh Government, 2020d).



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## Health

### Health inequalities

**The Welsh Government plans with measures to reduce health inequalities for different groups include the ArWAP, the Enabling Gypsies, Roma and Traveller action plan (Welsh Government, 2018a) and the Nation of Sanctuary plan (Welsh Government, 2019).**

The ArWAP reflects recommendations from a Wales Centre for Public Policy review of race equality in health and social care, providing evidence for goals such as improving maternity services and ensuring culturally competent and accessible services (Wales Centre for Public Policy, 2021).

The Enabling, Gypsies, Roma and Travellers action plan pledged to:

- evaluate Health Impact Assessments and feed results into service planning
- provide equality and cultural awareness training for health practitioners, and
- improve reporting and analysis of GRT health outcomes.

### Free healthcare

The Welsh Government continues to provide free healthcare for refugees and asylum seekers, including those with no recourse to public funds (Welsh Government, 2022d, p.14) and have published guidance to health boards in Wales when providing support (Welsh Government 2018).

## Justice

### **Criminal justice system (CJS) services**

The 2022 Criminal Justice Anti-Racism Action Plan for Wales applies to all services in the CJS in Wales, (Criminal Justice Board for Wales, 2022). It notes the influence of the Lammy Review into the treatment of ethnic minorities in the CJS (Lammy, 2017) and includes commitments to challenge racism, to fairness and educating the workforce, and to early intervention and prevention. The ArWAP commits to work with criminal justice partners to improve the evidence available on racial disparities in the CJS (Welsh Government, 2022a, p. 117).

### **Police and Crime**

#### **Sentencing and Courts Act 2022 and unauthorised encampments**

The Welsh Minister for Social Justice and the Senedd Local Government and Housing Committee (Welsh Parliament, 2022) have expressed concerns that provisions in the Police, Crime Sentencing and Courts Act 2022 criminalising unauthorised encampments will discriminate against Gypsies, Roma and Travellers. The Senedd declined to give legislative consent to provisions in the Bill, including those on unauthorised encampments.

#### **Police restraint and custody-related deaths**

Inquests into the deaths of two Black men in Wales in 2021 are due to be held in 2023 and 2024. Mouayed Bashir died after being restrained by Gwent Police officers at his family home and Mohamud Hassan died in Cardiff the day he was released from South Wales Police custody.

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## Participation

### Representation in public appointments

The Reflecting Wales in Running Wales: Diversity and Inclusion Strategy for Public Appointments in Wales (2020-2023) prioritised actions to increase representation of ethnic minority people in public appointments (Welsh Government, 2020e). It was in response to the 2017 Delivering Together report, which suggested a need to apply consistent standards to public appointment recruitment to address the lack of representation of ethnic minority and disabled people on Welsh boards (Douch and Rosser, 2017). Since 2019, the Welsh Government has funded Equal Power Equal Voice mentoring programmes for people in groups which are underrepresented in public life, including ethnic minority people.

### Sports initiatives

Sport Wales has responded to the Tackling Racism and Racial Inequality in Sport Review with its own action plans (Sport Wales, 2021). Implementation has included working with the Welsh Government's Centre for Digital Public Services to change approaches to grassroots funding and investing £200,000 to help understand barriers and tackle inequalities with a focus on race across Wales.

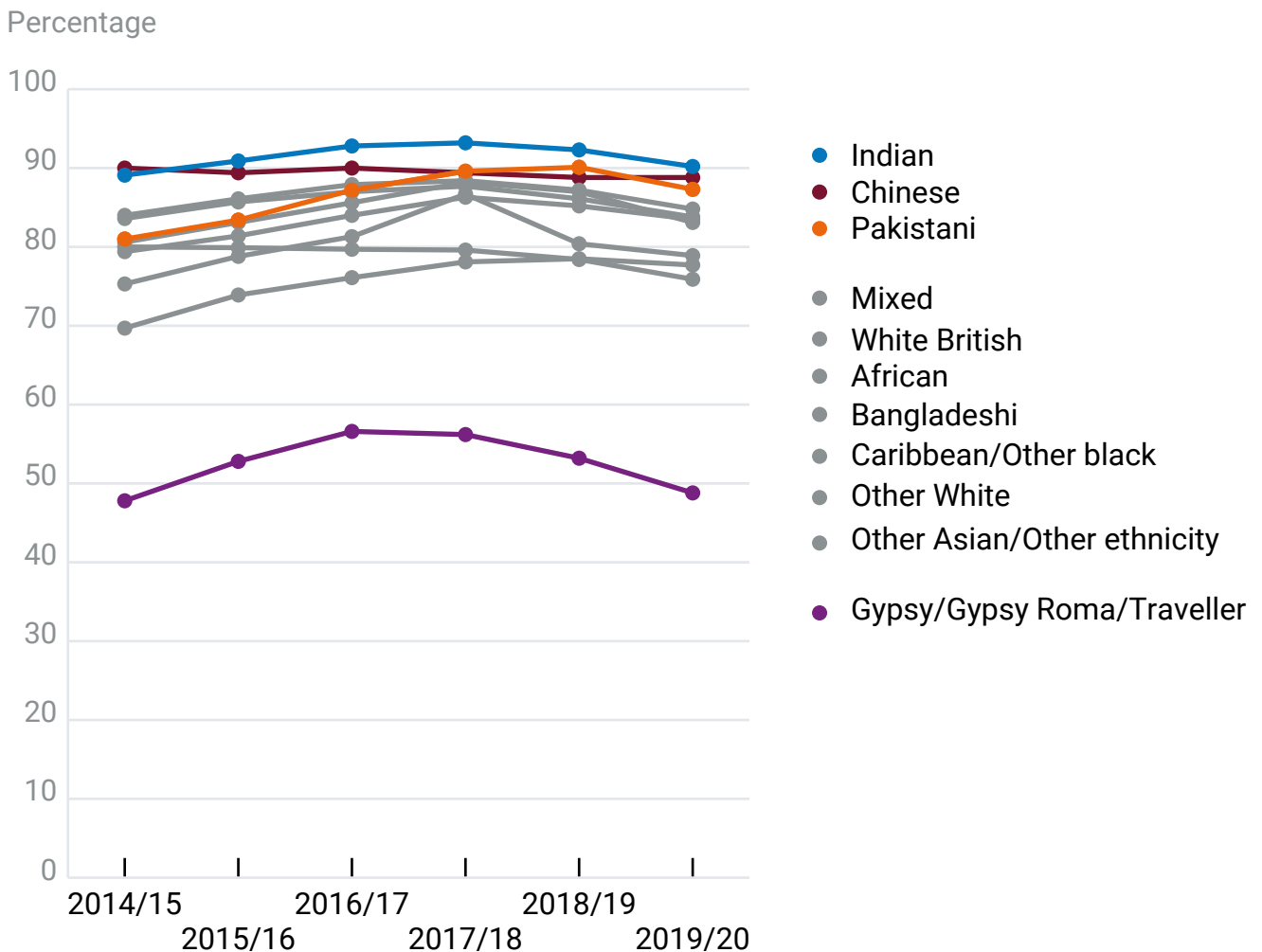
# Outcomes

## Education

### Early years attainment

Data to 2018/19 shows that Indian, Chinese and Pakistani ethnic groups had the highest attainment rates at the early years foundation stage while Gypsy Roma and Traveller (GRT) children had the lowest. Traveller children also showed the biggest drop in attainment since 2016/17, at 7.4 percentage points. The attainment gap for GRT children in 2018/19, compared with White British children, was the largest of all ethnic groups, at -35.0 percentage points.

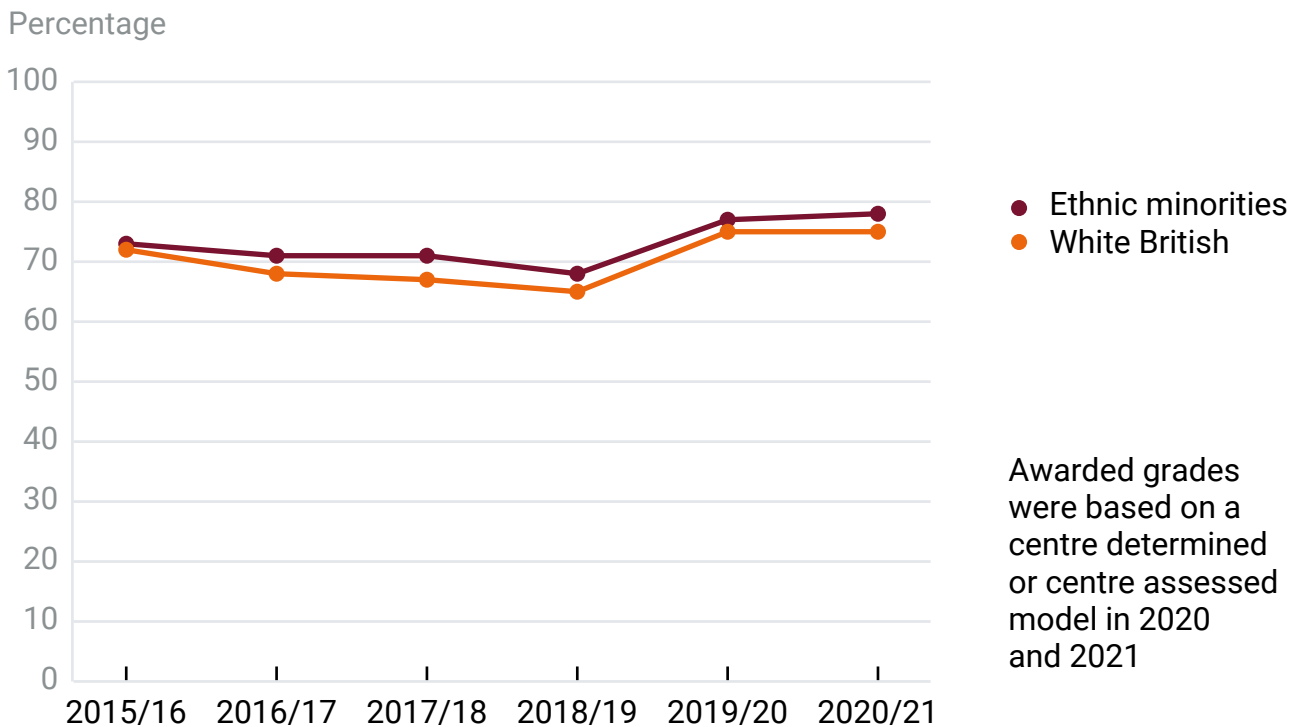
**Figure 44: Early years attainment by ethnicity**



(Source: EHRC analysis of Welsh Government data)

GCSE attainment decreased between 2015/16 to 2018/19 among both White British children and ethnic minorities, by one or two percentage points. In 2019/20, there was a significant rise in the attainment of required outcomes by both White British children (from 65.1% to 74.6%) and ethnic minorities (from 64% to 77.1%), due to a change in measuring key stage 4 (KS4) performance in Wales. Overall, the difference in the rates of attainment between ethnic minority and White British pupils increased from 0.9 percentage points in 2015/16 to 2.5 percentage points in 2019/20, remaining statistically significant.

**Figure 45: Secondary attainment**



(Source: EHRC analysis of Welsh Government data)

Evidence suggests that ethnic minority pupils consistently achieve higher rates of attainment at school-leaving age than White British children, a difference that has risen slightly since 2015/16, though there may be variation between particular ethnicities.

Due to COVID-19, there was a statistically significant but small increase in the attainment of pupils between 2019/20 and 2020/21, when national examinations were replaced by centre assessment grades (CAG), or standardised grades calculated by the Welsh Joint Education Committee (WJEC) exam board. In 2020/21 ethnic minority pupils were still more likely (78.3%) to achieve the required outcomes under these changed assessment methods than White British pupils (75.0%). No later data is available.

### Exclusions

Pupils from ethnic minority backgrounds are excluded at higher rates overall than White pupils, though evidence highlights detailed differences between types of exclusion and ethnic categories in the data (Welsh Government, 2022f).

Chinese students are permanently excluded at the lowest rate and Asian students at the highest.<sup>58</sup> For fixed-term exclusions of more than five days, White students are excluded at the highest rate and Indian students at the lowest. Indian students have the lowest rates of exclusion for five days or fewer and Black Caribbean students have the highest.

### Bullying

There are racial disparities in experiences of bullying in school in Wales. According to findings from the SHRN (Hewitt, G et al., 2019), in 2017/18 GRT and White Irish children reported the highest rates of both being bullied in person (45% and 48% respectively) and cyberbullying (33% and 27%) and also reported as most likely to have bullied another person. Children of Indian heritage are least likely to report being victims of bullying. However, these figures should be viewed with caution, as 45% of children 'prefer not to say' their ethnic group when reporting experiences of being bullied (Hewitt G. et al., 2019, p.95 and p.118). The ArWAP was informed by peer research findings about the types of racialised bullying children experience, such as hair discrimination and racialised insults and language (Race Alliance Wales, 2021).

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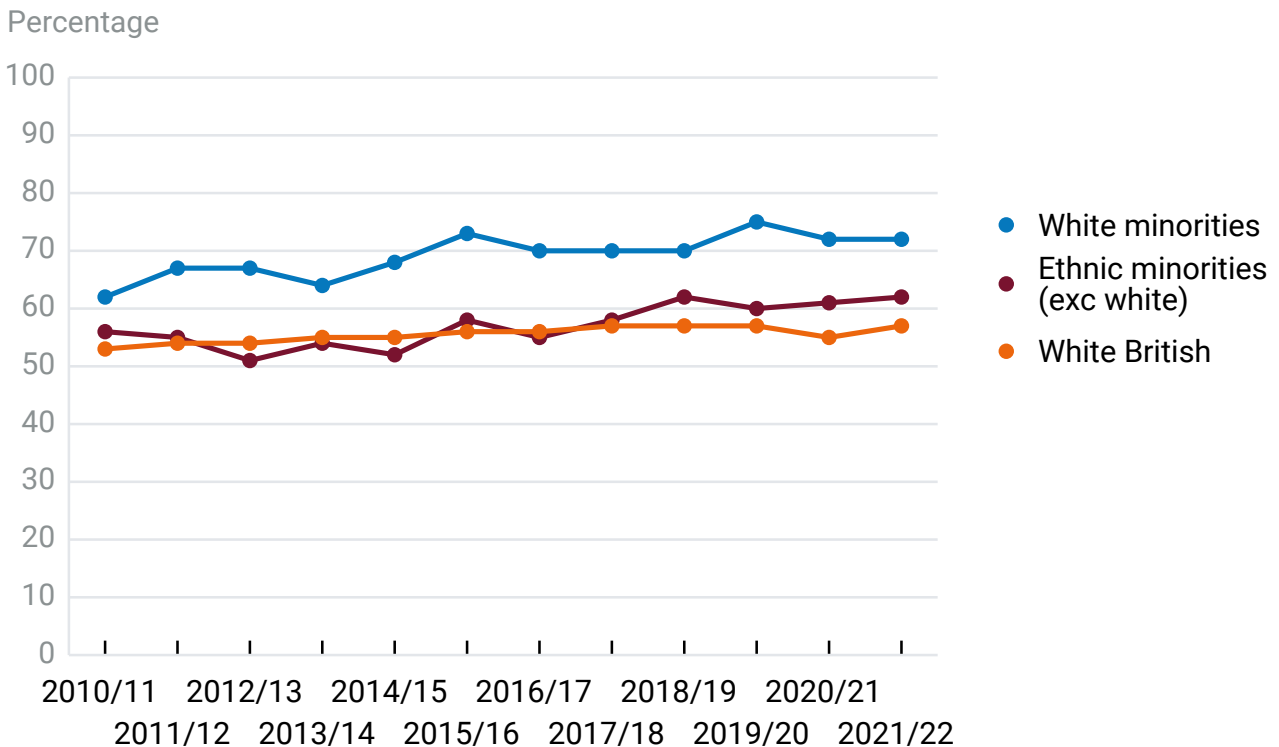
58 Grouped by the source.

## Work

### Employment rates

In 2019/20, ethnic minority adults overall were more likely (65.6%) to be employed than White British adults (56.5%) in Wales. But when this is split into the categories Minority White and ethnic minorities (excluding White Minorities), only the Minority White group has a higher rate of employment. Ethnic minority rates of employment show no significant difference to the White British group. From 2010/11 to 2019/20, employment rates for White British and White minorities grew but for ethnic minorities (excluding White minorities) showed no significant change. The employment gap between White Minorities and White British widened by 9.5 percentage points, however other ethnic minorities' negative employment gap remained unchanged.

**Figure 46: Employment rate, Wales, 2010/11 to 2021/22**



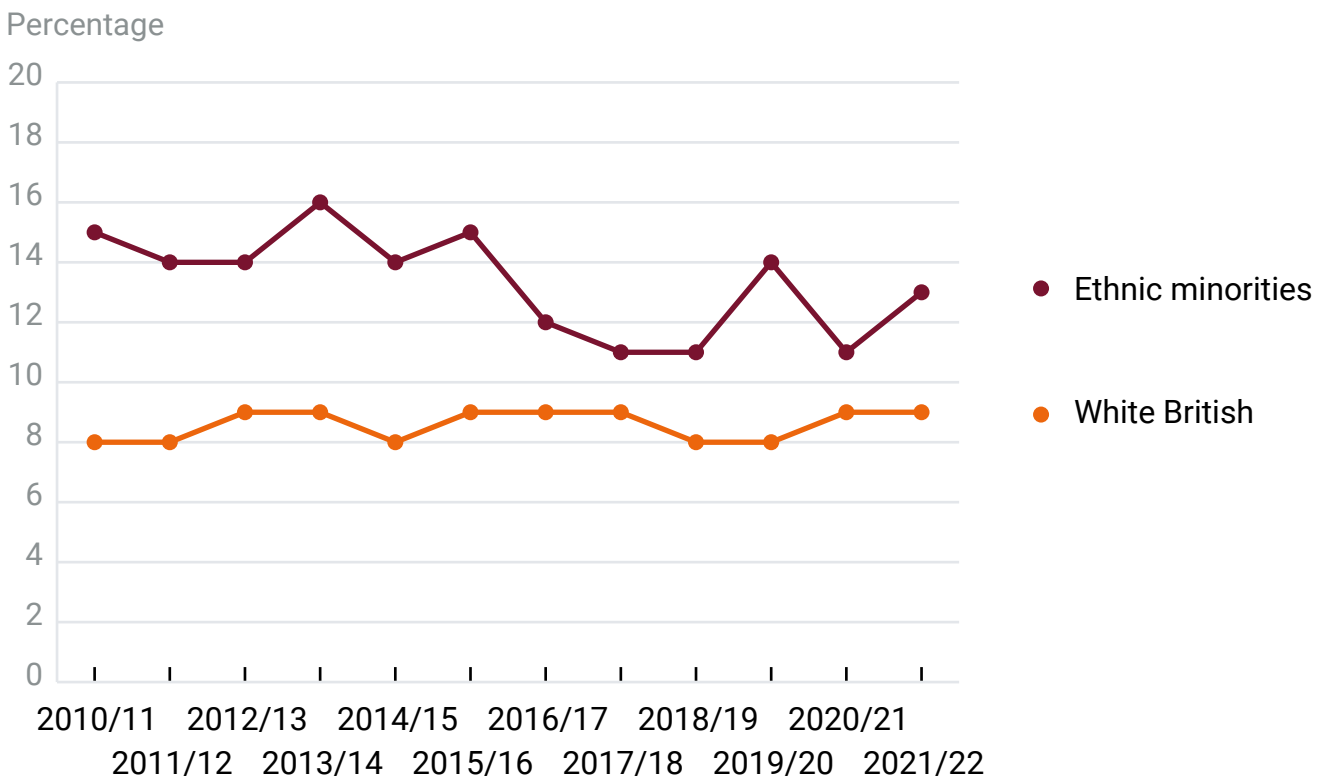
(Source: EHRC analysis of Annual Population Survey)

**Insecure employment**

**Ethnic minority workers are generally more likely than White British workers to be in insecure employment (8.0% compared to 14.2% in 2019/20).**

The proportion of ethnic minority workers in insecure employment declined between 2010/11 and 2018/19 and the gap with White British workers has narrowed. However, in 2019/20 there was a large increase in insecure employment rates among ethnic minorities, followed by significant decline. Comparatively, White British workers' insecure employment rates have remained stable over time (see figure 47).

**Figure 47: Insecure employment, Wales, 2010/11 to 2021/22**



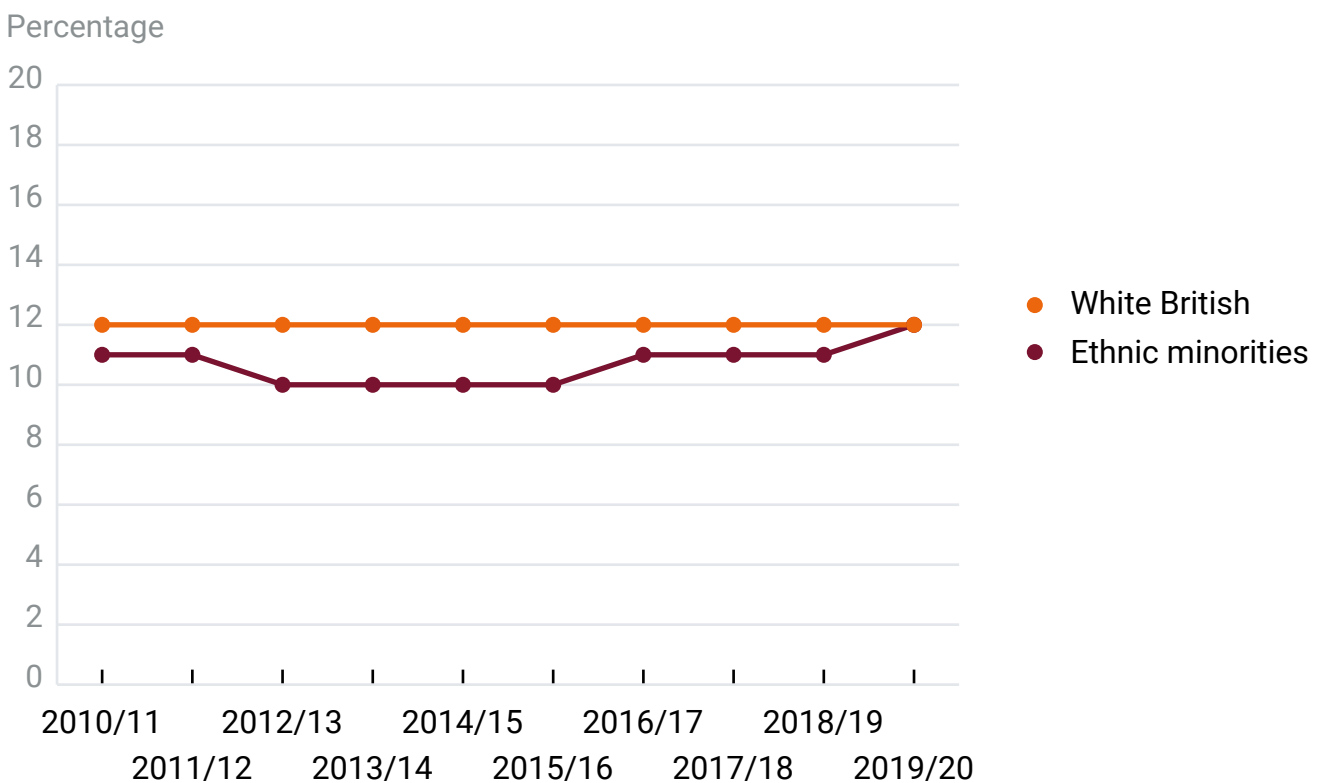
(Source: EHRC analysis of Annual Population Survey)



### Low-paid occupations

Between 2010/11 and 2019/20, ethnic minority workers remained significantly more likely to be in low-paid occupations than White British workers, with little change for either group. Similarly, between 2010/11 and 2018/19, ethnic minority workers had significantly lower median hourly earnings than White British workers. But between 2018/19 and 2019/20, ethnic minority earnings increased so there was no longer a significant earnings gap between White British and ethnic minority workers.

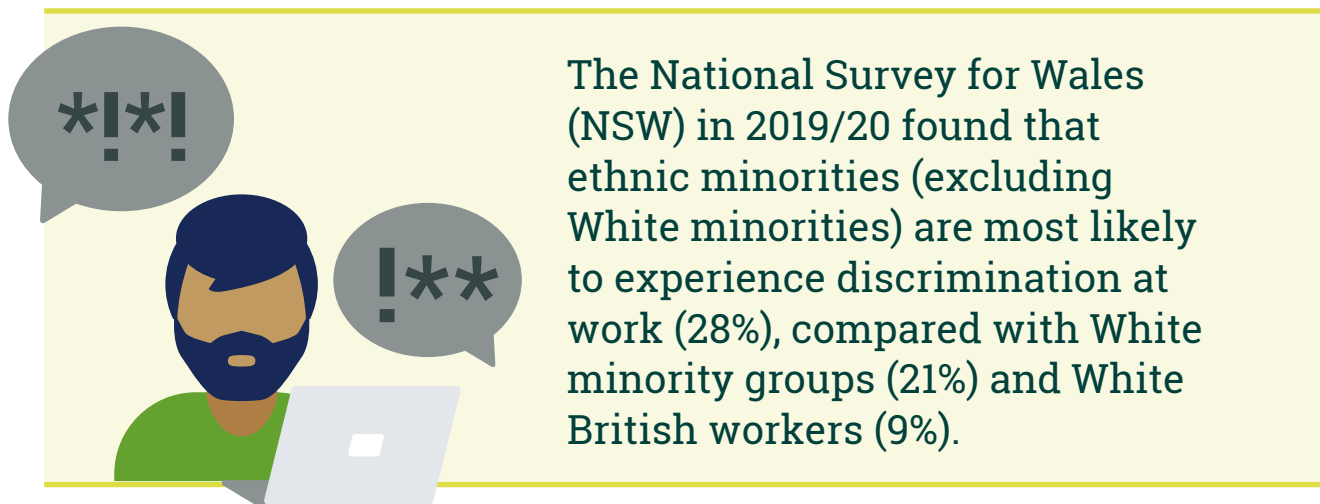
**Figure 48: Median hourly earnings by ethnic group, Wales, 2010/11 to 2019/20**



(Source: EHRC analysis of Annual Population Survey)

## Discrimination in the workplace

Ethnic minority workers report greater rates of discrimination in the workplace than White British workers.



Furthermore, a large-scale qualitative research project by Race Alliance Wales, a civil society organisation, sought to understand how racial discrimination and disadvantage in the workplace may be caused by the observable and unobservable values and assumptions of an organisation. Evidence from interviews with ethnic minority workers identified aspects of 'organisational culture' which could disadvantage ethnic minority workers (Usmani and Foster-Bennett, 2023).

Our 2022 inquiry found that ethnic minority workers in health and social care in Britain experienced racially motivated negative or unfavourable treatment, including fears of being unreasonably dismissed (EHRC, 2022). The NSW data and our findings support evidence from a survey of NHS Wales workers that found respondents experienced racism at work (67%), including from members of the public (60%) and from colleagues (37%) (UNISON and ITV Wales, 2020).

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## Living standards

### Housing and homelessness

The limited evidence available indicates disparities in housing for different ethnic groups, with ethnic minorities consistently experiencing disadvantage since 2018.

Statutory homelessness data shows that compared to Census 2021 data, adults from Black and Other ethnic minority groups were over-represented among homelessness applications between 2018/19 and 2021/22. In 2021/22, 2.8% of applicants who were threatened with homelessness or found themselves homeless<sup>59</sup> were Black, and 5.1% were from another ethnic group (StatsWales, 2022).

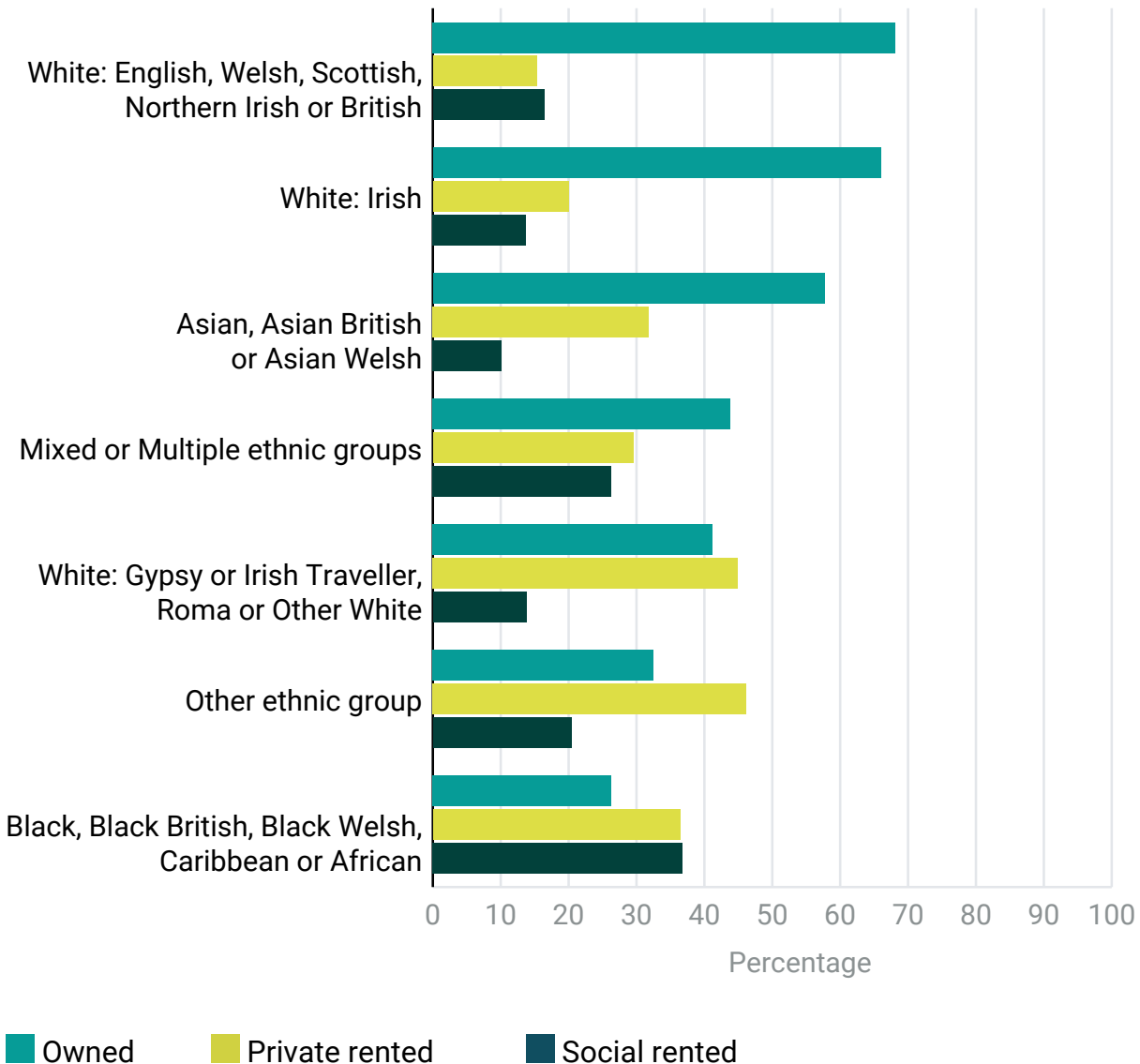
Ethnic minority adults are less likely to be homeowners and more likely to rent than the White British population.<sup>60</sup> Data from the 2021 Census shows overall homeownership rates in Wales (66.4%) are higher than in England (62.3%) (ONS, 2023a). However, in Wales, more White British headed households live in owner-occupied households (68.1%) than those from ethnic minorities (45.5%). Among ethnic minorities, White Irish (66.0%) headed households are most likely to be owner-occupiers, and Black African headed households are least likely (17.7%). Fewer White British headed households rent privately (15.3%) compared to ethnic minorities (37.0%) (ONS, 2023b).

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59 Under section 66 or 73.

60 This analysis includes White English, White Welsh, White Scottish, White Northern Irish or White British.

**Figure 49: Housing tenure by race of the household reference person – 2021 – Wales**



(Source: Office for National Statistics)

Data from the 2021 Census shows that household overcrowding is higher for ethnic minority households (6.9%) compared to White British households<sup>61</sup> (1.8%), meaning they had fewer bedrooms than required. Among ethnic minorities, households headed by a Black person had the highest rate of overcrowding at 11.5%. However, at a further disaggregated level, the highest rate is seen in Bangladeshi headed households (17.2%) (ONS, 2023c).

61 This analysis includes White English, White Welsh, White Scottish, White Northern Irish or White British.

### Traveller sites

The number of Gypsy and Traveller caravans in Wales increased from 1064 in July 2018 to 1166 in July 2022. The proportion on authorised sites remained similar between July 2018 (84.0%) and July 2021 (84.7%), but then declined in July 2022 (78.2%).

**From July 2018 to July 2022, there was a greater increase in unauthorised sites (35 to 64) compared to authorised sites (95 to 104). Across this period the number of pitches on sites provided by local authorities increased by just 10 (399 to 409) (Welsh Government, 2022g; 2021e; 2018b).**

The Wales Centre for Public Policy research found that there is a shortage of pitches and that many authorised pitches are in unsuitable locations, either too far from local facilities or too close to industrial properties (Price, 2021).

There is also a shortage of transit sites, affecting access to employment and compounded by discrimination and systemic racism restricting access to holiday caravan sites (Welsh Parliament, 2022).

Census data from 2021 found that 24.4% of households in Wales headed by a Gypsy or Irish Traveller, and 1.1% headed by a Roma person lived in a mobile or temporary structure such as a caravan (ONS, 2023d).

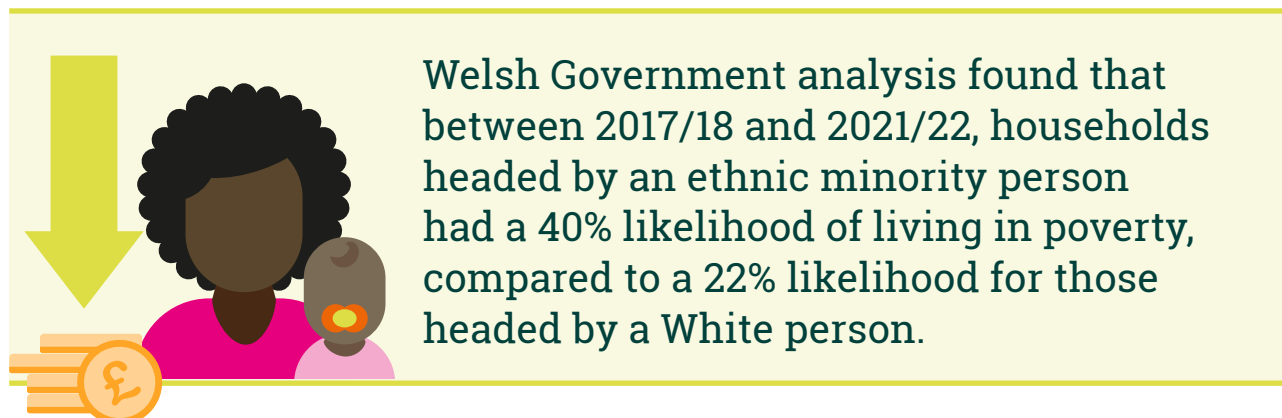
### Asylum seekers and refugees

There are concerns about the poor quality of accommodation for asylum seekers and refugees and its impact on their health. We raised such concerns in our 2018 inquiry into experiences of access to healthcare (EHRC, 2018).

Research in Swansea (Khanom et al, 2019) found that asylum seeker and refugee housing created social isolation, uncertainty and instability, affecting people's mental and physical health. Academic research (Philimore, J. Cheung SY., 2021) found a correlation between the length of time before someone was granted leave to remain and ongoing health issues, particularly for women, and identified contributory factors relating to unstable housing.

### Poverty

Ethnic minorities in Wales are more likely than White ethnic groups to be living in poverty.



However, because most households in Wales are headed by someone from a White ethnic group, most people (96%) who were living in relative income poverty were from such households (Welsh Government, 2023).

### At-risk groups

Asylum seekers and other migrant groups who have been refused leave to remain are at high risk of destitution. They have no right to access public funds or to work to earn an income. Homelessness among refugees in Wales is common. Key issues include the 28-day move-on period, lack of funds for bonds and deposits, low housing allowances and unwillingness by landlords to rent to people on benefits (Tai Pawb, 2019; British Red Cross, 2021).

### Social care

Our analysis of the NSW found that in 2018/19 ethnic minority social care users were significantly more likely (93.8%) to agree that social services support helped their quality of life than did White adults who received social care (71.4%).

In 2022, the Welsh Government published the IMPACT Study, an independent national evaluation of the Social Services and Well-being (Wales) Act 2014 (Welsh Government, 2022h). It looked at ethnic minority care users' and carers' experiences of racial discrimination and prejudice and highlighted assumptions and stereotyping as key issues.

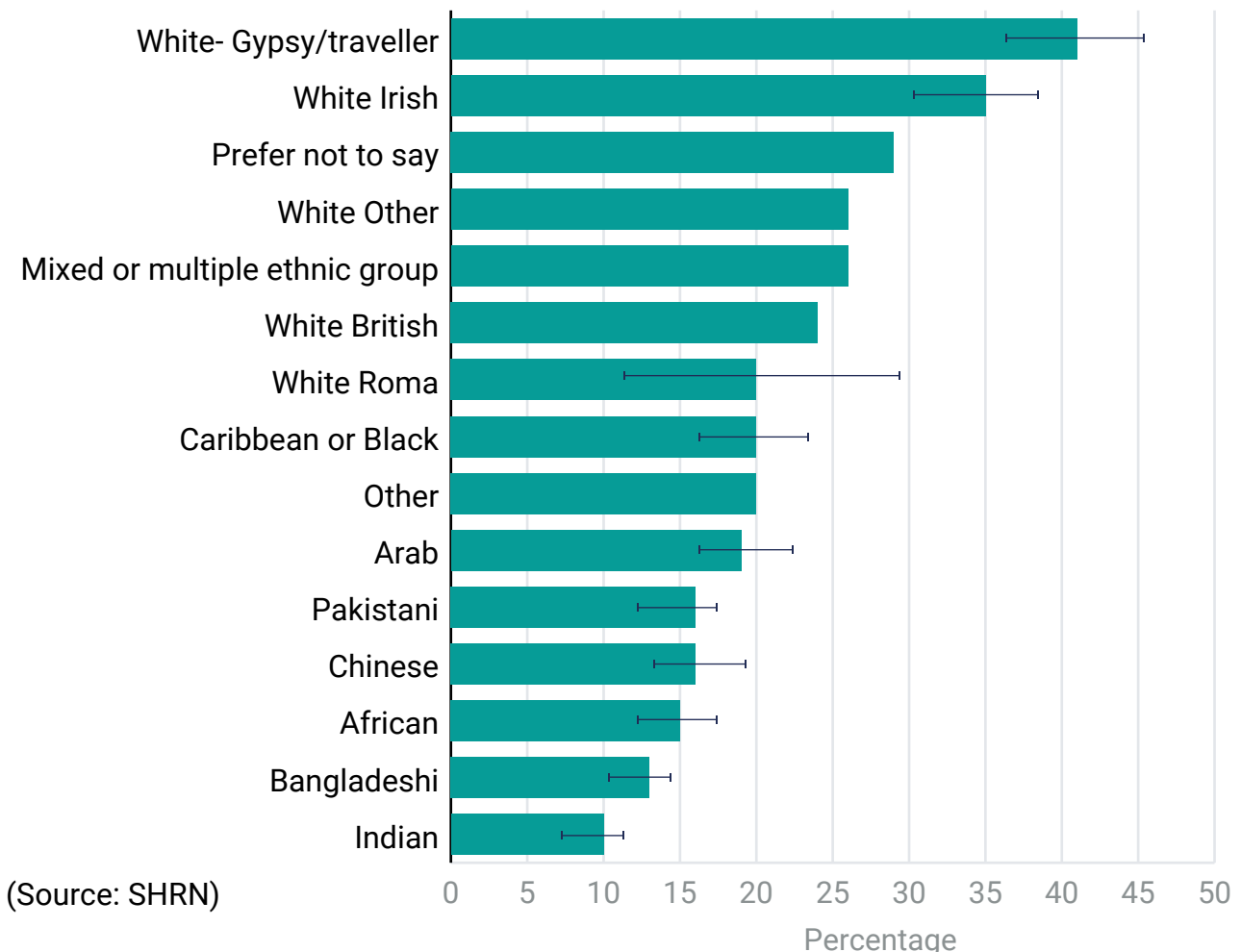
## Health

### Mental health

The COVID-19 pandemic had a detrimental impact on the mental health of ethnic minorities who experienced a disproportionate loss of protective factors such as stable, secure employment (Wales Fiscal Analysis, 2021; Public Health Wales, 2022a).

There may be differences in the pandemic’s impact between different ethnic minority age groups. The SHRN student and Health and Wellbeing Survey showed a smaller relative decline in mental well-being among ethnic minority students compared with White students between 2019 and 2021. This was reflected in Schools Health Research Network (SHRN) survey findings (Welsh Government, 2022i; SHRN, 2023).

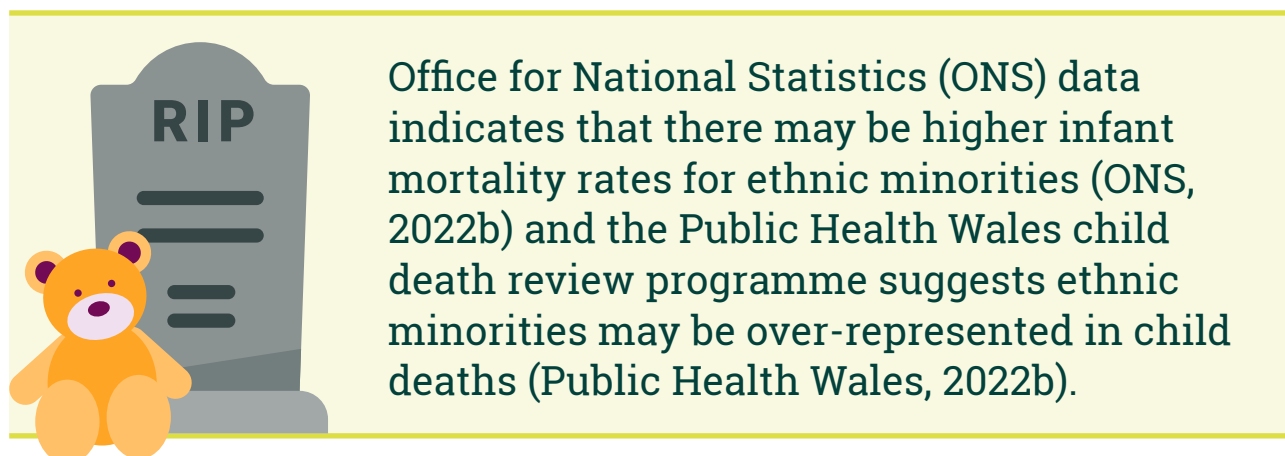
**Figure 50: Percentage of students with a very high SDQ score (composite indicator of poor mental health) by detailed ethnicity in 2021/22<sup>62</sup> – Wales SHRN**



62 Error bars are included where there were fewer than 1,000 respondents in a category.

## Infant health and mortality

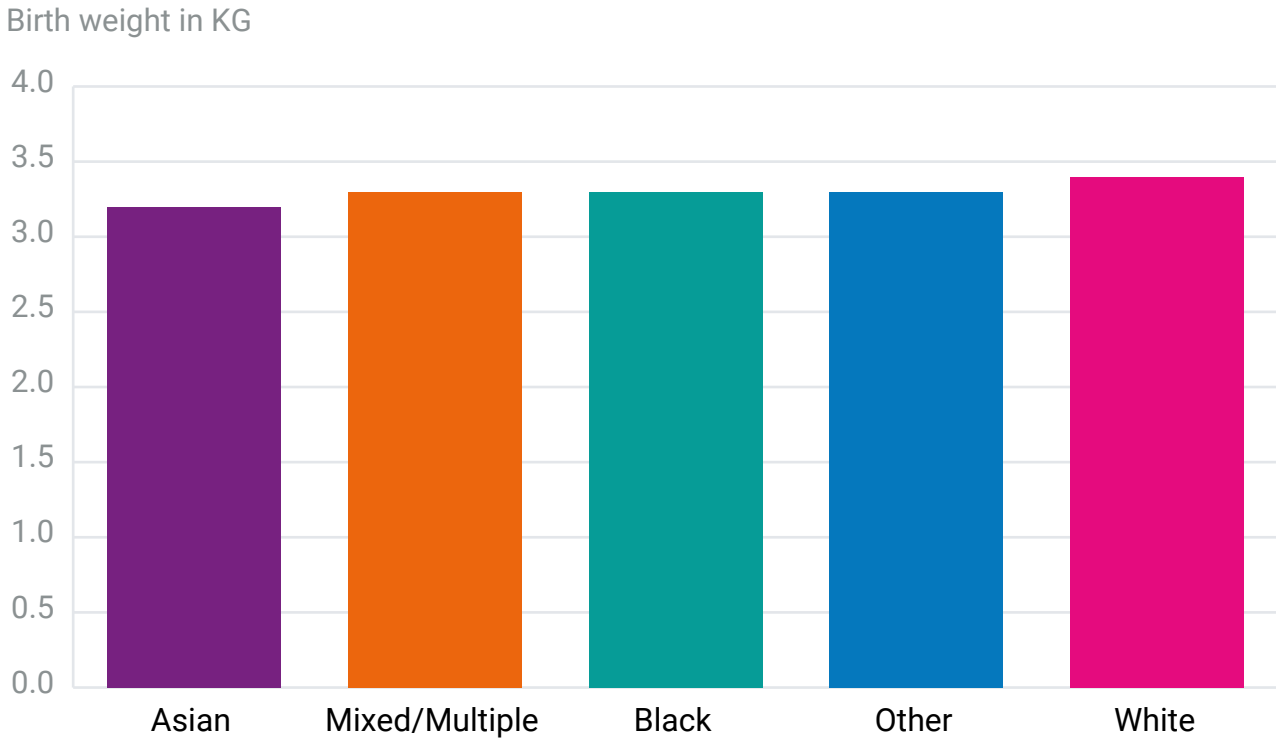
Ethnic minority groups may have experienced higher levels of infant mortality (aged under one year) and child deaths in the past decade, though evidence for Wales is sparse.



There are disparities in other health indicators across ethnic minority groups, such as the birth weight of babies (Welsh Government, 2022j), but these need further analysis to determine how they correlate with infant health status across different ethnic minority groups.



**Figure 51: Median birth weight in kilograms for live births in Wales in 2021 (Welsh Government, 2022m)**



(Source: Welsh Government)

A higher proportion (8.4%) of Asian babies, than those from other ethnic groups, had a low birth weight in 2021. Available data indicates this was the case in three of the four years between 2018 and 2022 (Welsh Government, 2022k).

### Justice

There is limited evidence on crime and justice for race and ethnicity that is specific to Wales. Thus, data from England and Wales has been used to supplement available data for Wales.

#### Prison population


The proportion of prisoners from ethnic minorities has remained much the same since 2013. In 2022, 13% of prisoners in England and Wales were from a Black or Black British background (compared with 4% in the population) and 15% were Asian, Asian British, Mixed or Other ethnicity (compared with 14.3% in the population) (MoJ, 2022).

#### Policing

Arrest, stop and search and use of force rates in England and Wales have been recalculated using population figures from the 2021 census for England and Wales.

Using the new figures, in 2021/22, the arrest rate in England and Wales was 2.4 times higher for Black people than White people and 1.3 times higher for the mixed ethnic group. The arrest rate for Asian (0.8) and Other ethnic groups (0.9) was lower than White people for the first time (Home Office, 2023).

Recalculated stop and search figures for England and Wales show that, in 2021/22:



**Black people were stopped and searched at 4.9 times the rate of White people.**

This is a reduction from 5.6 in 2020/21 (also recalculated based on new population estimates). The stop and search rate for Asian people was 1.9 the rate of White people in 2020/21 and 1.6 in 2021/22. It was 1.7 in both years for those with mixed ethnicity (Home Office, 2023).

Police in England and Wales used force against Black people at a rate 3.0 times higher than against White people in 2021/22 in police areas outside London (Home Office, 2022a).

## Race

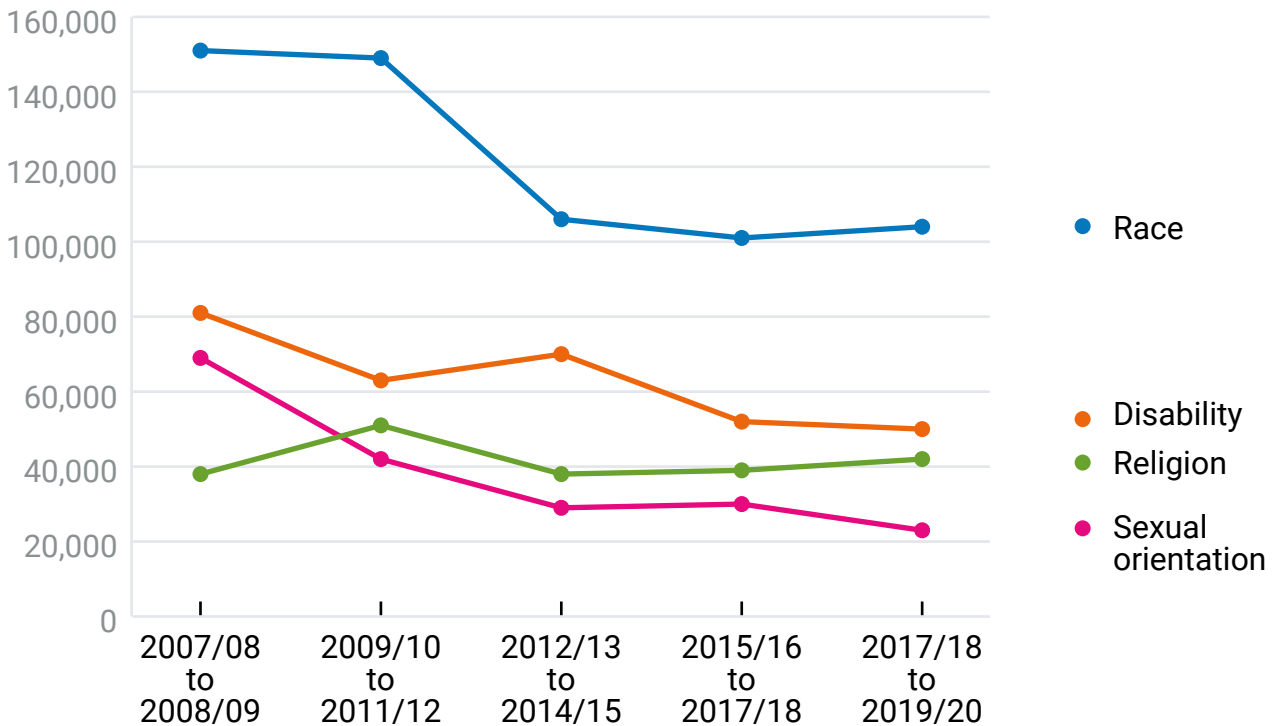
The lack of evidence for Wales is concerning given the increased attention that followed the deaths of two Black men in 2021; both deaths were referred to the Independent Office for Police Conduct (IOPC) to investigate the police use of force (IOPC, 2021a; IOPC, 2021b).

## Hate crime

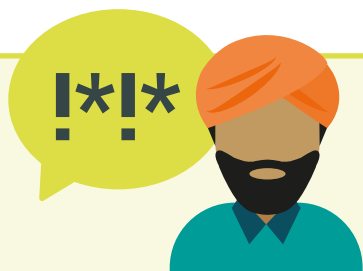
The prevalence of race-based hate crime has decreased in England and Wales, but it remains the most common form of hate crime (see Figure 52) (Home Office, 2020).

**Figure 52: Prevalence of hate crime in England and Wales estimated by the CSEW, 2007/9 to 2019/20**

Number of hate crime incidents



(Source: Crime Survey for England and Wales)



Race-based hate crime is the hate crime most recorded by the police in Wales<sup>63</sup> (as it is in England and Scotland).

All hate crime recorded by the police in Wales increased from 3,932 to 6,295 between 2018/19 and 2021/22 (Home Office, 2019; Home Office, 2022b).

In Wales, racially or religiously aggravated offences<sup>64</sup> recorded by the police increased from 1,704 offences in 2017/18 to 2,934 in 2021/22. But analysis of police outcomes data found the proportion of these offences resulting in a charge fell from 24.3% in 2017/18 to 18.7% in 2020/21.<sup>65</sup>

### Sexual assault

Combined CSEW data for the years 2017/18 to 2019/20 found that Black or mixed ethnic groups were more likely to have experienced sexual assault in the past year than White, Asian or Other ethnic groups (ONS, 2021).

### Gypsy, Roma and Traveller populations

**Gypsy and Traveller individuals report particularly negative experiences in their interaction with and treatment by the CJS in England and Wales (ONS, 2022c). There is no evidence specific to Wales for Gypsy and Traveller populations.**

63 A hate crime is any criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on race, religion, disability, sexual orientation or gender reassignment.

64 Unlike more general police recorded hate crimes, racially or religiously aggravated offences are specific offences which are defined by statute and are distinct from their non-racially or religiously aggravated equivalents.

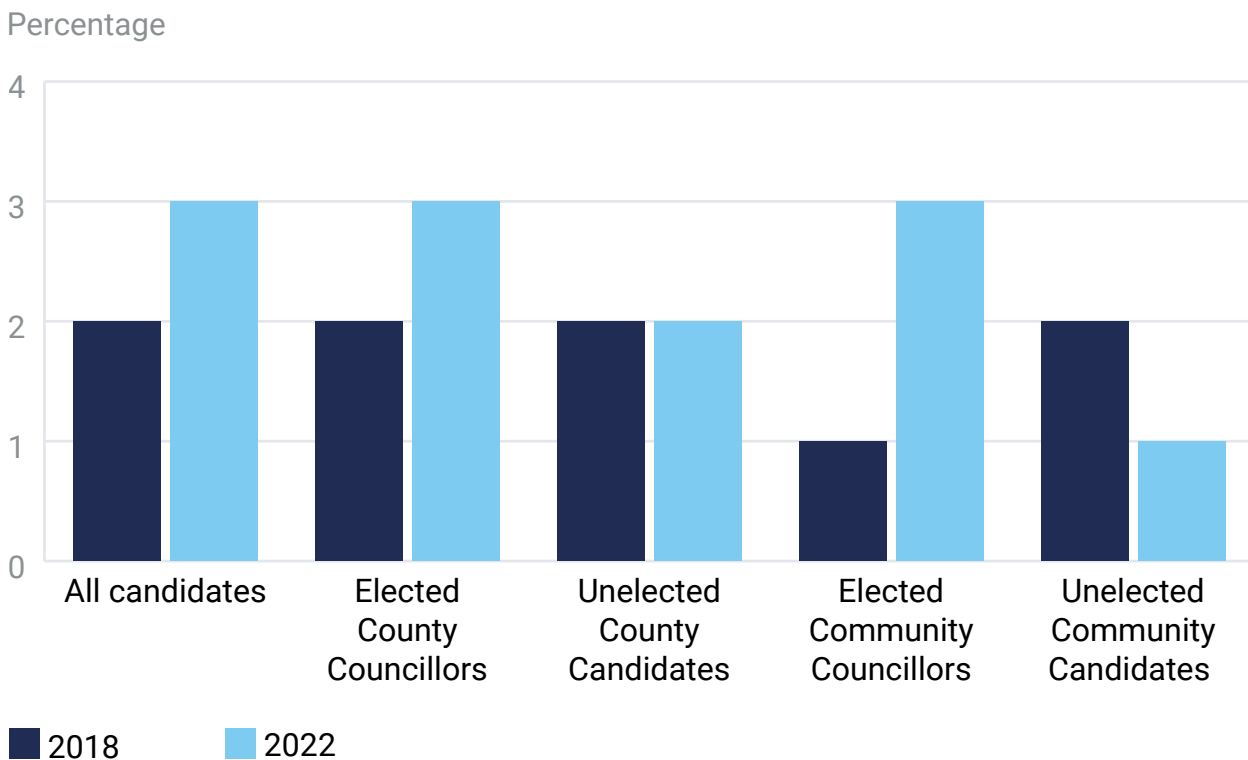
65 There have been spikes in incidents over recent years requiring evidence for Wales to see if these findings would be consistent for Wales alone.

## Participation

Ethnic minorities seem to be significantly under-represented at all levels of government. The 2022 Local Government Candidates Survey in Wales (Randall et al., 2023) found only 4% of both elected county and community councillors were from ethnic minority (excluding White minority) backgrounds. In comparison, in March 2021, ethnic minorities (excluding White minorities) made up 6.2% of the Welsh population (Welsh Government, 2022). However, as shown in Figure 53, the proportion of elected community and county councillors has increased from those reported in the 2018 Local Government Candidate Survey (Murphy and Jones, 2018) (see Figure 53).

Research in 2021 found that participants reported 'institutional racism' as the greatest barrier to entering political life (60% of survey respondents), followed by 'time restrictions', 'lack of confidence' and 'cultural racism'<sup>66</sup> (Usmani and Abramson, 2021).

**Figure 53: Ethnic minority candidates and councillors in Wales**



(Source: Welsh Government)

66 These issues are acknowledged in the ArWAP.

Three Senedd members (5%) from ethnic minority backgrounds were elected in the 2021 parliamentary elections. The total number remains the same as 2017 but now includes the first woman not from a White ethnic background to be elected to the Senedd (Davies et al., 2021).

**The proportion of public appointments and reappointments of people from ethnic minority backgrounds in Wales has increased significantly, rising from 3.9% in 2015/16 (EHRC, 2017) to 12.7% in 2021/22 (Commissioner for Public Appointments, 2022). This is twice the percentage in the population of 6.2%.**

## Recommendations

32. The Welsh Government, local authorities and maintained schools should act to reduce the educational attainment gap for Gypsy, Roma and Traveller learners. Estyn should monitor progress made by schools to address this issue.
33. The Welsh Government and Public Health Wales should develop action plans to address higher levels of infant mortality for ethnic minority groups and improve data collection.
34. The Welsh Government and local authorities should take action to increase and improve Gypsy and Traveller accommodation in Wales.
35. The Welsh Government, Local Authorities and Regional Partnership Boards should use the new National Framework for commissioning care and support to address issues of access to social care for ethnic minority people.
36. In implementing the Criminal Justice Anti-racism Action Plan for Wales commitment to review and develop more appropriate services for victims and witnesses of hate crime, the Welsh Government, police forces and other members of the Wales Criminal Justice Partnership Board should better understand ethnic disparities in experiences of sexual assault and ensure that charge rates are appropriate to reported and recorded hate crime levels.

# Religion or belief



**According to the 2021 census, less than half the Welsh population (43.6%) now describe themselves as 'Christian', with a bigger proportion of people reporting they have 'No Religion' than in England. The largest group of people in Wales (46.5%) describe themselves as having 'No Religion'.**

There is a substantial overlap in the data between religion and ethnicity. Between some religious groups (such as Hindus and Muslims) there is very little variation in the data. Many people consider their religion to be an important part of their ethnic identity and it is difficult to separate the impact of the two in the data (McMaster, 2020).

There are significant divergences in employment, living standards, health outcomes and representation in public life between religious groups. Religious hate crime numbers remain relatively low but have increased in Wales, as have racially motivated hate crimes.

Limited evidence available in Wales focuses on religion or belief as a protected characteristic. Existing data sets that include religion do not tend to collect data on other beliefs such as humanism, which leaves a gap in evidence for Britain, not just Wales. Most data in Wales is aggregated and the term 'religious minorities' is used in datasets to include all religious groups apart from Christians.

## Key findings

- Religious minorities are less likely to be employed than those with no religious affiliation, with an employment rate of 52.2% compared to 65.9% for the No Religion group.
- Poverty rates increased in Christian headed households from 15.0% in 2011/12 to 20.2% in 2018/19, which has narrowed the poverty gap with the No Religion group.
- Christians are most likely to live in owner-occupied households while Muslims are most likely to live in privately rented or social housing. Muslims also experience the highest rate of overcrowding, as 14.2% of Muslim-headed households were overcrowded in 2021.
- There has been a decline in all religious and non-religious groups reporting good health in Wales between 2016 and 2019, with greater decline for religious minorities (-6.7pp) other than those with No Religion (-3.4pp) and Christians (-2.1pp).
- The number of racially or religiously aggravated offences recorded by the police has increased but the proportion of offences resulting in a charge has decreased.

## Data Considerations

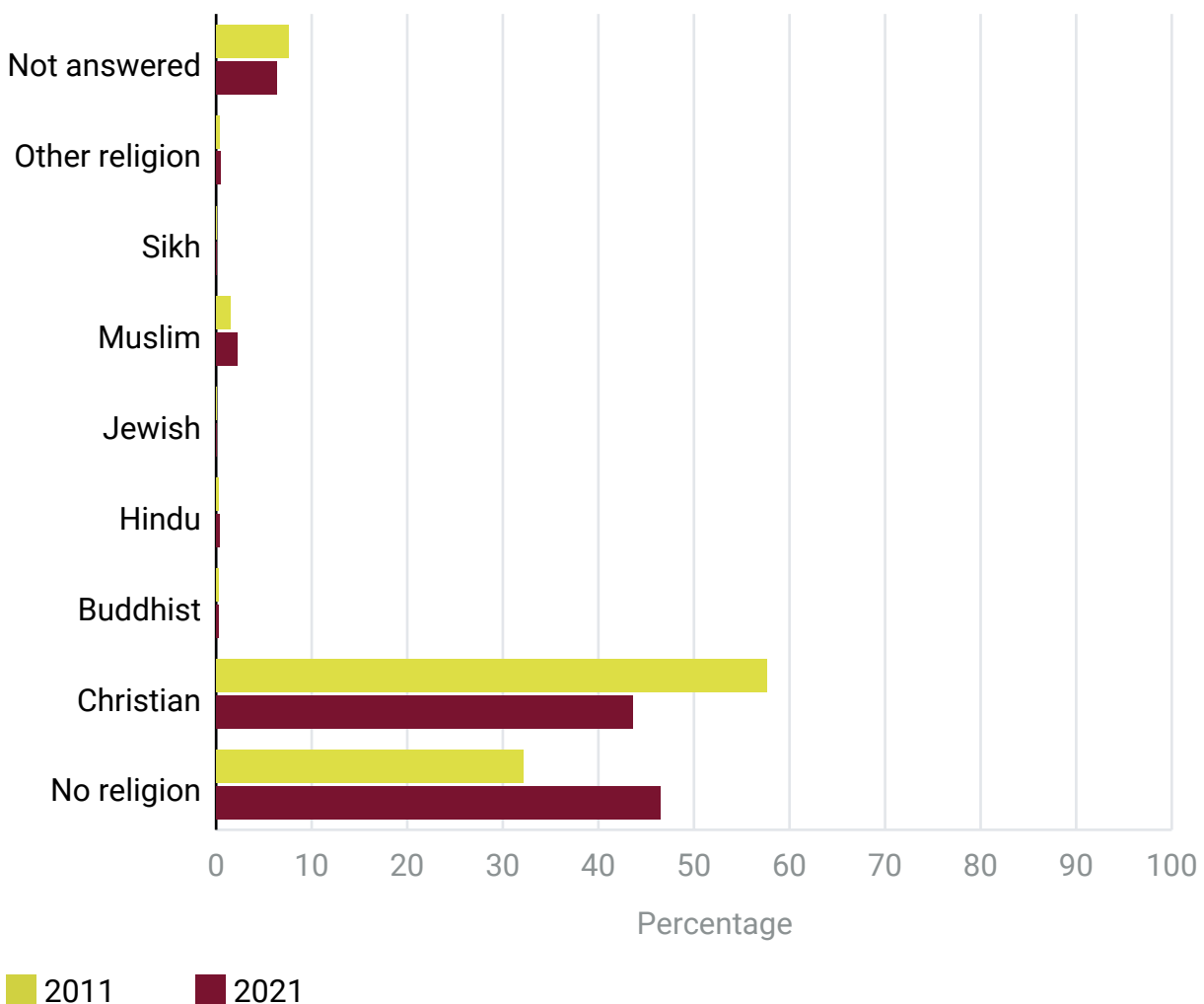
Due to low sample sizes in some geographies and datasets we have not been able to create robust estimates for all religion categories in all datasets. When this is the case we have aggregated religious categories to higher level categories to create more robust samples. In this chapter, data aggregation is used when the term 'religious minorities' is referred to.

Religious minorities is a term used when data from all religious groups, except for Christians and the 'No Religion' group, is combined. When findings for specific religious groups (e.g. Muslim, Hindu) are robust, we report findings from these groups, in addition to reporting on religious minorities as a whole. All findings reported are statistically significant (if a religious group is not reported on, this will likely be because the data is not significant). However findings for some religious groups may still derive from relatively small sample sizes and should be read with caution.

## Demographics

The 2021 census showed, for the first time in Wales, that less than half the population (43.6%) described themselves as Christian. This is a notable decrease from the 2011 census (57.6%). At the same time, there has been an increase in the proportion describing themselves as of No Religion (from 25.2% to 37.2%) or Muslim (4.9% to 6.5%) (ONS, 2022).

Figure 54: Religious affiliation in Wales, 2011 and 2021



(Source: Office for National Statistics)

## Legal and policy developments

### Education

Through its new Curriculum for Wales, established by the Curriculum and Assessment (Wales) Act 2021, the Welsh Government has made the teaching of Religion, Values and Ethics (RVE) and Relationships and Sexual Education (RSE) a statutory requirement and mandatory for all learners in Wales from ages 3–16 (Welsh Government, n.d.), in line with commitments in its Strategic Equality Plan 2020–2024 (Welsh Government, 2020a).

There is no parental right to request that a child is withdrawn from either RVE or RSE in Wales. The mandatory teaching of RVE replaced Religious Education in Wales. The legislation and associated guidance made it clear that any agreed RVE syllabus must reflect both religious beliefs and non-religious beliefs that are philosophical convictions. In its RVE Guidance, the Welsh Government state that the changes reflect the requirement for pluralistic teaching of religious education, as set out in the European Convention on Human Rights (ECHR).

In planning and delivering the new RVE curriculum, schools must ensure that their teaching reflects that religious traditions in Wales are mainly Christian, while taking account of the other principal religions practised in Wales as well as non-religious and philosophical convictions. The new curriculum requires teaching to be delivered in an impartial, objective and non-critical way.

**Under the new legislation, voluntary-aided schools with a religious character (faith-based schools) must develop a curriculum which makes provision for RVE designed in accordance with the faith of the school and RVE designed in accordance with a syllabus agreed by the local authority. The Act requires that RVE in accordance with the faith of the school will be taught unless a request is made to change the syllabus and is agreed by the local authority. Schools must accept parental requests for a child to be provided with RVE in line with the agreed local authority syllabus.**

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## Religion or belief

During consultation with religious groups on the new RVE and RSE elements of the Curriculum for Wales, some respondents opposed the removal of the parental right of withdrawal from both RSE and RVE teaching (Welsh Government, 2020b). A legal challenge to the compulsory teaching of RSE was made by Public Child Protection Wales. In 2022, the High Court ruled that compulsory RSE lessons (and the accompanying code and guidance) were lawful and did not breach the prohibition on indoctrination.<sup>67</sup>

The Anti-racist Wales Action Plan (ArWAP) pledges to fund and deliver the 'Lessons from Auschwitz' school education programme each February (Welsh Government, 2022, p.121).

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## Living standards

The socio-economic duty (SED) came into force in Wales on 31 March 2021. It may have some impact on equality, but it is too soon to evaluate this and identify its effects relative to those of other policy and social changes in Wales, such as the loosening of lockdown restrictions.

The SED (see the chapter on Developments affecting multiple groups) requires the Welsh Government and some public bodies to consider how their strategic decisions can improve inequality of outcome for people who suffer socio-economic disadvantage. Our report evaluating SED implementation by 24 public bodies in Scotland and Wales calls for a better understanding of how socio-economic disadvantage intersects with different protected characteristics and leads to disparate outcomes (EHRC, 2021).

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<sup>67</sup> *Isherwood v Welsh Ministers* [2022] EWHC 3331.

### Health

The social care section of the ArWAP includes a goal to provide culturally competent and anti-racist care for service users (Welsh Government, 2022, p.76). This goal does not specifically reference religion but the analysis that informed the ArWAP noted that a lack of cultural awareness in healthcare settings led to people being offered treatments which can contradict specific religious beliefs (O'Prey et al., 2021).

The Welsh Government established the COVID-19 Moral and Ethical Advisory Group to 'provide advice to Welsh public services relating to moral, ethical, cultural and faith considerations' arising from the health and social care emergency response to the COVID-19 pandemic. The group advised the government on its guidance on funerals during the pandemic (Welsh Government, 2020c). The guidance advised on practices involving close contact with the deceased, particularly relevant for people for whom 'care of the deceased is part of their faith, rituals such as viewing, keeping watch and hygienic preparations such as washing are an important part of the mourning process'.

The COVID-19 Vaccine Equity Strategy for Wales (Welsh Government, 2021) included faith leaders in its community engagement strategy. It noted that Muslim Doctors Cymru produced video clips and webinars using clinical healthcare spokespeople and faith group leaders to 'promote positive messages of the effectiveness and safety of COVID-19 vaccination for minority ethnic communities using their minority ethnic language'.

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### Justice

#### Hate crime

The ArWAP includes goals to tackle Islamophobia and antisemitism in all their forms including through Welsh Government anti-racism training and the Hate Hurts Wales campaign 2022-2024 (Welsh Government, 2022, p.121).

The ArWAP recognises that Jewish and Muslim people experience racism in the intersection between their ethnicity and their religious identities. In 2018, the Welsh Government adopted the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism: 'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and / or their property, toward Jewish community institutions and religious facilities' (IHRA, n.d.). The ArWAP pledges to work with religious groups and equalities partners to 'explore adoption of a definition of Islamophobia that meets the Welsh context' (Welsh Government, 2022, p.121).

**In 2022, the Criminal Justice Board for Wales published an action plan to ‘challenge negative stereotypes around race, ethnicity and religion, including Islamophobia and antisemitism’ in the criminal justice system (Criminal Justice Board for Wales, 2022).**

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## Participation

In May 2021, Natasha Asghar became the first Muslim woman and first Asian woman elected to the Senedd.

An Electoral Reform Society report noted a lack of official data on demographic characteristics of elected officials in Welsh constituencies, apart from sex (Electoral Reform Society, 2018). A 2019 evaluation of the first phase of the Welsh Government’s Diversity in Democracy Programme recommended the Local Government Candidates Survey include more questions relating to protected characteristics, including religion (McConnel and Stevenson, 2019). The 2017 survey included a question about candidates’ religious identities, but the only options were Christian, No Religion and other, and the survey had a very low response rate (Murphy and Jones, 2018).<sup>68</sup> The Local Government Candidates Survey 2022 has the same options for the question on religion of candidates (Randall et al., 2023, p, 20).

In 2021, the Governing Body of the Church in Wales authorised the blessing of same-sex marriages or civil partnerships in church on an experimental basis for five years (The Church in Wales, n.d.). Same-sex marriages may not be solemnised by the Church in Wales and the Governing Body included a clause allowing individual clergy to decide whether to offer blessings.

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68 9,352 candidates stood for local government elections and 1,701 responded to the survey, with a response rate ranging from 11% to 26%, depending on the local authority.



## Outcomes

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### Education

In Wales, as in England and Scotland, there is no data on religion for early years' attainment at school-leaving age or for school exclusions. We have used data from the Office for National Statistics (ONS) and the Annual Population Survey (APS) to provide evidence on religion for adults aged 25–64 with a degree.

Hindus were consistently the highest proportion of adults with a degree. In 2012/13, 83.1% of Hindus had a degree compared with 23.7% of those with No Religion, and in 2019/20 71.4% of Hindus had a degree compared with 29% of those with No Religion. In 2020/21 and 2021/22 samples were too small to produce robust estimates.

Christians and those with No Religion were the religious groups with the lowest percentage of adults with a degree with around 32.3% and 31.0% in 2021/22, having increased from 22.9% and 23.7% respectively in 2012/13.

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### Work

#### Employment rate

In Wales, in 2019/20 Christians were less likely to be employed than those with no religious affiliation, though this may partially be due to Christians' older age demographic. Our analysis of APS data found 49.0% of Christians were employed in 2019/20 compared with 65.9% of those with No Religion. However, when workers aged over 64 are excluded, there is no significant difference between Christian and No Religion employment rates, as Christians are more likely to be of retirement age than those with no religious affiliation.

**Religious minorities are less likely than those with no religious affiliation to be employed. In 2019/20, 52.2% of religious minorities were in employment compared with 65.9% of those with No Religion. Age differences do not explain why religious minorities are less likely to be employed than people with No Religion.**

### Insecure employment

Members of religious minorities are more likely than people with no religious affiliation to be in insecure employment. In 2019/20, 12.7% of religious minority workers were in insecure employment compared with 8.7% of those with No Religion.

### Occupational segregation

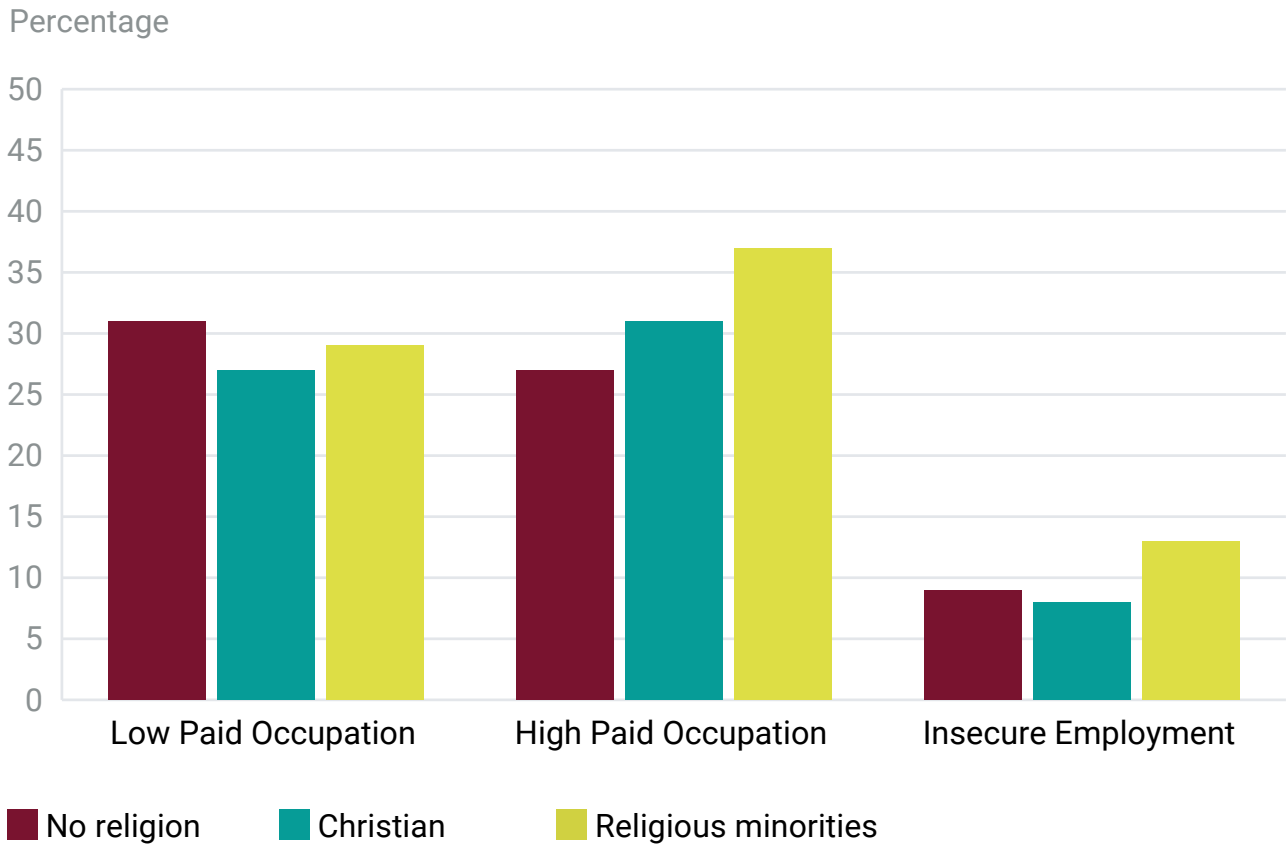
Despite being more likely to be in insecure employment, members of religious minorities are also more likely to be in a high-paid occupation (HPO) than those with no religious affiliation. In 2019/20, 37.2% of religious minority workers were in an HPO compared with 27.2% of those with No Religion and this has been the case since 2010/11. When breaking down 'religious minorities' into specific religious groups, in 2019/20 Muslims and Hindus<sup>69</sup> were more likely to be in an HPO compared with those of No Religion. This differs from Britain as a whole, where Muslims are less likely to be in an HPO.

Christians are more likely to be in an HPO and also less likely to be in a low-paid occupation (LPO) than workers with no religious affiliation. 31.2% of Christian workers were in an HPO in 2019/20 compared with 27.2% of workers with No Religion. Furthermore, 27.4% of Christian workers were in an LPO compared with 30.6% of workers with No Religion. When excluding those aged 65 and above, Christians remain more likely to be in an HPO and less likely to be in an LPO than those with No Religion. These differences in occupational segregation have been consistent in Wales since 2010/11. This is in contrast with Britain as a whole, where Christians are less likely to be in an HPO and more likely to be in an LPO.

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69 This does not mean that all other religious minority groups have lower HPO rates than the No Religion group. Low sample sizes limit our ability to provide findings for certain religious groups.

**Figure 55: Percentage of workers in low and high-paid occupations and insecure employment, Wales, 2019/20**



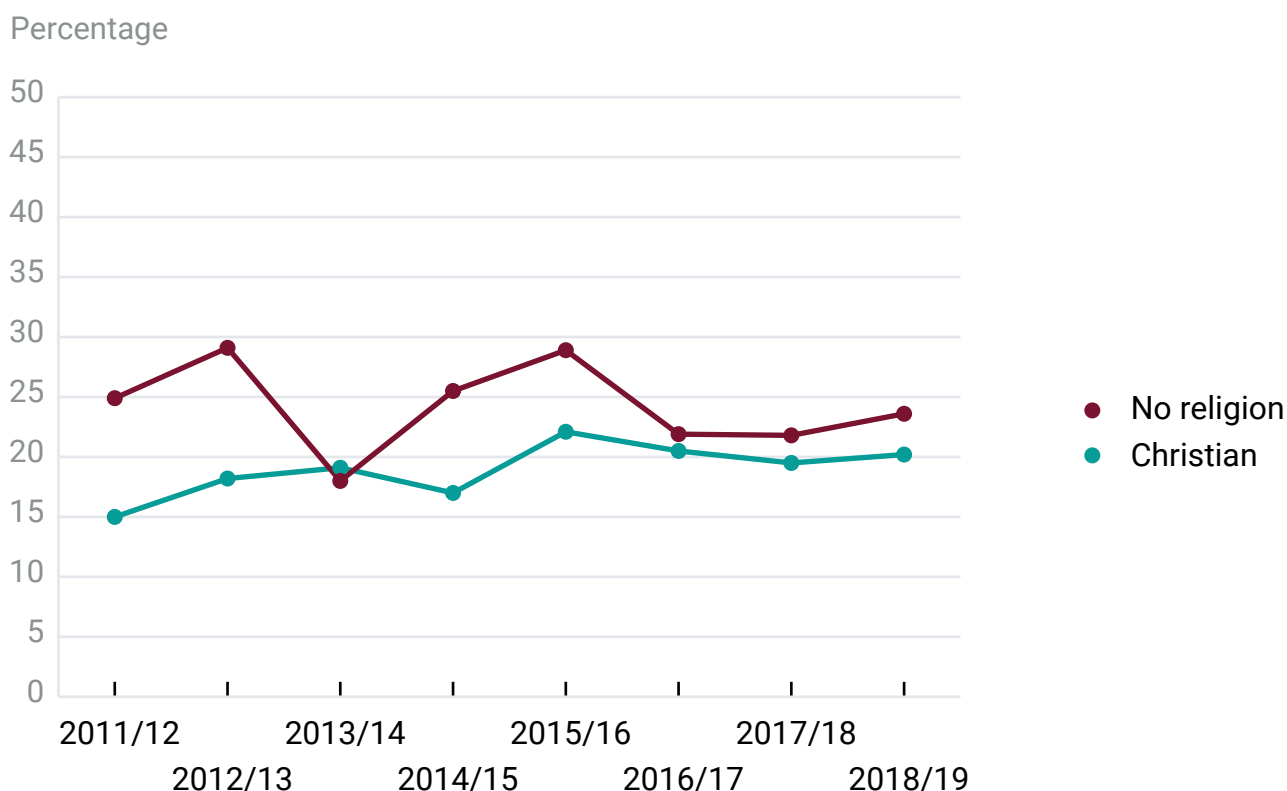
(Source: EHRC analysis of Annual Population Survey)

## Living standards

### Poverty

Our analysis of the Family Resources Survey (FRS) found that poverty increased among Christian adults from 15.0% in 2011/12 to 20.2% in 2018/19.<sup>70</sup> In 2011/12, Christian adults were less likely (15.0%) to experience poverty than adults with No Religion (24.9%). The increase resulted in there being no difference in poverty between them from 2016/17 to 2018/19. However, year-on-year estimates can be unreliable due to the small sample size in Wales.

**Figure 56: Poverty among Christian adults and those with no religion in Wales – 2011/12 – 2018/19**



(Source: EHRC analysis of the Family Resources Survey)

<sup>70</sup> Robust data was not available for other religious groups.

### Severe material deprivation

Our analysis of the FRS found that severe material deprivation has decreased among both Christian adults and those with No Religion, though Christians are less likely to experience it.<sup>71</sup> This is measured in adults aged 16–59, excluding dependent children aged 16–19. In 2011/12, 21.4% of Christians compared with 26.9% of those with No Religion experienced severe material deprivation, dropping to 14.2% of Christians and 21.4% of those with No Religion by 2018/19.

### Housing



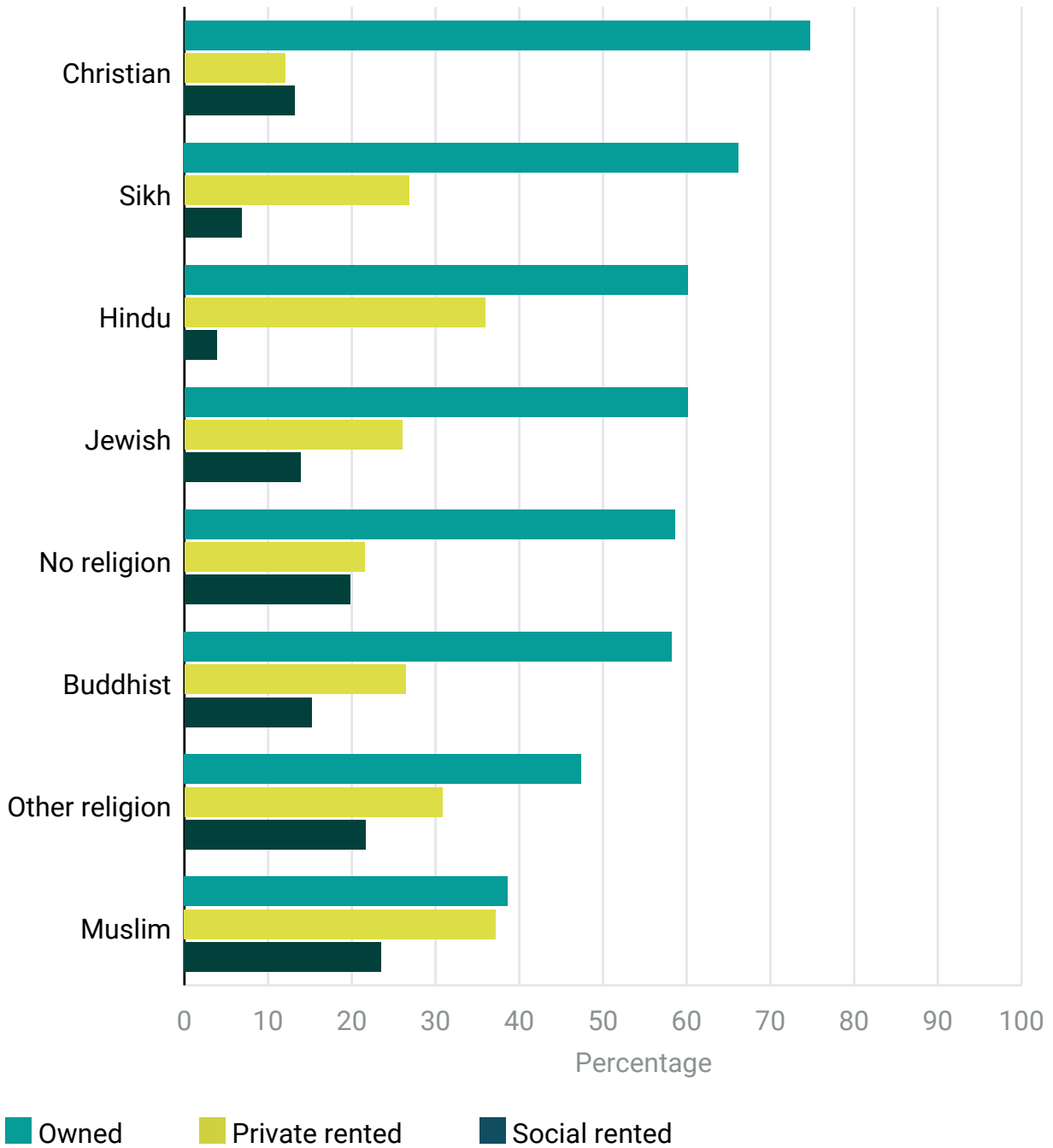
Census 2021 data shows that 74.7% of Christian headed households were homeowners compared with 58.6% headed by someone with No Religion, and 46.8% headed by someone with any other religion.

Among other religious groups, Sikh headed households (66.2%) had the highest proportion of homeowners, and Muslim headed households had the lowest (38.6%). Muslim headed households were most likely of any religious group to rent privately (37.2%) or socially (23.5%) (ONS, 2023a).

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71 Robust data was not available for other religious groups.

Figure 57: Housing tenure by religion of the household reference person – Wales – 2021



(Source: Office for National Statistics)

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## Religion or belief

Household overcrowding was higher among those headed by someone with any other religion (8.7%) compared to those headed by a Christian (1.5%) or someone with No Religion (2.6%), meaning they had fewer bedrooms than required. Among other religious groups, Muslim (14.2%) and Sikh (7.9%) headed households had the highest levels of overcrowding (ONS, 2023b).

Our analysis of the NSW found Christian adults (93.5%) were more likely to be satisfied with their accommodation than adults with No Religion (89.6%) in 2017/18.<sup>72</sup>

### Social care

Our NSW analysis found an increase in the proportion of Christian adults who receive social care who agree that care and support services have helped them enjoy a higher quality of life. In 2016/17, 70.4% of Christian adults agreed, increasing to 84.3% in 2020/21.

Census data from 2021 shows that the highest proportions of people who are unpaid carers have no religion (10.8%), are Jewish (11.9%), Christian (12.3%), or Buddhist (13.1%) or have another religion (18.3%) (ONS, 2023c).

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72 Robust data was not available for other religious groups.

## Health

### Health outcomes

**Analysis of the NSW data shows that there was a decrease in all religious groups reporting good health, particularly among religious minorities between 2016-2020.**

In 2016/17, 75.4% of religious minorities reported good health, and this fell by 6.7 percentage points to 68.7% in 2019/20. For Christians, 71.7% reported good health in 2016/17 and this was down to 69.6% in 2019/20. Those with No Religion saw a decrease of 3.4 percentage points, from 2016 (76.2%) to 2019/20 (72.8%).



Both Christians and other religious minorities had significantly poorer health than those with No Religion in 2019/20.

Between 2016–2019, those with No Religion consistently reported poorer mental health than Christians. In 2016/17, 23.8% of those with No Religion reported poor mental health and over time this has remained stable. The proportion of Christians reporting poor mental health was between 19.5% and 18.2% over the period but these changes were not significant. The small sample size of religious minorities means that it is unclear whether this group is experiencing better or poorer mental health than other groups and whether there have been notable changes. Over the period between 2016–2019 18.9% and 21.7% reported poor mental health.



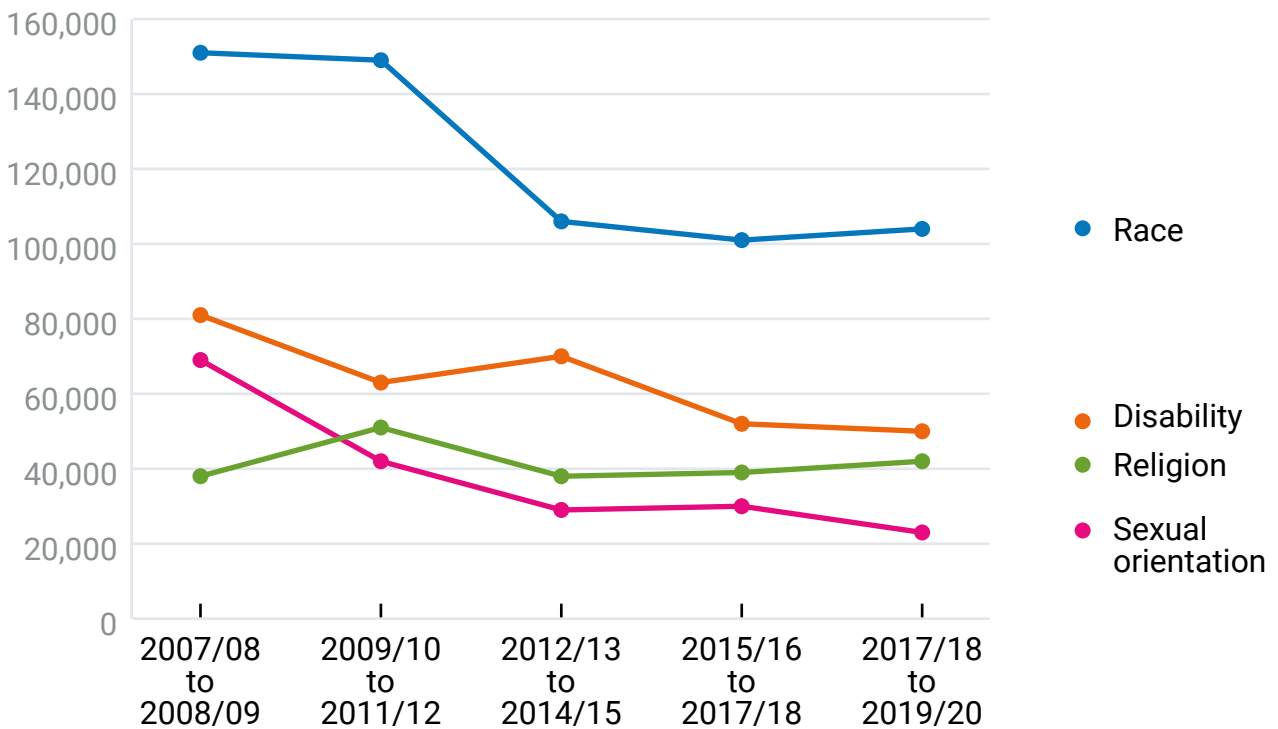
## Justice

### Hate crime

The prevalence of religiously motivated hate crime in England and Wales has remained relatively steady since 2007/8-2009/10,<sup>73</sup> though race, sexual orientation and disability hate crimes have all fallen (Home Office, 2020).

**Figure 58: Prevalence of hate crime in England and Wales estimated by the CSEW, 2007/9 to 2019/20**

Number of hate crime incidents



(Source: Crime Survey for England and Wales)

<sup>73</sup> Data is pooled across three years to provide a more robust estimate so these figures reflect the average for the years 2007/08, 2008/09 and 2009/10 combined.

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## Religion or belief

When analysing hate crime and religion it can be difficult to identify data about religion separately from race and racially motivated crimes.

All types of hate crime recorded by police in Wales<sup>74</sup> increased from 3,932 to 6,295 between 2018/19 and 2021/22 (Home Office, 2019; Home Office, 2022).

**In Wales, racially or religiously aggravated offences<sup>75</sup> recorded by the police increased from 1,704 offences in 2017/18 to 2,934 in 2021/22. But analysis of police outcomes data found the proportion of these offences resulting in a charge fell from 24.3% in 2017/18 to 18.7% in 2020/21.<sup>76</sup>**

## Prison population

As of 31 March 2023, of the 84,372 prisoners in England and Wales, 37,601 stated their religion as Christian, 14,991 said they were Muslim and 26,328 said they had No Religion (MoJ and HMPPS, 2023).

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74 A hate crime is any criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on race, religion, disability, sexual orientation or gender reassignment.

75 Unlike more general police recorded hate crimes, racially or religiously aggravated offences are specific offences which are defined by statute and are distinct from their non-racially or religiously aggravated equivalents.

76 There have been spikes in incidents over recent years which has required evidence specific to Wales to see if these findings are consistent for Wales alone.

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## Participation

### Public representation

**The 2022 Local Government Candidate Survey showed that 53% of elected community councillors were Christian compared to 39% who had No Religion and 2% who belonged to another religion.**

Religious groups were represented similarly among elected county councillors, as 55% were Christian, 39% had no religion and 3% belonged to another religion (Randall et al., 2023). Religious representation in local government differed to the overall population, as only 43.6% of the population identified as Christian in March 2021. Furthermore No Religion and 'other' religion groups were under-represented in local government, compared to their overall populations in Wales (Welsh Government, 2022).

Mohammad Asghar, who served on the Senedd from 2007 until his death in 2020, was the Senedd's first Muslim member. Natasha Asghar was elected to the same constituency of South Wales East in 2021 and is the first female Muslim member of the Senedd.

### Social and community cohesion

Analysis of NSW data shows that in 2021/22 Christians were more likely than those with No Religion to report being very satisfied with their local area. In 2021/22, 58% of Christian adults reported being very satisfied with their local area, compared with 51% of those with No Religion.

There are differences in the sense of community experienced by religious groups. 57% of Christian adults felt a sense of community in 2018/19 compared with 45% of adults with No Religion. NSW data from 2021/22 shows community feeling is increasing among Christian adults (69%) and adults with No Religion (61%).

## Recommendations

37. As highlighted in the recommendations in the chapter on developments affecting multiple groups, the main issue in respect of religion or belief is a lack of good quality data. We therefore recommend that the Welsh Government and all public bodies identify how they can better understand issues by this protected characteristic to meet the needs of their communities.

**Sex, including  
pregnancy and  
maternity, and  
marriage and  
civil partnership**

**The 2018–2023 period has seen increased attention on addressing violence against women and girls (VAWG) and the intersecting issues faced by migrant women with no recourse to public funds and disabled women.**

Despite the greater focus on VAWG, charges for rape offences have decreased.

The majority of single-parent households are headed by women. They continue to be among those most at risk of homelessness and poverty.

Boys continue to perform less well than girls in schools, with eligibility for free school meals (FSM) an additional significant factor. Men are less likely to have higher level qualifications than women, but women still earn less than men, with notable regional variations in gender pay gaps.

Though the overall gender pay gap in Wales is the smallest in Britain, pay rates are the lowest.

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## Definitions

**Adult poverty:** For the purpose of our data analysis of the Family Resources Survey, poverty is defined as the percentage of all adults aged 16 and over living in a household with an income below 60% of the contemporary median, after housing costs. It excludes dependent children aged 16–19.

Contemporary median income is defined as the median income received by households. It uses income sources contributing to the net weekly income for households.

**General:** When we refer to an evidence source, we use the terminology from that source. Most of the evidence sources use the terms 'male' and 'female'. We have used the terms 'women', 'men', 'girls' and 'boys' for clarity on age groups, where appropriate.

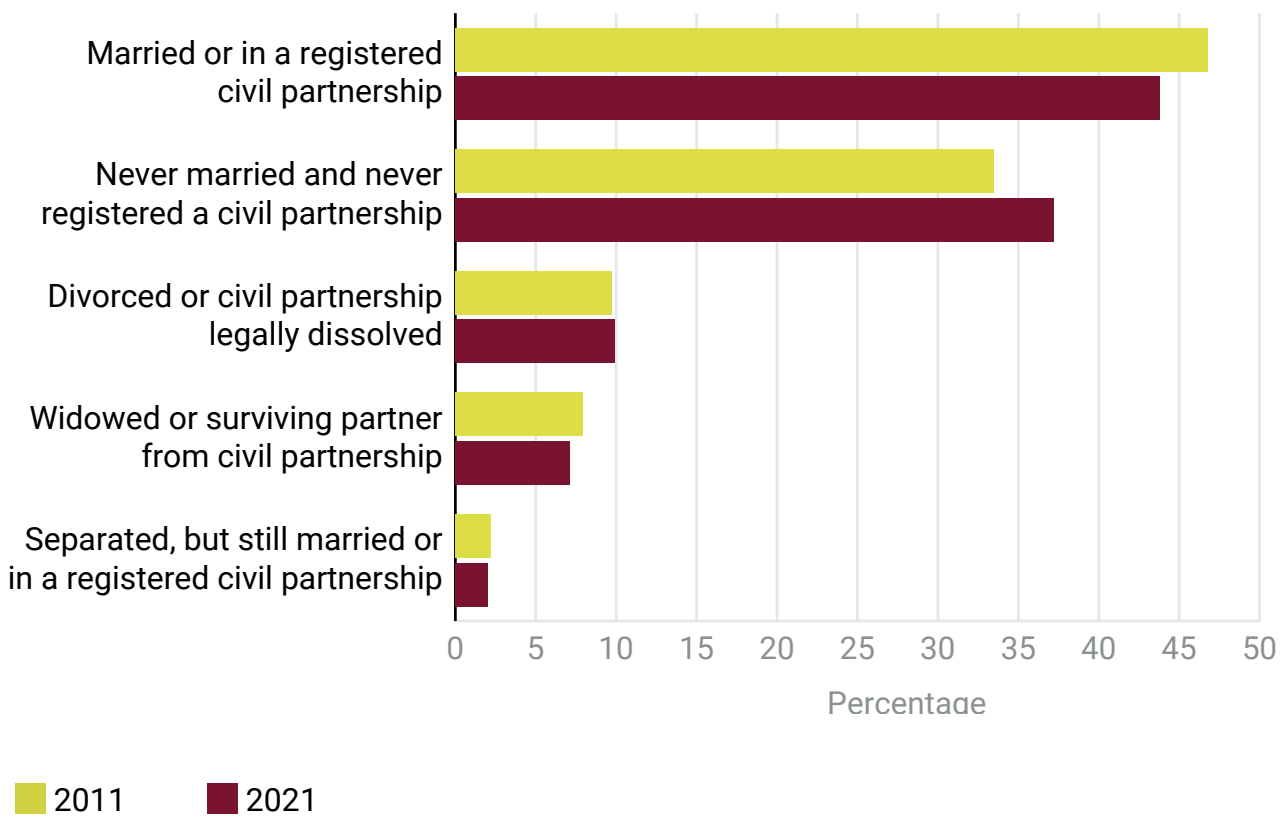
## Key findings

- Girls still have higher attainment rates than boys at all levels of compulsory education.
- The trend for more women than men to have post-compulsory qualifications at level 4 or above continues, as 61.3% of higher education students and 55.8% of apprenticeship starters were female in 2021/21. However, apprenticeship data shows that there is a clear gender distinction in subject choices between the sexes.
- The pay gap between men and women persists, as women are on average paid 14.1% less than men in Wales. However this gap has narrowed slightly between 2010 and 2019. The gender pay gap varies greatly across regions in Wales.
- Childcare needs and caring responsibilities continue to be a significant barrier to gender equality in employment and education.
- 89.1% of single-parent households in Wales are headed by women. Households most likely to be living in poverty are single parent households (38%).
- Women continued to report poorer mental health outcomes (22.6%) than men (20.3%) in 2018/19. Women are also more likely to report living with a lifelong disability or illness, despite living longer.
- Women are still more likely to be unpaid carers (12.0%) compared to men (9.0%) in 2021.
- There has been a drop in the proportion of rape offences (recorded by the police) against women that result in charges, going from 5.5% in 2017/18 to 3.2% in 2020/21.
- Women's representation in local government and as chief executives in public appointments has risen.

## Demographics

In the 2021 census there were 1,586,600 women and girls (51.1% of the population) and 1,521,000 men and boys (48.9%) in Wales (ONS, 2022a).

**Figure 59: Legal partnership status, Wales**



(Source: Office for National Statistics)



## Legal and policy developments

**In 2018 the Welsh Government set out steps to become a 'feminist government' (Welsh Government, 2018a). It carried out a rapid review then signed up to a vision and principles for 'gender equality' in Wales, defined as 'an equal sharing of power, resources and influence for all women, men and non-binary people' (Davies and Furlong, 2019; Hodge et al., 2019; Welsh Government, 2019a).**

A 2020 implementation plan included objectives to:

- mainstream gender equality across government
- implement a gender budgeting pilot and a new impact assessment framework
- use equality data more effectively, and
- focus on leadership and diversity in public appointments (Welsh Government, 2020a).

Actions such as applying a 'gender budgeting' approach to some new projects and considering recommendations from a pilot mainstreaming project were noted in a 2023 progress update.

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## Sex, including pregnancy and maternity, and marriage and civil partnership

The Strategic Equality Plan 2020–2024 (Welsh Government, 2020b) includes a long-term aim for Wales to be a world leader for gender equality. The Programme for Government 2021–2026 (Programme for Government) (Welsh Government, 2021a) makes several commitments, including to:

- incorporate the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- address barriers to women’s economic equality
- ensure public bodies and those receiving public funding address pay disparities
- implement gender budgeting targets, and
- strengthen the National Strategy on Violence against Women, Domestic Abuse and Sexual Violence: 2016–2021 (Welsh Government, 2016) to include a focus on violence against women in the street and workplace as well as at home.

The lack of disaggregated data in Wales, further highlighted by the COVID-19 pandemic, led the Welsh Government to set up an Equality Evidence Unit as one of the three new evidence units it established in 2022 to better support policy development and decision-making.

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## Education

In 2022, the Welsh Government increased funding for programmes to encourage more girls in secondary school to consider STEM (science, technology, engineering and maths) subjects.

Estyn (responsible for inspecting education and training in Wales) and the Senedd’s Children, Young People and Education Committee (Estyn, 2021; Welsh Parliament Young People Education Committee, 2022) investigated sexual harassment in schools and how to address it. The Welsh Government accepted Estyn’s recommendations and all but one of the Senedd Committee’s, and committed to updating its anti-bullying guidance by autumn 2022. This commitment remains unfulfilled. The Welsh Government also said it would work with local authorities to report, record and collect data on peer-on-peer sexual harassment and homophobic harassment. This work is yet to be implemented.

## Work

Employment is mainly reserved to the UK government, but the Welsh Government has taken action to improve equality in the workplace through a commitment in its Programme for Government to pay care workers (most of whom are women) the Real Living Wage (Welsh Government, 2021a).

Stronger, Fairer, Greener Wales – A Plan for Employability and Skills (Welsh Government, 2022a) focuses on:

- tackling economic inequality and ensuring fair work for all
- the need to address barriers such as inaccessible work, lack of affordable childcare and employability support, and
- a commitment to explore legislation to address pay gaps.

The Prosperity for All: Economic action plan (Welsh Government, 2017) commits to increasing women's representation in traditionally male-dominated areas and to building specific programmes to encourage girls into STEM subjects before they choose their GCSE subjects.

## Access to employment

The Welsh Government wants 30% of the Welsh workforce to be regularly working remotely. Its strategy notes that remote working can contribute to meeting its Equality Act 2010 and Public Sector Equality Duty (PSED) requirements (Welsh Government, 2022b).

The £13.5 million Parents, Childcare and Employment (PaCE) programme is funded by the European Social Fund and Welsh Government, with the Department for Work and Pensions (DWP). PaCE is specifically aimed at parents who are out of work and cite childcare as their main barrier to accessing training or work opportunities. By October 2021, the project had engaged 6,535 participants (around 95% of them women) and supported 2,885 into work (Burrowes and Davies, 2023).

## Health

The Quality Statement for women and girls' health (Welsh Government, 2022c) sets out what health boards should provide to ensure good quality health services for women and girls. It recognises the 'disparities in care between men and women' exacerbated by the COVID-19 pandemic, and makes a case for sex-specific healthcare, noting 'clinical guidelines are not sex or gender-specific but based on a medically modelled approach that often relies on evidence generated in a 'typical' male experience. This means that women's gendered reporting of lived experience and symptoms can be undervalued, overlooked or dismissed'.

The Minister for Health and Social Services has requested a women's health plan for Wales to help reduce health inequalities, improve equity of service, improve women's health outcomes and ensure NHS services reflect women's needs across their life course. A 'discovery' phase resulted in an evidence report (NHS Wales, 2022) and the health plan is expected to be designed in 2023 and launched in 2024.

In 2022, the Welsh Government set up a menopause task group, with representation from primary care, secondary care and patients, to improve menopause services in Wales. The group's report (Welsh Government, 2023a) recommends that the Welsh Government requires all health boards to adopt British Menopause Society (BMS) and National Institute for Health and Care Excellence (NICE) menopause standards. The report also asked the Welsh Government to commission research into the best way to share knowledge about the physiological changes and well-being factors associated with the perimenopause and the menopause with younger people.

The Period Proud Wales Action Plan aims to eradicate period poverty and promote period dignity across Wales (Welsh Government, 2023b). This builds on 2018 funding for local authorities and schools to tackle period poverty<sup>77</sup> and a further £3.1 million in 2020/21 for every school and college in Wales to provide free period products and £220,000 for each local authority to offer products in public buildings such as libraries.

The Together for Mental Health Delivery Plan 2019–2022 (Welsh Government, 2020c) identified improving specialist perinatal mental health services as a priority.

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77 The Welsh Government defines eradicating period poverty as ensuring that 'having a period does not lead to missed education, absences from employment or withdrawal from sport and social activities'.

## Caring responsibilities

**The 2021 Co-operation Agreement between the Welsh Government and Plaid Cymru commits to extending free childcare to all two-year-olds in Wales via the Flying Start scheme, with a particular focus on strengthening the provision of Welsh-medium childcare (Welsh Government, 2021d).**

The Welsh Government has committed to investing £46 million between 2023 and 2025 to deliver this expanded offer (Welsh Government 2022b).

The separate childcare programme, known as the childcare offer in Wales, supports up to 30 free hours a week of early education or childcare for eligible working parents of children aged 3–4 years old, for 48 weeks a year. The offer was extended to parents in education and training in 2022.

## Pregnancy and maternity services

In March 2020, due to the COVID-19 pandemic, the Welsh Government exercised powers to temporarily enable women and girls to terminate an early pregnancy with prescribed pills taken at home instead of at a hospital or clinic. Following a consultation (Welsh Government, 2021b), this policy was made permanent in February 2022 (Welsh Government, 2022d).

The Welsh Government's five-year vision for maternity care commits to ensure high-quality universal, enhanced and targeted services, including access to evidence-based psychological therapies (Welsh Government, 2019b).

## Justice

The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 aimed to improve the public sector response and arrangements to raise awareness of and prevent violence against women, domestic abuse and sexual violence (VAWDASV) and to protect and support victims.

The Welsh Government's 2016–2021 national strategy on VAWDASV (Welsh Government, 2016) was followed by a 2018–2021 delivery framework (Welsh Government, 2018b), setting out how it would meet commitments made in the strategy. A set of national indicators published in 2019 will measure progress against the Act (Welsh Government, 2019c).

**In May 2022, the Welsh Government published an updated VAWDASV strategy for 2022-26 (Welsh Government, 2022e). The strategy sets out six objectives including challenging public attitudes to VAWDASV; prioritising early intervention and prevention; increasing awareness of the importance of safe, healthy and equal relationships; increasing focus on holding perpetrators accountable and providing support to change behaviour.**

In 2020, during the COVID-19 pandemic, the Welsh Government launched a campaign to raise awareness of the Live Fear Free helpline funded by the Welsh Government to provide advice and support available to those experiencing or aware of domestic abuse or sexual violence (Welsh Government, 2020d).

The government also announced a £1.5 million fund to help VAWDASV service providers to respond to increased demand during the pandemic, on top of £2.4 million funding in 2019 (Welsh Government, 2020d; Welsh Government, 2019d).

The Welsh Government's 2019 Female Offending Blueprint for Wales (renamed the Women's Justice Blueprint in 2022) (Welsh Government, 2019e) set out how it intended to support women and girls in, or at risk of entering, the criminal justice system (CJS). The blueprint recognised that women's patterns of offending differ from men's, women offenders are often victims of crime and abuse themselves and the detrimental impact short custodial sentences (often for 'low-risk' offences) can have on women and their families.

## Participation

The Strategic Equality Plan 2020–2024 (Welsh Government, 2020b) contains a long-term aim for everyone in Wales to be able to participate in political and public life. It also plans to increase the diversity of decision-makers in public life and public appointments and to identify and investigate mechanisms to redress inequality by 2024.

The Welsh Government’s 2020 Diversity and inclusion strategy for public appointments 2020-2023: Reflecting Wales in Running Wales (Welsh Government, 2020e) presents a vision for improving diversity in decision-making in public life, with a focus on appointments to boards of public bodies and health boards and trusts. It includes commitments such as improving the diversity of recruitment panels and raising awareness of public appointment opportunities.

## Outcomes

**Analysis shows women and girls generally face more disadvantages than men and boys. They are particularly disadvantaged in areas such as mental health and access to healthcare. Specific groups of women, in relation to their marital status and household composition, are more at risk of disadvantage, including of poverty. Men and boys remain more likely to be in any part of the criminal justice system and boys are less likely than girls to achieve target attainment outcomes at all levels of compulsory education.**

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## Education

### Early years foundation phase

Girls are more likely than boys to achieve Foundation Phase Framework expected outcomes.<sup>78</sup> Boys eligible for free school meals (FSM) are the least likely of girls and boys eligible and not eligible for FSM to achieve the target outcomes.<sup>79</sup> Analysis shows the difference in the rates for boys and girls fluctuated during 2011/12–2018/19. The gap was narrowest in 2016/17 (7.1 percentage points) when percentages peaked for both groups, but by 2018/19 had widened to 8.8 percentage points.

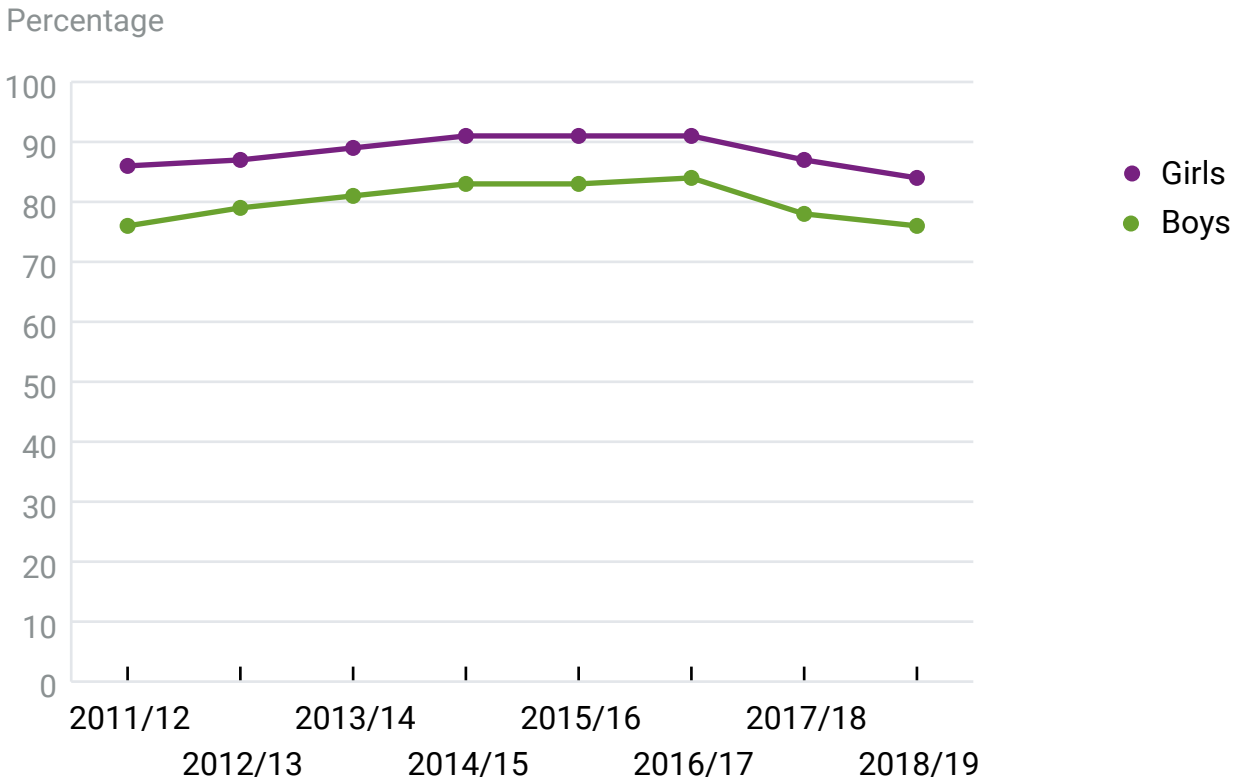
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78 The Foundation Phase Framework covers education for children aged 3–7. The Foundation Phase Indicator measures the proportion of children who achieve the framework's expected outcomes. Data is available until 2019. Outcome assessments were not completed in 2020 and 2021.

79 Children eligible for FSM through the Pupil Development Grant (PDG), not those getting FSM through the phased roll-out to all primary school children that started in 2022/23.



**Figure 60: Percentage of children who achieved expected outcomes at foundation phase by sex – Wales – 2011/12-2018/19**

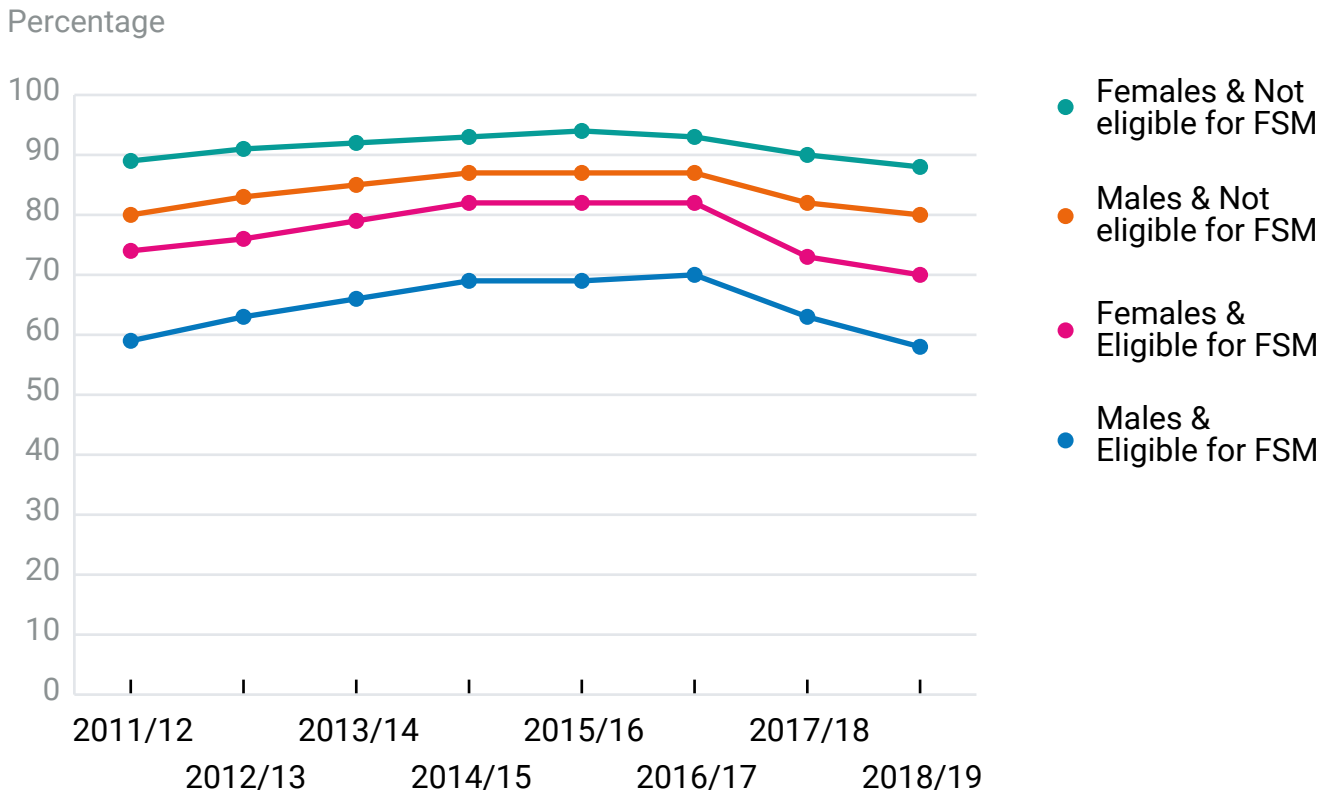


(Source: EHRC analysis of Welsh Government data)

### Foundation phase attainment by sex and free school meals

Analysis shows the attainment gap between those eligible for FSM and those not eligible widened for both boys and girls in 2018 and 2019, when attainment rates for both boys and girls dipped after rising between 2012 and 2017. The gap between those eligible for FSM and those who are not decreased from -21.4 percentage points to -17 percentage points for boys and decreased for girls from -15.3 percentage points to -11.5 percentage points between 2012 and 2017. However, the gap between boys eligible and boys not eligible for FSM remains wider than the gap between girls eligible and not eligible for FSM.

**Figure 61: Attainment, in terms of percentage of children achieving good examination results at school-leaving age or on leaving school, analysed by sex and FSM – Wales – 2012-2019**



(Source: EHRC Analysis of Welsh Government data)

## Outcomes at school-leaving age

Girls are consistently more likely to achieve target outcomes at school-leaving age than boys. Attainment rates for both boys and girls decreased between 2015/16 and 2018/19, then increased again from 2019/20 to 2020/21. Measurement methods and indicators for school-leavers changed after 2015/16,<sup>80</sup> which means that direct comparisons of outcome rates are hard to make. But the difference in attainment rates between boys and girls have remained consistent (-8.9 percentage points) across the use of both methods in 2015/16 and 2019/20.

## Further and higher education

Among higher education students from Wales studying in the UK, female students outnumber male students. In 2020/21, 61.3% overall were female, and of part-time students 63.9% were female. Of students who are studying in Wales, overall, 56.5% were female, and of part-time students 62.7% were female (HESA, 2023).

## Apprenticeships

Apprenticeship data for 2021/22 (StatsWales, 2023a) shows that 55.8% of students enrolled at all levels of apprenticeship learning were female, compared with 60.4% in 2017/18. There are still distinct differences by sex in the subjects that students pursue at this level of education.

Male students are spread across a broader range of apprenticeships than their female counterparts. The majority, 58.6%, of females were undertaking healthcare and public services learning in 2021/22, an increase from 51.7% of all female apprentices in 2017/18. The percentage of male students registered on construction apprenticeships (29.9%) and engineering courses (23.9%) in 2021/22 contrasted with just 1.2% and 1.1% of female apprentices for the same two courses. Overall, in 2021/22, 95% of construction, 94.1% of engineering, and 87.8% of manufacturing apprentices were male. In comparison, 87.9% of hair and beauty apprentices, 82.6% of health and public services, 62.7% of management and 67.7% of business administration students were female.

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80 The measure is the percentage of pupils in year 11 reaching the level 2 inclusive threshold of five GCSE or equivalent passes at grade C or above. From 2017, changes were made to include English/Welsh first language, maths and science in that threshold and for two vocational (non-GCSE) qualifications to count towards all threshold measures (up to 40% of the threshold).

### Exclusions

Permanent and fixed school exclusion rates in Wales have been rising and rates remain significantly higher for boys than for girls. Recent research suggests that socio-economic factors significantly affect classroom exclusions (Power and Taylor, 2022).

Another study found classroom exclusions in Wales follow the same trend overall, with boys twice as likely as girls to be excluded (both frequently and occasionally), but not when the analysis is controlled for the socio-economic factor of deprivation, when girls from deprived households are significantly more likely to be excluded from the classroom than boys (Power and Taylor, 2021).

### Bullying

Evidence from the SHRN Student Health and Wellbeing Survey Survey shows that boys are more likely to report that they have perpetrated acts of bullying than girls. This is consistent for both cyberbullying and in-person bullying. Data from the 2017/18 (Hewitt et al., 2019) and 2019/20 (Page et al., 2021) SHRN reports shows boys are significantly more likely (18%) to report having bullied overall than girls (11%) but there is a much smaller difference for cyberbullying (10% compared with 7% in 2019/20).

The percentage of students who reported they had been bullied in the last couple of months remains substantially higher than the percentage who reported that they had bullied others. Based on 2019/20 data, girls are more likely (35%) to be victims of all forms of bullying than boys (30%) though the percentage of girls experiencing cyberbullying fell slightly between 2017 and 2020 (from 23% to 21%), while it stayed the same for boys (15%).

## Lifelong learning

Analysis of Welsh Government data for 2021 suggests that men are slightly more likely (8.9%) than women (7.3%) to hold no qualifications. There are higher proportions of men than women with no qualifications in all age groups, up to ages 50–59 and 60–64. Women are more likely than men to hold qualifications at or above level 4. Qualitative research provides further insight into the potential barriers to education for working-class men in Wales, such as community traditions and notions of masculinity that lead to an attraction to manual employment and a rejection of education (Gater, 2022). These findings are consistent with previous research highlighting a potential connection between notions of masculinity and ‘anti-learning’ attitudes (Jackson, 2006).

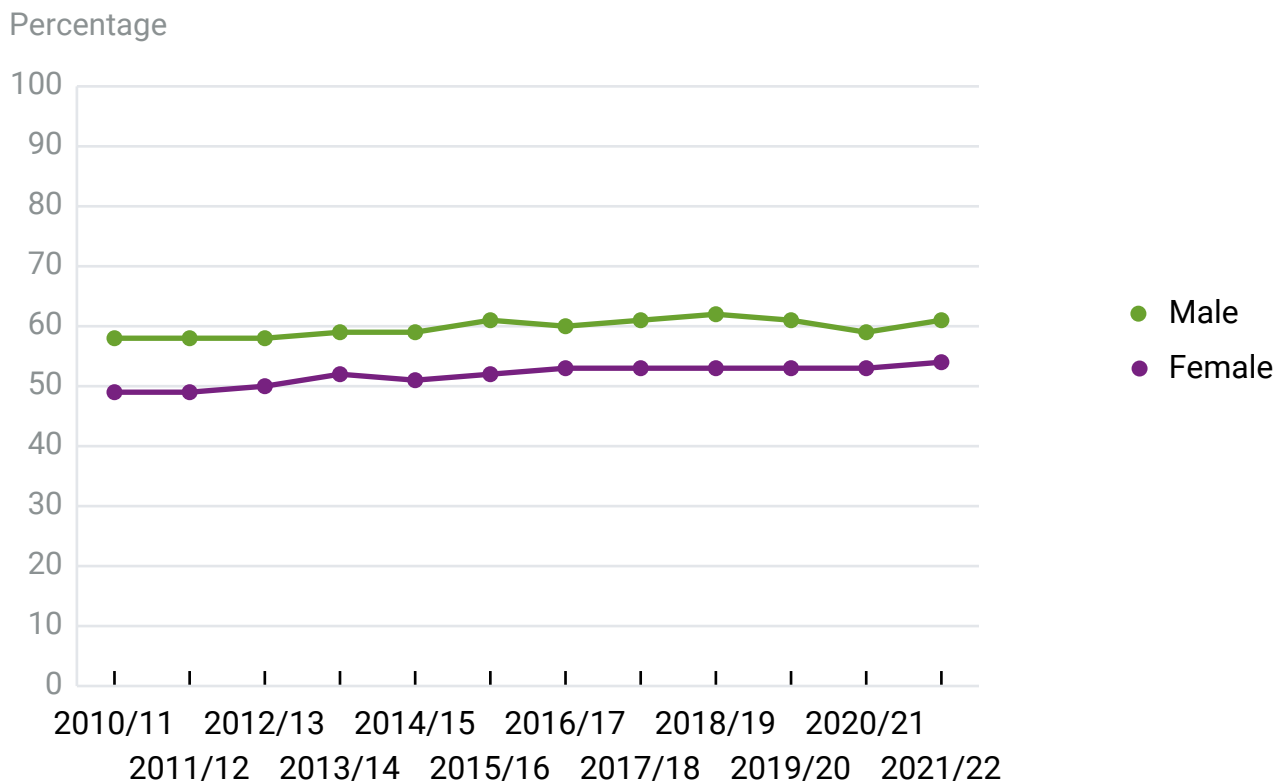
Recent research indicates that childcare remains a particular and unchanging barrier to accessing classes for English for speakers of other languages (ESOL), particularly for female asylum seekers and refugees in Wales (Chick and Hannagan-Lewis, 2019). Further research highlights the impacts on mental health and well-being of exclusion from or inclusion in education and learning for women and mothers seeking sanctuary in Wales (Shobiye, 2022). This evidence is pertinent at a time when all local authorities in Wales are becoming asylum and refugee dispersal areas and in view of the Nation of Sanctuary plan.

## Work

### Employment gap

Evidence shows that men remain consistently more likely to be employed than women. In 2019/20, 61.3% of all men aged 16 and over were in employment compared with 53.2% of women. This gap has not changed since 2010/11, as employment rates for men and women have been growing at a similar speed.

**Figure 62: Employment rates by gender – Wales -2010/11- 2021/22**



(Source: EHRC analysis of Annual Population Survey)

### Women from ethnic minority backgrounds

Employment rates for women from ethnic minority backgrounds have increased but they are still less likely to be employed than White and ethnic minority men and White women. Evidence from Chwarae Teg (a Welsh civil society organisation) shows employment rates for ethnic minority women aged 16–64 years increased from 48.2% in 2018 to 61.4% in 2022 (Chwarae Teg, 2023a). But the 2022 rates are below the relatively stable rates for White women (70.8%), White men (77.4%), and ethnic minority men (71.0%). White men continue to have the highest rates of employment, while the rates for working-age ethnic minority men have fallen from 76.1% in 2018 to 71.0% in 2022 (Chwarae Teg, 2023b).

### Disabled women and men

Further evidence from Chwarae Teg (2023a) shows that unemployment rates for disabled women have declined steadily from 8.0% in 2018 to 5.5% in 2022. By 2022 disabled men were more likely (9.0%) to be unemployed than disabled women (5.5%), with disabled men's unemployment rates fluctuating from 12% in 2018.

### Economic inactivity

Analysis of APS data found that in 2019/20, women were more likely (44.8%) to be economically inactive than men (36.2%). The gap has narrowed between 2010/11 and 2019/20, and women have become less likely to be economically inactive (47.1% to 44.8%), while the figures for men have shown no significant change.

In 2022, men in Wales were more likely than women to be economically inactive because of long-term sickness, while women were more likely to be inactive due to looking after the family or home than men (Welsh Government, 2023c).<sup>81</sup> Recent research has suggested that childcare needs and caring responsibilities are the biggest barriers to equality in areas of life such as employment for women (WEN Wales and Oxfam Cymru, 2022).

### Unemployment

Between 2010/11 and 2014/15, women were consistently less likely to be unemployed than men. Between 2010/11 and 2019/20, both men and women's rates of unemployment declined. However, men's unemployment rate declined at a faster rate, meaning the gap between men and women had closed entirely by 2019/20.<sup>82</sup> From 2019/20 to 2021/22, men's unemployment rates increased significantly while women's remained unchanged.

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81 This analysis excluded workers aged over 65, unlike our APS analysis which includes older workers. Figures may differ for this reason.

82 Men's drop in unemployment and women's reducing economic inactivity means the overall employment gap has remained stagnant.

## Part-time Employment

The proportion of women working part-time in Wales remains far higher (39.0% in 2022) than the proportion of men (12.1%), though women's rates have fallen slightly from 42.0% in 2018, while men's have remained relatively stable (dropping from 12.7%) (Chwarae Teg, 2023a).

## Earnings and occupational segregation

Men in Wales are more likely to earn a higher hourly wage than women. Our APS analysis shows that women's median hourly earnings were 15.1% lower than men's in 2019/20. Though our APS analysis showed no significant change in the pay gap between 2010/11 and 2019/20. However, in contrast, the Annual Survey of Hours and Earnings (ASHE), a more accurate measure of the pay gap, shows that the gap has significantly narrowed between 2010 and 2019.

**According to ONS analysis of ASHE data, in Wales, women's median hourly earnings were 17.6% lower than men's in 2010. This gap narrowed to 14.1% by 2019/20 (ONS, 2022c; 2022d).**

Evidence from the State of the Nation report (Chwarae Teg, 2023b) shows significant regional variations in pay gaps across Wales, ranging from -10.2%<sup>83</sup> to +29.8% in 2022. Nationally the gap for Wales is lower than for the UK, but 13 local authorities in Wales have a lower rate than the UK's and 9 have a higher rate.

Women are consistently more likely than men to be in a low-paid occupation (LPO).<sup>84</sup> Analysis of the APS shows 37.4% of all working women and 21.8% of men were in an LPO in 2019/20. This gap remained stable between 2010/11 and 2018/19. The gap narrowed between 2018/19 and 2019/20 as the proportion of women in an LPO dropped, and this narrower gap was sustained from 2019/20 to 2021/22.

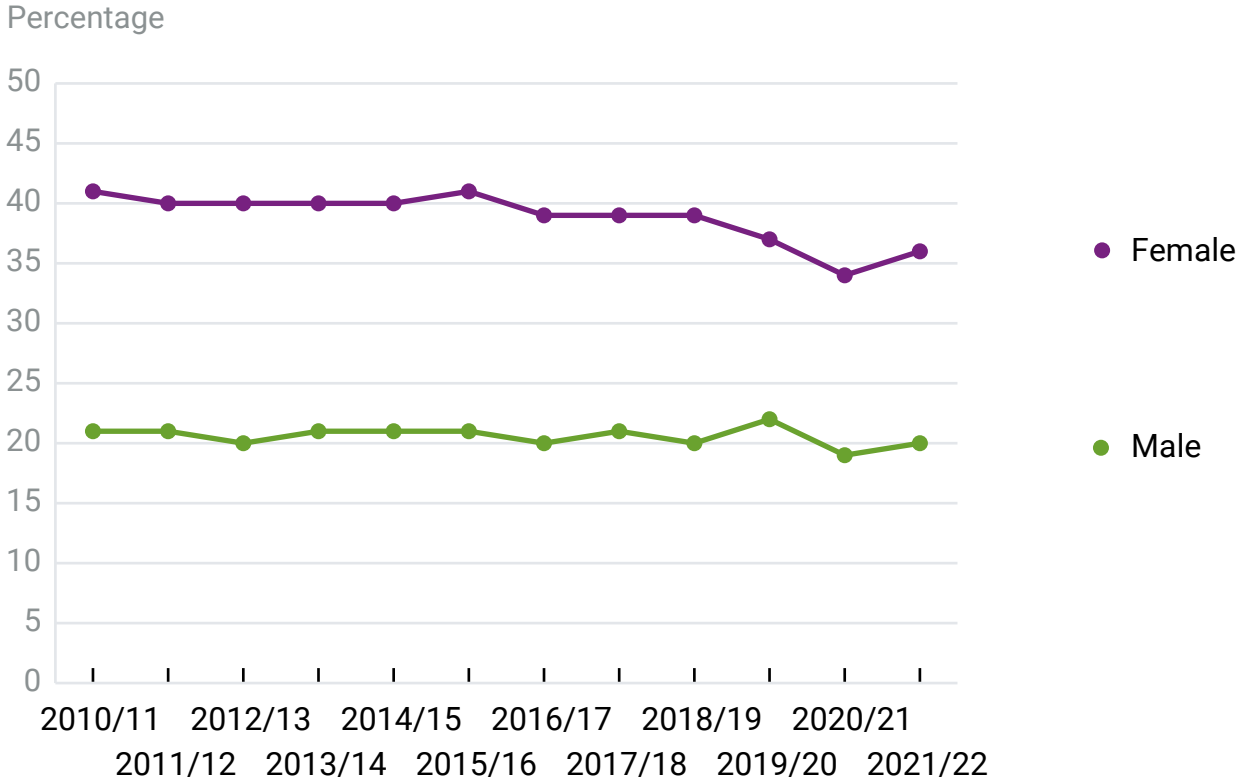
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83 In this report a negative pay gap implies that women are on average paid more than men.

84 Caring, leisure and other services, sales and customer services, and elementary occupations are all classed as low-paid occupations.



**Figure 63: Men and women in low-paid occupations, Wales, 2010/11 to 2021/22**



(Source: EHRC analysis of Annual Population Survey)

Analysis found that, between 2010/11 and 2018/19, men and women in Wales were equally likely to be in a high-paid occupation (HPO).<sup>85</sup> This changed in 2019/20, when the proportion of women in an HPO grew higher than the proportion of men in an HPO, though this gap was not sustained during the pandemic.

This contrasts with England, where men are more likely than women to work in an HPO. Though the gap is smaller in Wales, men and women in Wales are less likely to be in an HPO than men and women in England.

<sup>85</sup> Managers, directors, senior officials and professional occupations are all classed as high-paid occupations.

## Employment Tribunal

In both England and Wales, most employment tribunal discrimination complaints and disposals are made on the grounds of sex discrimination, unfair dismissal due to pregnancy or equal pay cases related to sex. However, a limited number of complaints end in successful hearing outcomes. More details can be found in our Britain report, the Equality and Human Rights Monitor 2023.

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## Living standards

### Housing

#### Homelessness

Homelessness data from local authorities suggests applicants that have been threatened with homelessness are more likely to be women, while applicants that are experiencing homelessness are more likely to be men (StatsWales, 2022). In 2021/22, 59.1% of households threatened with homelessness and seeking assistance from a local authority had a woman as the main applicant, a decrease from 63.4% in 2018/19. The same data shows that 59.7% of households assessed as homeless had a man as the main applicant, an increase from 56.6% in 2018/19.<sup>86</sup>

Single-parent households are over-represented in homelessness cases. In the Wellbeing of Wales report (Welsh Government 2022f) it was reported that single-parent households comprised 32.3% of homelessness cases in 2018/19 yet made up 7.6% of the overall household population in Wales in the 2021 Census (ONS, 2023a). Most (89.1%) single-parent households in Wales are headed by women (ONS, 2023b).

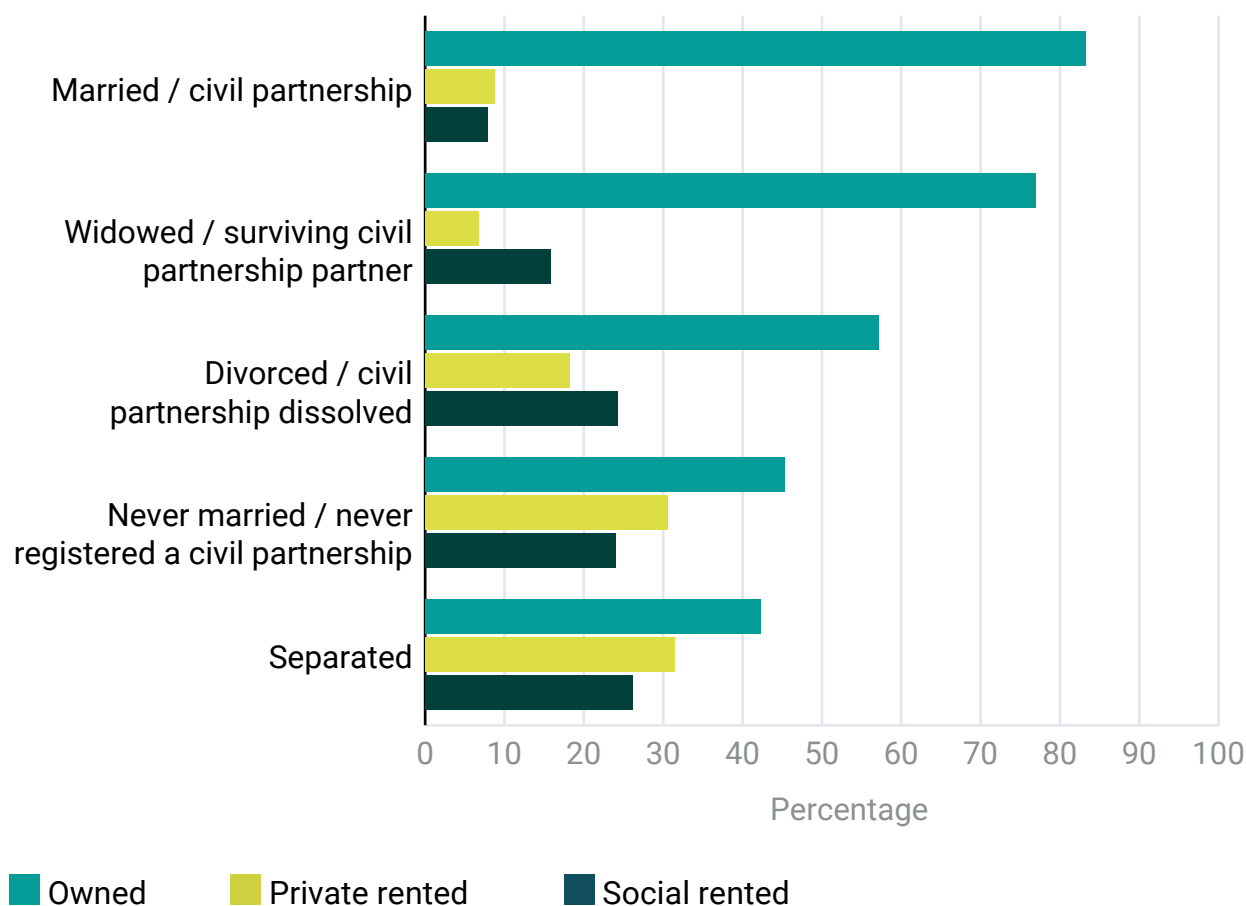
#### Housing tenure

Census data from 2021 shows that divorced (57.2%), separated adults (42.3%), and those never married (45.3%), are less likely to be homeowners than those who are widowed (77.0%) or married or in a civil partnership (83.2%) (ONS, 2023c).

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86 Based on the number of applicants counted under section 66 (threatened with homelessness) or section 73 (homeless, subject to duty to help to secure accommodation).

**Figure 64: Housing tenure by marital status, 2021- Wales**



(Source: Office for National Statistics)

## Poverty

Our analysis of the Family Resources Survey (FRS) found no significant difference between men and women in their likelihood of being in poverty at an overall household level between 2015/16 and 2019/20.<sup>87</sup> However, year-on-year estimates can be unreliable due to the small sample size in Wales. Evidence suggests that particular groups, such as single parent households (primarily women) are at most risk of living in poverty.

<sup>87</sup> This primary data set on relative poverty income is based at a household level, so nuances that would show more distinctions between poverty rates for men and women may not be clear.

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## Sex, including pregnancy and maternity, and marriage and civil partnership

Welsh Government analysis of recent data averaged from 2020 to 2022 shows that households most likely to be living in poverty are single-parent households (38%) (StatsWales, 2023b). Most (89.1%) single-parent households in Wales are headed by women (ONS, 2023c). Single-parent households have consistently been at the greatest risk of relative poverty, with rates of 44% in 2015/17 and 46% in 2018/20 (StatsWales, 2023b).

Chwarae Teg reports that women's average earnings of £22,041 in Wales do not meet the UK Minimum Income Standard of £25,000 (Chwarae Teg, 2023a; 2023b). While wages in Wales are lower for both men and women compared with other parts of the UK, median earnings for women in Wales were 15% lower than for men in 2019/20. Women are more likely to be second earners or primary carers, which may leave them at greater risk of falling into poverty in the event of a relationship breakdown (Chwarae Teg, 2023b). This evidence is consistent with evidence that single-parent households are most likely to be living in poverty.

Welsh Government analysis of data for adults without dependent children, from 2020 to 2022, shows that single male pensioners<sup>88</sup> (31%) have a similar poverty rate to single female pensioners (29%), and that single men and women without dependent children share the same poverty rate (25%) (StatsWales, 2023b).

### Food poverty

Food security is lower among single, separated, divorced and widowed adults in Wales. Three waves of the Food Standards Agency Food and You 2 Tracker survey found fluctuating rates of food security between July 2020 and June 2021. In wave one, food security was lower among single adults compared with married adults / those in a civil partnership. In waves two and three, it was lower among single and separated, divorced, widowed adults compared with married adults and those in a civil partnership. Marital status was not analysed in subsequent waves (Food Standards Agency, n.d.).

### Social security

Women in Wales are now more likely to be claiming Universal Credit than men. Analysis (Chwarae Teg 2023a; 2023b) shows the rate of adults claiming Universal Credit in 2018 was split equally between men and women, while in 2022, the rates for men fell to 43% and the rates for women rose to 57%. Across the same period, the proportion of women in work claiming Universal credit rose from 40% to 43%, while for men it fell from 34% to 33%.

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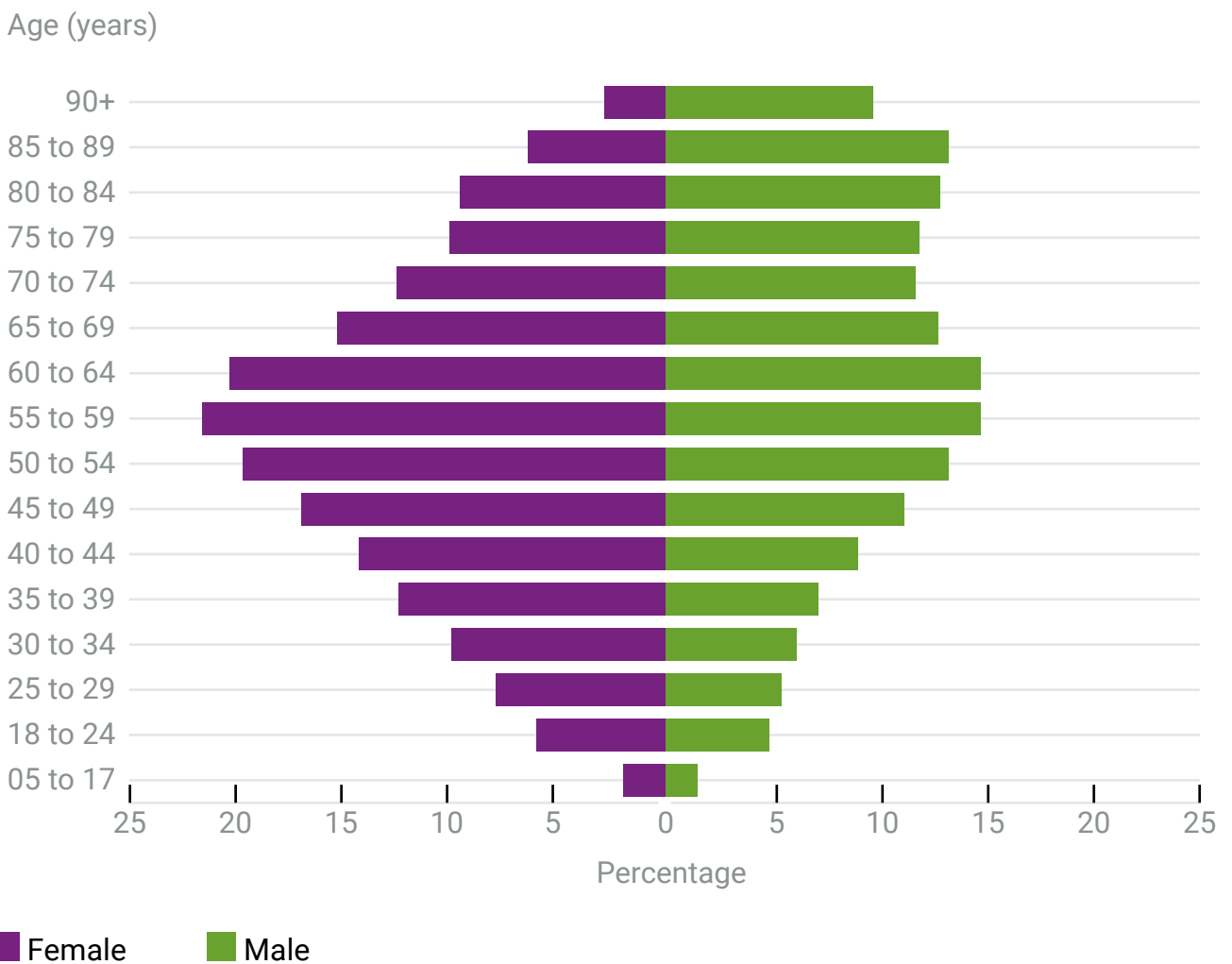
<sup>88</sup> Data for single male pensioners is of low quality due to the base size.

### Social care

More women than men provide informal care in Wales. The 2021 census (ONS, 2023d) shows that 12.0% of women and 9.0% of men provided unpaid care in Wales, a fall from 14.6% and 11.5% respectively in 2011. Women were also more likely (4.1%) to provide 50 hours or more of care compared with men (3.1%).

Women were significantly more likely to provide unpaid care in every age group up to 70–74 years. From the age of 80 onwards, men were significantly more likely to provide unpaid care. There were no significant differences for those aged 75–79 (ONS, 2023e).

**Figure 65: Age-specific percentages of unpaid carers by sex, Wales, 2021**



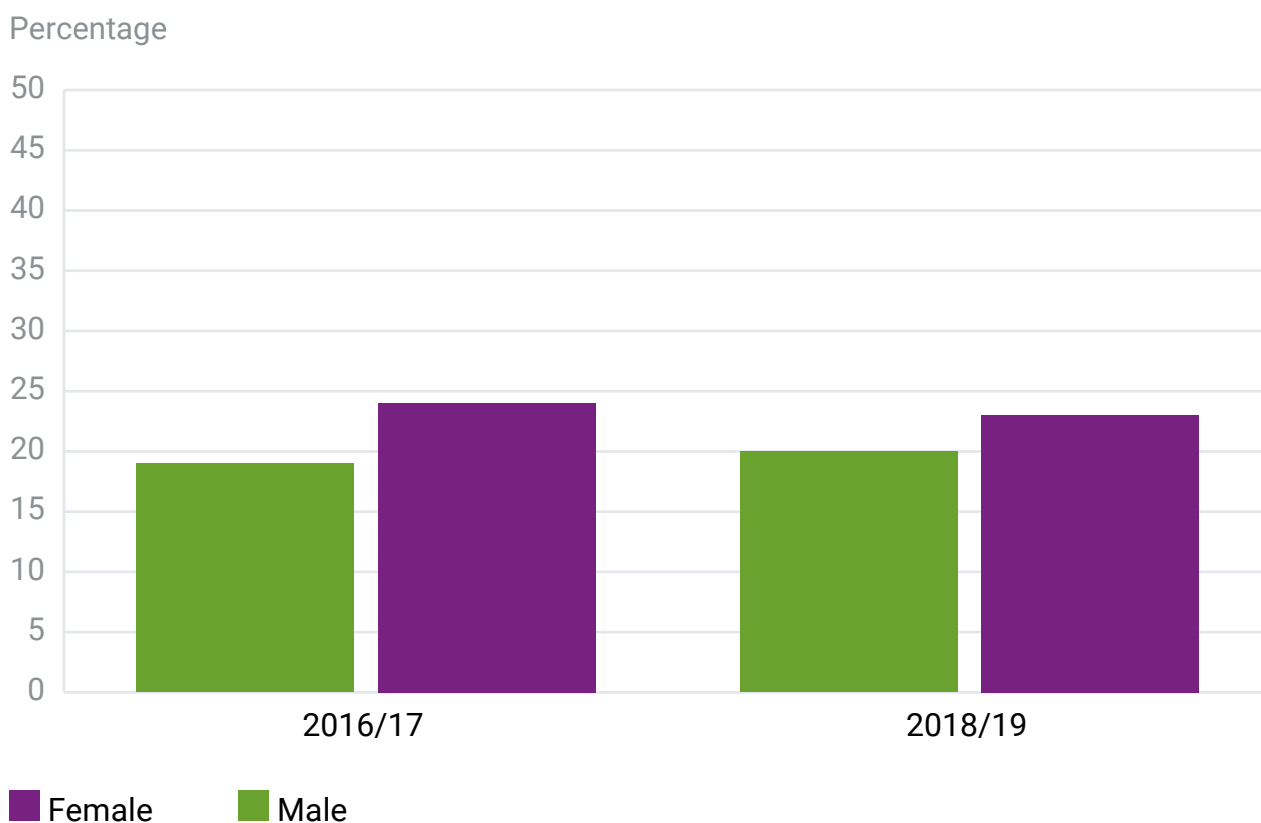
(Source: Office for National Statistics)

## Health

### Mental health

Women continue to report poorer mental health than men. Prior to COVID-19, the gender gap in mental health had narrowed, but it may now have widened again. Between 2016/17 and 2018/19, the proportion of men with poor mental health rose from 19.5% to 20.3% while the proportion of women with poor mental health fell from 23.8% to 22.6%. However, a 2021 report suggests the mental health gap between men and women increased from 9.9% to 14.1% during the pandemic (Wales Fiscal Analysis, 2021).

**Figure 66: Men and women with poor mental health outcomes – Wales – 2016/17-2018/19**



(Source: National Survey for Wales)

Our analysis of National Survey for Wales (NSW) data for 2018/19 shows some regional differences between men and women reporting poor mental health. For both, the highest proportions of poor mental health are in the South East and South West. The most notable disparity is in the North East, where 16.3% of men report poor mental health compared with 23.9% of women. However, these differences are not significant once age, material deprivation and the Welsh Index of Multiple Deprivation (WIMD)<sup>89</sup> are taken into account.

A Health Wales report (Public Health Wales, 2022a) (Bentley, et al., 2022) using 2016–2020 healthcare data found that girls and young women aged 11–24 living in Wales were at greater risk of a mental health crisis than boys and young men, with the risk for young women aged 16–17 and 18–24 almost twice as high as that for girls aged 11–15. This was not a pattern reflected among young men and boys, where there was a more even spread in the gaps between age groups, but men of 18–24 were still twice as likely to have a mental health crisis as boys aged 11–15.

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89 WIMD ranks all small areas in Wales from 1 (most deprived) to 1,909 (least deprived). Numerous indicators determine the WIMD, such as income, employment, health, education and access to services.

## Physical health outcomes

### Life expectancy and healthy life expectancy

**Women live longer than men but spend more of their life in poor health. Life expectancy data for 2018–2020 shows women on average spend 76% of their life in good health compared with 78.5% for men (Public Health Wales, 2022b).**

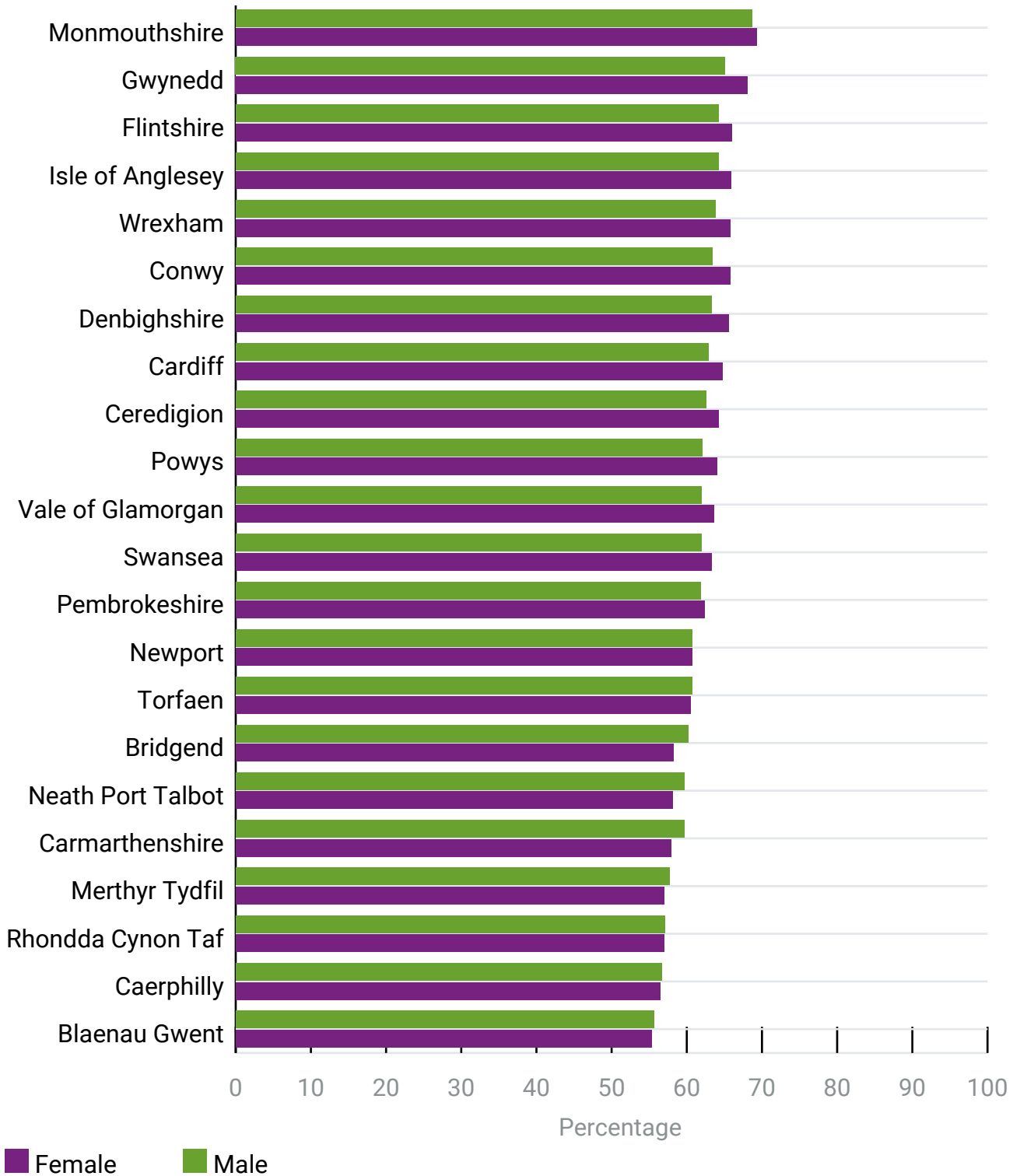
But there is also a strong relationship between health and deprivation. Women in the most deprived areas of Wales are expected to live almost a third of their lives with an activity-limiting illness, developing poor health at 53.3 on average. In contrast, women in the least deprived areas on average live 70.2 years before developing activity limiting illness. This inequality has widened compared to 2015–17 as there has been an increase in healthy life expectancy of 2.1 years in the least deprived areas but not significant change elsewhere (ONS, 2022b).

Inequalities in life expectancy between the most and least deprived fifths have increased in females but not men women. Female life expectancy at birth, in 2018–2020, was at its lowest since the start of Public Health Wales (Public Health Wales, 2022b) reporting period in 2011–13 and in the most deprived areas decreased by 0.7 years between 2015–2017 and 2018–2020.

As a result, there are regional inequalities. Several of the UK regions with the poorest health were in Wales before the pandemic. Analysis has found that 19 local authorities across the UK had a healthy life expectancy below 58 years among both men and women before the pandemic (Health Foundation, 2022). Four of these were in South Wales. In contrast, Mid Wales has some of the highest healthy life expectancies in the UK.



**Figure 67: Healthy life expectancy in years by local authority and gender, Wales, 2018–2020**



(Source: Public Health Wales)

### Health status gap between men and women

The health status gap between men and women in Wales has widened. Our analysis of the NSW shows that the proportion of women reporting good health declined from 72.9% to 69.9% between 2016 and 2019. The figures for men remained more stable during the same period, only falling from 73.2% to 72.9%. Further analysis of 2019/20 data showed the difference in self-reported health between men and women was no longer significant when age, overall WIMD score and material deprivation were held constant. In 2019/20 women were more likely (16.2%) to be in material deprivation than males (10.7%) and more likely to live in the most deprived quintile (17.1% compared with 15.8%).

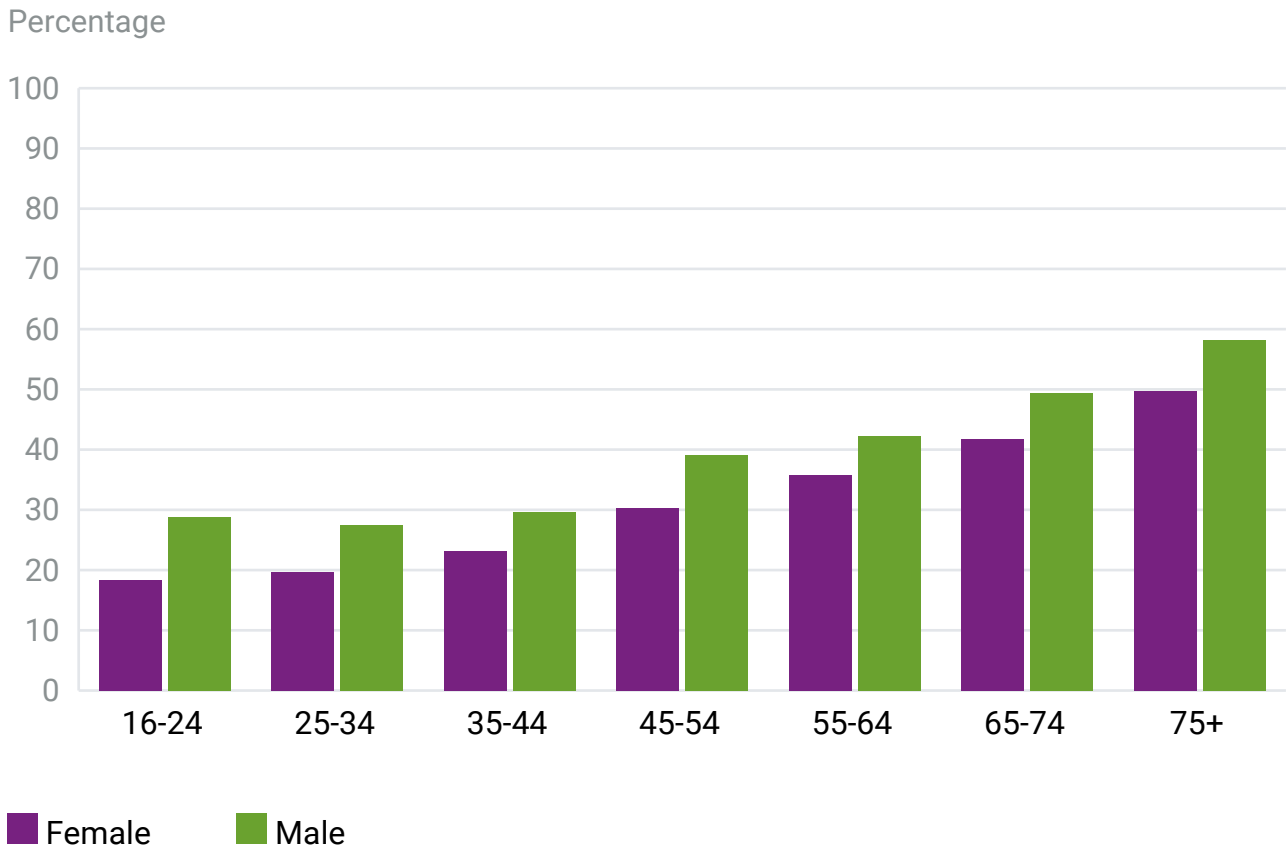
A 2022 report highlighted healthcare inequalities between women and girls and men and boys in relation to specific services (for example, gynaecology), conditions that affect girls and women more than men (such as autoimmune conditions) and male bias in treatment and information on general population conditions, including heart attacks (FTWW and British Heart Foundation, 2022).

Our analysis of NSW for 2021/22 shows that women were slightly less likely (65.8%) to report getting a GP appointment very or fairly easy compared with men (67.5%). Women also reported lower satisfaction with GP appointments, with 70.8% reporting they were very or fairly satisfied compared with rates of 72.6% from men (Welsh Government, 2022g). Research by NHS Wales identified that women feel reluctant to contact health professionals with small problems, waiting until these develop into more serious issues (NHS Wales, 2022). The research also found 86% of women identified a lack of open and honest conversations and issues with education, support, understanding, pride or confidence, empathy and good role models.

### Limiting longstanding illness, disability or infirmity

The 2021/22 NSW data shows women are more likely (37.4%) than men (29.1%) to report living with a limiting longstanding illness, disability or infirmity and women are more likely (19%) than men (14%) to report that this limits them a lot and these inequalities exist in every age group (Welsh Government, 2022g). Significant differences between men and women remain once age, material deprivation and area deprivation have been taken into account.

**Figure 68: People in Wales reporting a limiting long-standing illness, disability or infirmity 2021/22: comparison by sex and age group**



(Source: EHRC analysis of National Survey for Wales)

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## Justice

### Confidence in the criminal justice system

Women in Wales are less likely than men to have confidence in the criminal justice system (CJS). Analysis of the Crime Survey for England and Wales (CSEW) showed in 2017/18 women were less likely to agree the CJS treats people as innocent until proven guilty.

### Sexual, personal and domestic abuse

Women are more likely to experience domestic abuse than men.



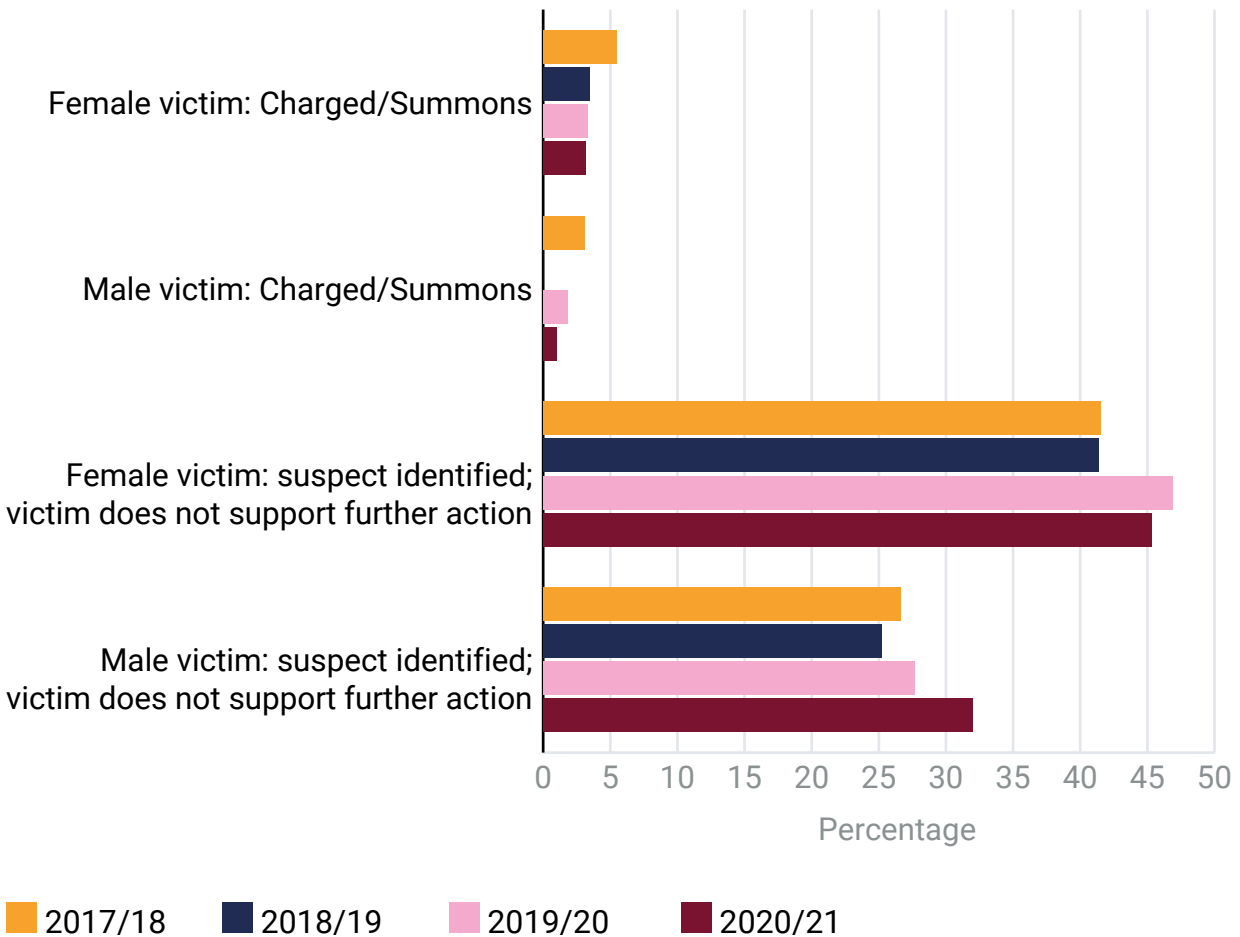
Analysis of CSEW, focusing on Wales, found in 2019/20 that 8.5% of women and 4.9% of men had experienced domestic abuse in the past twelve months.

Analysis of police outcomes data shows<sup>90</sup> that, between 2017/18 and 2021/22, the number of rape offences against women aged 16 and over, recorded by police in Wales, rose from 1,668 to 2,022. The proportion of these offences that resulted in a charge fell from 5.5% in 2017/18 to 3.2% in 2020/21, which is higher than in England. The proportion of offences where a suspect is identified and a victim withdraws their support is also higher in Wales than in England, standing at 45.3% of offences in 2020/21 compared with 41.9% in England.

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90 Home Office Police Outcomes data analysed were versions: 2018/19 – updated 28 April 2022; 2019/20, 2020/21, 2021/22 – updated 27 October 2022.

**Figure 69: Police-recorded outcomes for rape offences, 2017/18 to 2020/21, police force areas in Wales**



(Source: Home Office Police Outcomes Data)

### Prisons

According to the latest data available for Wales, there were 279 Welsh women in prison in September 2019, the highest figure to date since data collection began in 2013. Around one in five (19%) women sentenced to immediate custody in Wales in 2019 was given a sentence of a month or less (Wales Governance Centre, 2020).

## Participation

### National elections

The percentage of Welsh women MPs in the UK Parliament rose from 28% to 35% following the 2019 general election.

In the 2021 election (the Sixth Senedd), 43.3% of elected Senedd members were women, an increase from 41.7% in the 2016 elections, but a decrease from 48.3% by the end of the Fifth Senedd (Davies et al., 2021).

### Local government and public appointments

Though the proportion of women in local government rose after the 2022 elections, there is still a gender gap in representation and a fluctuation in leadership roles. The percentage of women councillors increased from 29% to 36% following the May 2022 local government elections (Chwarae Teg, 2022; 2023b). The proportion of women in council leadership roles reached a peak of 27% in 2021 but returned to the 2018 level of 18% in 2022. The percentage of women serving as local government chief executive officers has increased overall, from 18% in 2018 to 23% in 2022.

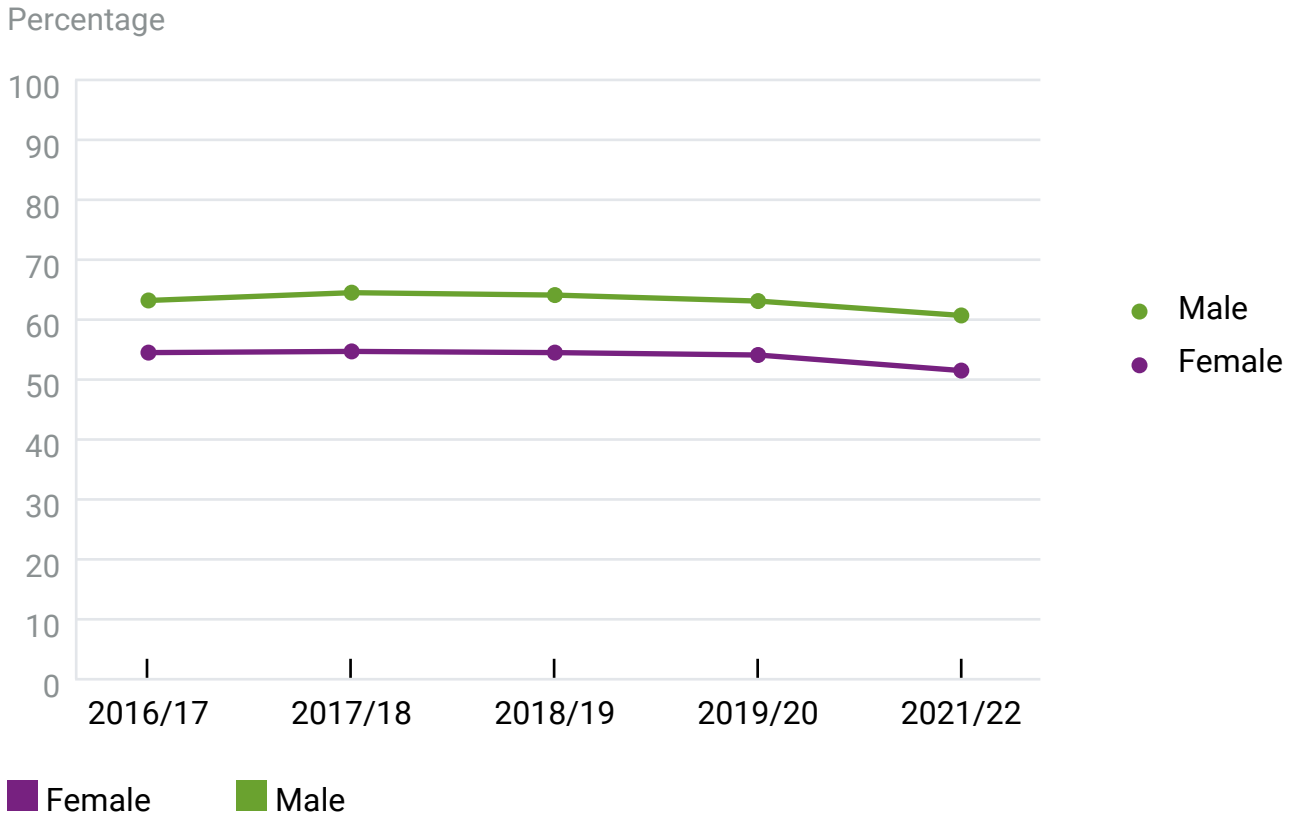
The proportion of women appointed to public positions has increased since 2016. In 2021/22, the percentage of women as new appointees rose to 58.8% from 55.6% the previous year (Commissioner for Public Appointments, 2022). 56% of public appointments and 46% of reappointments in Wales were women in 2021, compared with 47% of appointments in 2015/16 (Chwarae Teg, 2023a).

### Culture and leisure

Overall, adults in Wales consistently take part in sport or physical activity at below the recommended levels, but women are less likely than men to do so, based on the NSW measure of participation in sport or physical activity in the four weeks preceding the survey. The total proportion of women in Wales who participate in sport or physical activity has remained consistently below 60% between 2016/17 and 2021/22.

There is an approximate 9.2 percentage point gap between men and women's participation in sport in 2021/22. There was no significant difference in the sport participation gap between men and women from 2016/17 to 2021/22.

**Figure 70: Men and women participating in exercise in the last four weeks – Wales – 2016/17- 2021/22**



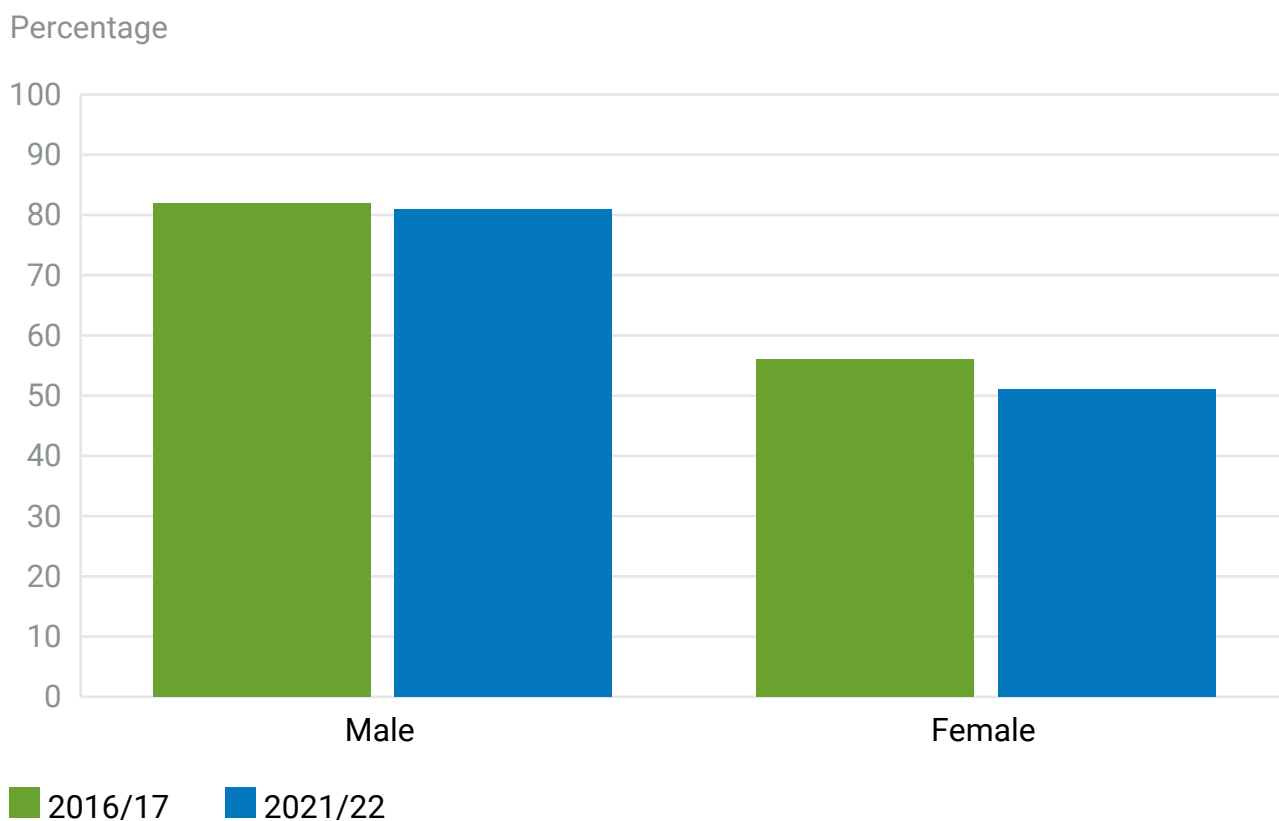
(Source: EHRC analysis of the National Survey for Wales)

## Feeling safe in the local area

Women are significantly less likely to feel safe in their local community than men and felt less safe in 2021/22 than they did in 2016/17.

NSW data for 2021/22 shows 51% of women felt safe at home and walking or travelling in the local area (56% in 2016/17) compared with 81% of men (82% in 2016/17) (Welsh Government, 2022g).

**Figure 71: Percentage who agree they feel safe at home and walking and travelling in local area – Wales – 2016/17 and 2021/22**



(Source: Welsh Government)



## Recommendations

38. The Welsh Government should address the causes of the pay gap between men and women in Wales including sectoral and regional disparities. It should also evaluate current actions to address the pay gap between men and women, including its gender roadmap.
39. The Welsh Government should understand and address the disparities in mental health outcomes between women and men, and this should include action to improve data collection and analysis.
40. The Welsh Government should address the causes of the increased likelihood of poverty, homelessness and food insecurity for single parents and single adults, with regular evaluation of progress.
41. Police forces in Wales and the Wales Criminal Justice Partnership Board should increase the number of recorded rape offences leading to charges and address the proportional drop in the charges for these offences.

# Sexual orientation

**The 2021 census provided population-level data on sexual orientation for the first time. This found 3% of people living in Wales were gay, lesbian, bisexual or with another sexual orientation.**

Lesbian, gay and bisexual people in Wales report experiences of discrimination and bullying and issues with healthcare services and outcomes. These experiences are common to all three nations in Britain.

In Wales there are distinct policies, compared to other UK nations, including action plans, focused on addressing the inequalities faced by LGBT people. There are also specific areas of research and policy aimed at disadvantaged and marginalised LGBT groups, most notably people seeking asylum and refugees.

More work is needed to improve data collection and policy implementation, which captures the specific and intersectional challenges faced by LGBT people, particularly in Wales. Implementation of the Wales LGBTQ+ Action Plan for Wales and the creation of an Equality Evidence Unit on LGBT inequalities should help to address the unfair treatment of people because of their sexual orientation.

Policy and evidence on sexual orientation is often presented as about LGBTQ+, LGBT or lesbian, gay and bisexual people as a whole. It can therefore be difficult to separate information specifically about sexual orientation rather than about sexual orientation and gender reassignment together. LGBTQ+ communities in Wales have often led policy and evidence developments, but challenges remain in analysing policy and outcomes related to sexual orientation and the inequalities faced by specific groups. Those challenges are reflected throughout this chapter.

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## Definitions

**Sexual orientation:** The Equality Act 2010 defines sexual orientation as whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**LGBTQ+:** The Welsh Government uses this term and defines it as 'lesbian, gay, bisexual / bi, transgender / trans people, queer or questioning', noting: 'Other letters can be added to the acronym to include other groups, orientations and identities, such as I (intersex) and A (asexual / aromantic). The + (plus) in the acronym is used as a shorthand to include and acknowledge other diverse terms people identify with and use to describe their identities and orientations, including intersex, asexual and aromantic people.'

Some policy and evidence use umbrella terms, such as LGBT, to group lesbian, gay, bisexual and trans people together. The language used in this report reflects the language used within the policy or evidence that is being discussed. This means that terms such as LGBT and LGBTQ+ may be used at different times in this chapter.

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### Key findings

- Census data on sexual orientation is available for the first time. In 2021, around 77,000 people aged over 16 in Wales identified as gay, lesbian, bisexual or another sexual orientation. That is 3.0% of the total Welsh population.
- Gay and lesbian adults are more likely to be employed (67%) than adults who identify as heterosexual (55%), bisexual (52%) or any other sexual orientation (49%).
- Heterosexual workers are more likely to work in construction, manufacturing, agriculture, energy and water industries than all other sexual orientation groups.
- Lesbian, gay and bisexual people in Wales are at risk of experiencing a range of discriminatory or bullying behaviours while at work and in education. They are more at risk of hate crimes due to their sexual orientation.
- Lesbian, gay and bisexual groups experience poorer physical and mental health than heterosexual adults. The gap in physical health outcomes has improved over time, but the gap in mental health outcomes was unchanged before the COVID-19 pandemic. In 2018/19, 31.8% of lesbian, gay and bisexual respondents reported poor mental health, compared to 20.9% of heterosexual adults.
- Evidence suggests that sexual minorities' mental health has worsened during the pandemic, though more research is needed to understand the extent to which the gap may have widened with heterosexuals.

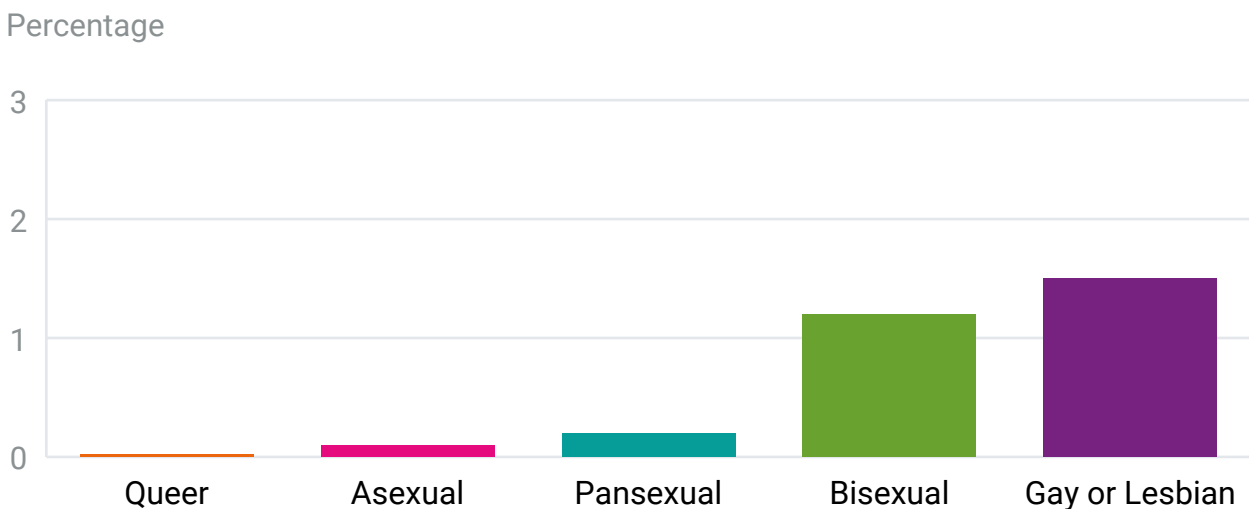
## Demographics

The 2021 census in England and Wales included a question on sexual orientation for the first time. The question was voluntary, but the majority of people responded to it (ONS, 2023a).

**In Wales, of the 2.4 million people (92.4% of the population aged 16 and over) who answered the question on sexual orientation, 2.3 million (89.4% of the population) described themselves as 'straight / heterosexual'. Another 38,000 (1.5%) described themselves as 'gay or lesbian' and 32,000 (1.2%) said they were 'bisexual'. The remaining 7,000 (0.3%) added their own description of their sexual orientation.**

Only 0.2 million (7.6%) people in Wales did not answer the question (ONS, 2023a; Welsh Government, 2023a).

**Figure 72: LGB+ proportion of population (16+), Wales, 2021**



(Source: Office for National Statistics)

## Legal and policy developments

The Welsh Government's Programme for Government 2021–2026 incorporating the Co-operation Agreement with Plaid Cymru included significant proposals for LGBT policies and actions including the intention to 'make Wales the most LGBTQ+ friendly nation in Europe' (Welsh Government, 2021a).

In 2023, the Welsh Government launched its LGBTQ+ Action Plan. This sets out 46 actions and further sub-actions and forms the primary framework for addressing inequalities based on sexual orientation (Welsh Government, 2023b).

Responses to the action plan consultation identified two significant campaigns (Wavenhill, 2022). One was about banning conversion practices. The other focused on concerns that sex, sexual orientation and gender should be addressed in separate action plans.

The Welsh Government's action plan is 'LGBTQ+ inclusive', meaning that most of its commitments relating to sexual orientation also apply to gender reassignment. As a result, many commitments and policy interventions highlighted in this chapter are also covered in the Gender Reassignment chapter.

The Welsh Government has set up the Equality Evidence Unit to increase understanding of gender and sex issues, including inequalities faced by LGBT people (Welsh Government, 2022a).

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### Education

The Welsh Government's action plan sets out its intention to design and implement a whole-school approach that is 'LGBTQ+ inclusive'. Specific actions include to:

- ensure education-supporting resources are inclusive of different sexual orientations and bilingual
- support schools with mandatory requirements of the statutory relationships and sexuality education (RSE) code and guidance, which is inclusive of different sexual orientations, and provide professional learning opportunities for all staff in educational settings
- provide professional learning and support for practitioners in recognising, recording and challenging prejudice-based bullying and harassment
- work with local authorities to improve the use of data gathered by schools about LGBT bullying, harassment and discrimination, in line with their responsibilities under the Public Sector Equality Duty, and
- encourage universities to consider issues of intersectionality, including sexual orientation, in how they support their diverse staff and student populations.

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### Work

As part of its LGBTQ+ Action Plan, the Welsh Government has pledged to encourage private sector employers also have policies and practices that are inclusive of different sexual orientations. It commits to working with employers to improve access to information (including on employers' legal responsibilities), advice, guidance and support on employing LGBT workers.

The Welsh Government has agreed to explore a sustainable funding model for organisations that provide support for LGBT young people. It has also committed to support the youth work sector in improving access to provision for LGBT young people and increasing diversity in the sector workforce.



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## Living standards

### Social care

The action plan commits the Welsh Government to improving LGBT people's health and social care experiences. This commitment includes working with Social Care Wales to design, roll out and evaluate the impact of specific staff training in social care settings.

There is also a focus on regulation of social care services, with Care Inspectorate Wales (CIW) expected to consider the extent to which people receiving care and support, including LGBT individuals, are treated with respect and sensitivity.

### Housing

The action plan commits the Welsh Government to work with local authorities and care home providers to ensure staff are fully trained in relation to LGBT people's rights and barriers. This particularly applies to staff working with LGBT people who face homelessness, to ensure services are inclusive of their specific needs.

The Welsh Government aims to evaluate specific LGBT projects such as Tŷ Pride, which provides LGBT young people with supported accommodation. It will then gather best practice and principles regarding LGBT homelessness to share with local authorities. The Welsh Government will also encourage development of LGBT-only asylum properties in Wales.

### Health

The Welsh Government's plan aims to 'improve healthcare outcomes for all LGBTQ+ people'.

Both the action plan and Programme for Government commit to:

- banning all conversion practices within the Welsh Government's legislative competence, and
- seeking the devolution of any necessary additional powers.

The Welsh Government has established a Working Group of experts to advise on proposed actions to ban conversion practices. Conversion practices are not used in the NHS and NHS Wales signed a memorandum of understanding on ending conversion therapy (BACP, 2022).

The HIV Action Plan for Wales 2023–2026 aims to reach a target of zero new HIV transmissions by 2030 (Welsh Government, 2023c).

The LGBTQ+ Action Plan sets out health policies intended to:

- overcome barriers LGBT people face in accessing sexual health services
- improve fertility referral services and make it easier to obtain IVF, including financial costs
- encourage health bodies to record equality data whenever possible to see if LGBT people have complaints about their care, and
- prompt health bodies to consider the experiences of LGBT people, particularly relating to mental health, in planning and implementing a recovery response to COVID-19.

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## Participation

The Welsh Government commits that its earlier Nation of Sanctuary – Refugee and Asylum Seeker Action Plan (Welsh Government, 2019) will remain inclusive of LGBT people. This includes working with specialised support services to engage with and understand the needs of LGBT people seeking asylum and refugees.

There is a pledge in the action plan to remove barriers to LGBT people reporting hate crime and to continue to invest in hate crime prevention programmes across Wales.

The LGBTQ+ Action Plan also commits to establishing interfaith conversations to enable positive interaction between faith groups and LGBT communities.

The Welsh Government has committed to support LGBT people to participate in democracy, including standing for elected positions. It aims to achieve this by promoting access to diverse role models for participation in democracy and continuing to support mentoring schemes such as the Equal Power Equal Voice programme to increase diverse representation in public life.

# Outcomes

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## Education

There is limited evidence on sexual orientation and educational attainment as this data is not collected for children in Wales (or in England and Scotland). This report focused on homophobic and biphobic bullying and discrimination in educational settings.

## Bullying

Stonewall conducted a survey which found that 54% of LGBT pupils who responded were bullied in school because of their sexual orientation (Stonewall Cymru, 2017). Similar findings come from the 2018 National LGBT Survey which found that 58.4% of respondents who were non-trans (which the survey refers to as cisgender) lesbian, gay and bisexual secondary school (or equivalent) pupils had experienced a negative incident because of their sexual orientation in the preceding 12 months. In comparison, non-trans lesbian, gay and bisexual respondents who were in college, sixth form or an apprenticeship experienced such incidents of bullying (33.1%) less frequently. And only 20.8% of non-trans respondents lesbian, gay and bisexual university students reported experiencing this sort of incident in the past academic year (GEO, 2018).

A large proportion of non-trans lesbian, gay and bisexual sixth form and university student respondents were not open about their identity. Only 38.1% of sixth form or college (or equivalent) and 56.5% of university (or equivalent) student respondents said they told 'most' or 'all' of their classmates or other students about their identity. An even lower proportion (19%) of non-trans lesbian, gay and bisexual secondary school pupils were open about their identity with classmates and other students (GEO, 2018).

### Work

#### Employment

According to the 2021 census, employment rates in Wales are highest among gay and lesbian people (67%) followed by heterosexual (55%) and bisexual (52%) individuals and those from 'all other sexual orientations' (49%). The bisexual and 'all other' employment rates are brought down by their higher student populations. Given their younger age demographic, bisexual and 'all other' groups are more likely to be full-time students, who are more likely to be economically inactive. When students are excluded from analysis, employment rates for bisexual and 'all other' groups are higher than for heterosexual people (ONS, 2023b). Analysis of ONS Annual Population Survey (APS) data suggests the gap between gay / lesbian and heterosexual employment rates did not change significantly between 2011/12 and 2018/19.

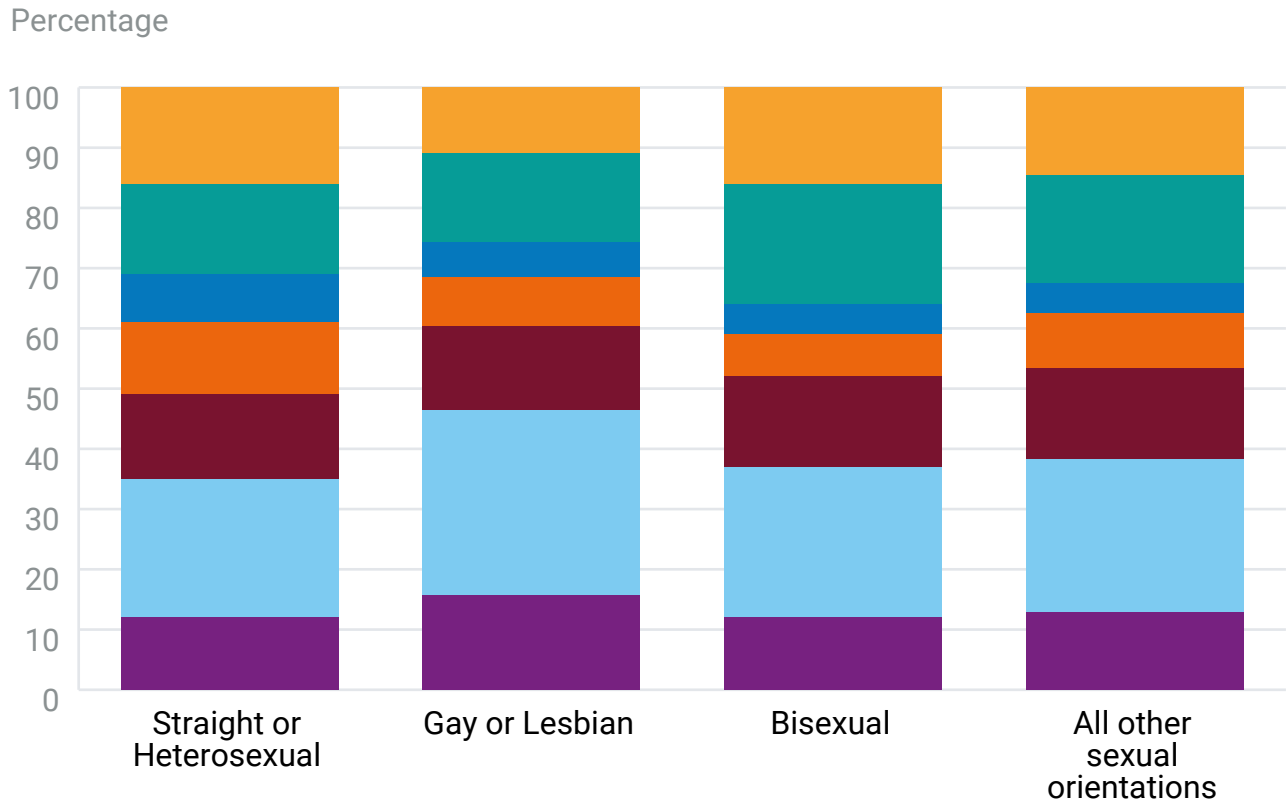
#### Occupational class segregation

Census 2021 data suggests that gay and lesbian workers in Wales are more likely than heterosexuals to be in the highest two occupational classes.<sup>91</sup> There are some small differences in occupational class between bisexual and 'all other' groups and heterosexual groups, as bisexual and 'all other' groups are over-represented in some of the highest and lowest occupational classes (ONS, 2023b).

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91 Occupational classes are based on how jobs are formally classified using the National Statistics Socio-economic classification (NS-SEC) system.

**Figure 73: Percentage of workers in each occupational class, by sexual orientation, Wales, 2021**



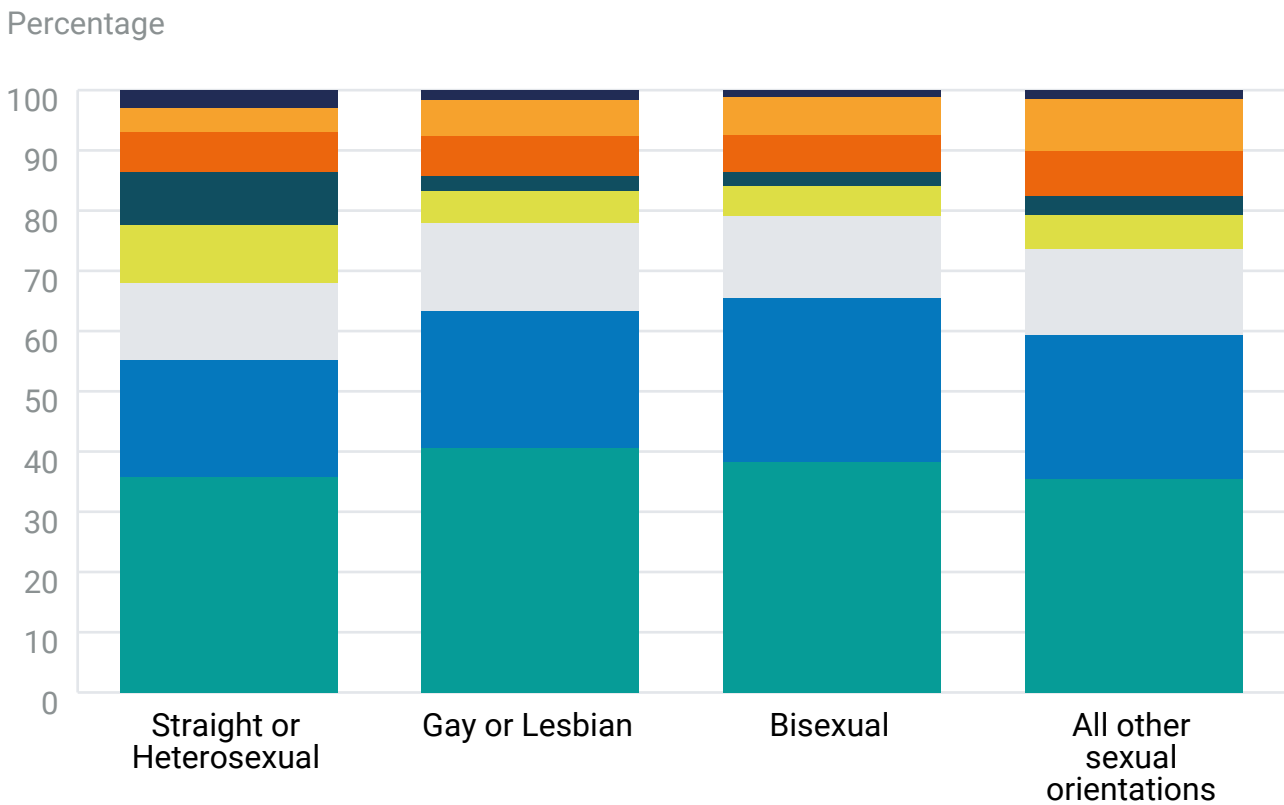
- Routine occupations
- Semi-routine occupations
- Lower supervisory and technical occupations
- Small employers and own account workers
- Intermediate occupations
- Lower managerial, administrative and professional occupations
- Higher managerial, administrative and professional occupations

(Source: Office for National Statistics)

### Occupational industry segregation

The 2021 census shows that heterosexual workers in Wales were more likely to work in construction, manufacturing, agriculture, energy and water industries than all other sexual orientation groups. Gay, lesbian, bisexual and ‘All Other’ groups were more likely to work in distribution, hotels, restaurants, financial, real estate, professional and administrative activities and ‘other’ industries. Lesbian, gay and bisexual workers were also more likely to work in public administration, education and health (ONS, 2023b).

**Figure 74: Percentage of workers in each industry, by sexual orientation, Wales, 2021**



- Agriculture, energy and water
- Other
- Transport and communication
- Construction
- Manufacturing
- Financial, real estate, professional and administrative activities
- Distribution, hotels and restaurants
- Public administration, education and health

(Source: Office for National Statistics)

### **Bullying and harassment in the workplace**

Bullying in the workplace is a persistent issue for some lesbian, gay and bisexual workers in Wales. The 2019/20 National Survey for Wales (NSW) found that 19.4% of workers who did not identify as heterosexual or straight<sup>92</sup> had experienced bullying at work in the previous 12 months, compared with 11.5% of heterosexual workers. The NSW also indicated that lesbian, gay and bisexual adults (20.2%) were significantly more likely to have experienced discrimination in their workplace in the past year compared to heterosexual adults (9.8%) (Welsh Government, 2021b).

The National LGBT Survey (GEO, 2018) found that 22% of Welsh lesbian, gay and bisexual experienced negative reactions at work because of their sexual orientation. This is supported by Stonewall research,<sup>93</sup> which found that 16% of LGBT employees had been subjected to negative comments or conduct by both colleagues and clients or customers in the past year (Stonewall Cymru, 2018a).<sup>94</sup>

### **Disclosure of lesbian, gay and bisexual identity at work**

The 2018 Stonewall survey indicated that a third (34%) of LGBT staff in Wales had hidden or disguised their LGBT identity at work in the past year for fear of discrimination (Stonewall Cymru, 2018a). The survey found this was a particular concern for bisexual employees, with 26% not open with anyone at work about their sexual orientation, compared with just 4% of lesbian or gay employees. The National LGBT Survey (GEO, 2018) results suggests workers in Wales are even less likely to be open about their LGBT identity with senior colleagues.

### **Reporting bullying experienced at work**

The Stonewall survey found 10% of lesbian, gay and bisexual respondents did not feel confident reporting homophobic or biphobic bullying to their employer. This may be linked to the fact only 66% of LGBT employees said their workplace had equalities policies to protect lesbian, gay and bisexual staff (Stonewall Cymru, 2018a).

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92 The response data in the NSW results viewer is grouped 'heterosexual or straight' and 'Another response'.

93 Stonewall surveyed 1,272 LGBT workers in Wales. Of these 2% were heterosexual but included as they identified as trans.

94 This finding comes from two separate questions. One asked about work colleagues and the other about clients / customers. Both questions had a result of 16%.



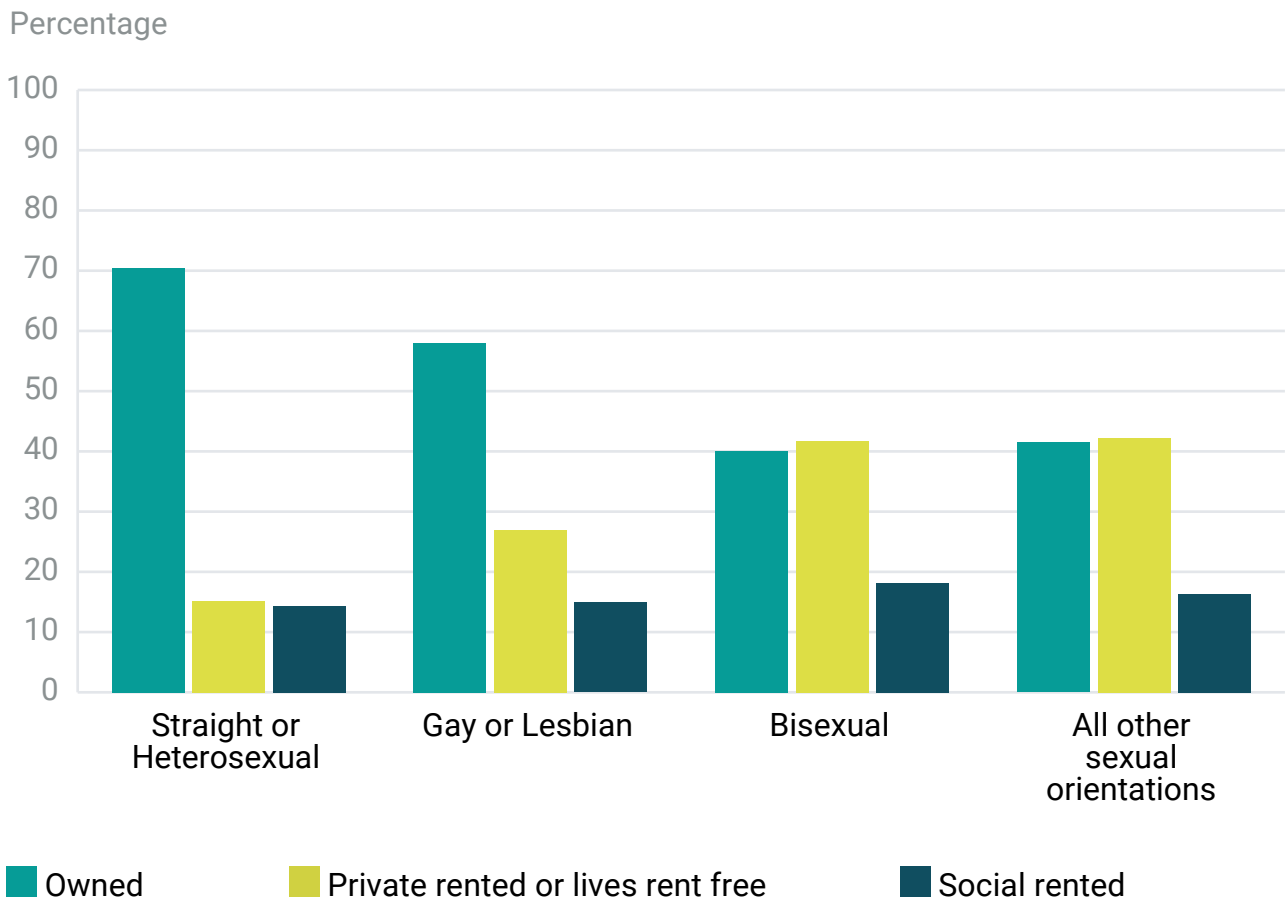
## Living standards

### Housing

Data from the 2021 Census shows that lesbian, gay and bisexual and adults identifying with an 'other sexual orientation' have lower levels of home ownership and higher levels of private renting compared with straight or heterosexual adults (ONS, 2023c).

Bisexual adults and adults identifying with an 'other sexual orientation' have the lowest levels of home ownership. They also have the highest levels of overcrowding – 4.7% and 6.2% respectively – compared to gay or lesbian (2.9%) and straight or heterosexual adults (3.6%), meaning they have fewer bedrooms than required (ONS, 2023d).

**Figure 75: Housing tenure by sexual orientation, Wales, 2021**



(Source: Office for National Statistics)

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## Sexual orientation

Research suggests the needs of lesbian, gay and bisexual people seeking asylum in Wales are not adequately considered in the allocation of dispersal accommodation. Findings highlight issues of harassment related to people's sexual orientation and increased trauma from such experiences (Vamvaka-Tatsi and Allen, 2022).

Homelessness among lesbian, gay and bisexual people (especially younger people) is a growing area of concern (McCann and Brown, 2019). There is not enough statistical data to say whether lesbian, gay and bisexual young people are more likely than heterosexual young people to be homeless in Wales, but there is evidence that they are at greater risk of homelessness because of their circumstances. Research by Welsh homelessness charity Llamau showed that LGBT young people in Wales face unique challenges related to family breakdowns, bullying in school and mental health issues, which put them at greater risk of becoming homeless. They reported that once LGBT young people become homeless, they are at an increased risk of discrimination, hate crimes, engaging in sex work for survival and developing substance abuse problems (Llamau, 2019).

### Social care

NSW analysis found that social care users of different sexual orientations are as likely as each other to find that care and support services improved their quality of life. In 2018/19, 70.6% of heterosexual and 67.6% of not heterosexual adult social care users agreed that such services had helped them to have a higher quality of life. Between 2016/17 and 2018/19, there was no significant change in the proportion of both heterosexual and not heterosexual social care users who felt their quality of life was better because of care and support services.

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## Health

### Mental health

Lesbian, gay and bisexual adults are more likely to report poor mental health than heterosexual adults. Analysis of NSW data found 31.8% of lesbian, gay and bisexual adults reported poor mental health in 2018/19, compared with 20.9% of heterosexual adults. Between 2016/17 and 2018/19, the proportion of adults (both heterosexual and lesbian, gay and bisexual) reporting poor mental health outcomes showed no significant change. The gap between lesbian, gay and bisexual and heterosexual adults' mental health outcomes has not changed either.

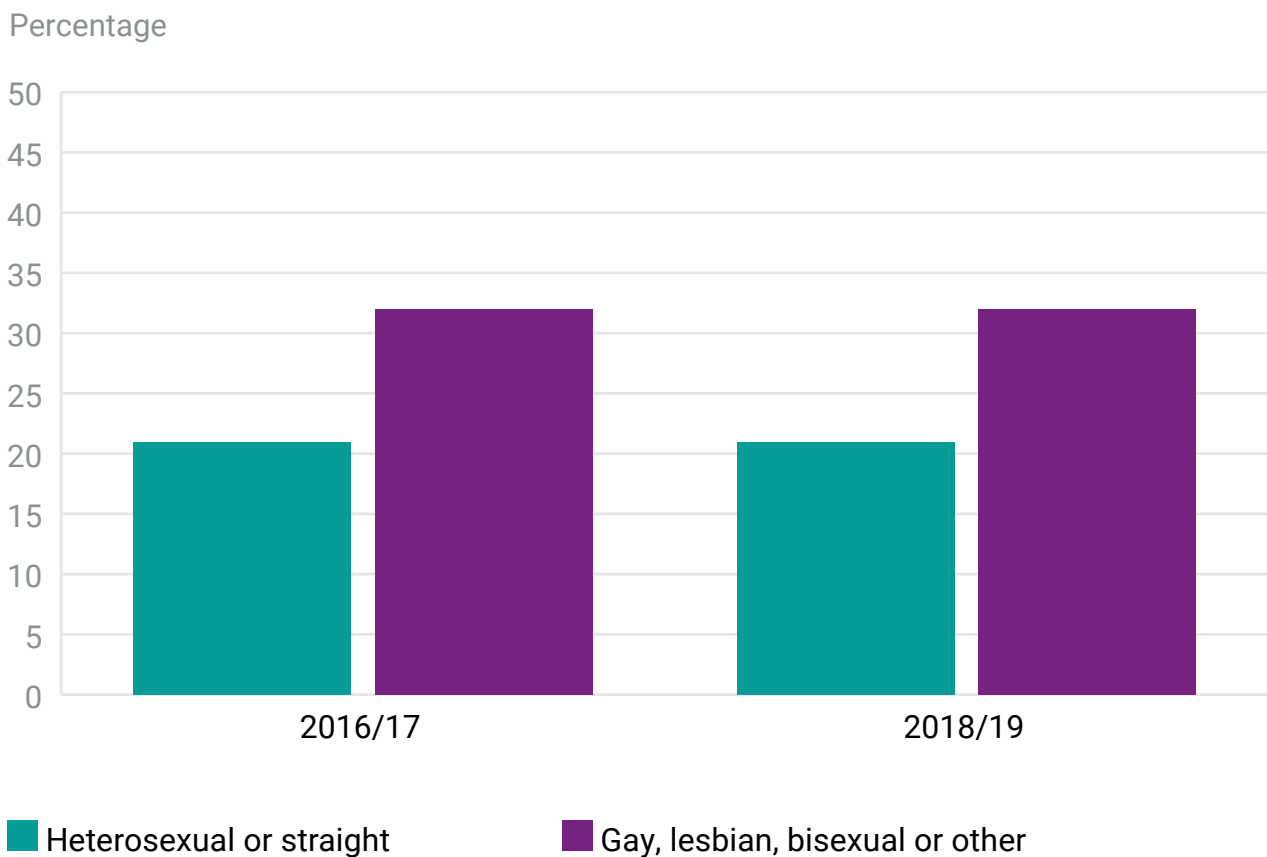
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## Sexual orientation

Further analysis by the Welsh Government suggests that, in 2019/20, lesbian, gay and bisexual adults were more likely to report loneliness than heterosexual adults, even when taking account of differences in age, ethnicity, health and other factors (Welsh Government, 2020).<sup>95</sup>

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**Figure 76: Percentage of heterosexual and LGB adults reporting poor mental health outcomes, Wales, 2016/17 and 2018/19**



(Source: EHRC analysis of National Survey for Wales)

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95 This analysis used a regression analysis which controlled for differences in the following variables: age, sex, ethnicity, physical illness, mental illness, general health, hours spent caring, material deprivation, housing tenure type, economic status, urban / rural living, access to a car, member of a sports club, household type, marital status, internet use, volunteering activity and speaks Welsh everyday.

There is evidence from the civil society organisation Stonewall that some Welsh LGBT people's mental health issues have been misunderstood and even mistreated by mental health services that failed to understand the challenges they face (Stonewall, 2018).

The National LGBT Survey (GEO, 2018) highlighted the continuing prevalence of conversion therapy in Wales. It found 5% of Welsh LGBT people had been offered but did not undergo conversion therapy, while a further 2% had gone through it.

**Mixed-methods evidence by the Welsh Government which explored LGBT people's experiences during lockdown suggests that LGBT people suffered from isolation and worsening mental health during the pandemic, as communities became separated. Some lesbian, gay and bisexual people were forced into unsupportive or openly hostile households (Welsh Government, 2021c).**

### Health outcomes

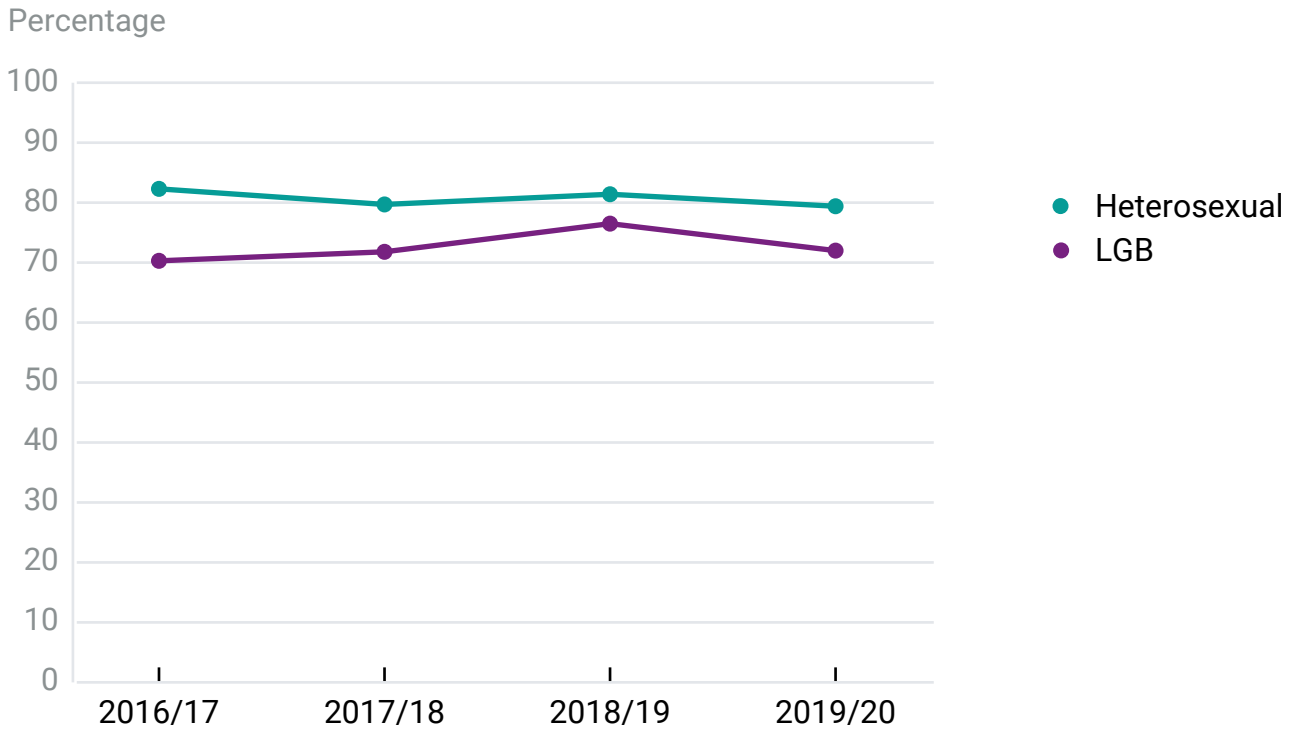
Our analysis of the NSW suggests that lesbian, gay and bisexual adults are less likely than heterosexual adults to report good health, and this inequality widens with age. Our analysis of 2019/20 NSW data predicted that 72% of lesbian, gay and bisexual 30-year-olds reported good or very good health, while this was predicted to be 79.4% among heterosexual people of the same age.<sup>96</sup> This gap widened as age increased and there was a 9.7 percentage point gap between lesbian, gay and bisexual and heterosexual 60-year-olds in 2019/20. But our analysis also indicated that the gap between heterosexual and lesbian, gay and bisexual health outcomes showed some improvement between 2016/17 and 2019/20 in all age groups assessed. Figure 77 shows the change over time in the inequality between lesbian, gay and bisexual and heterosexual people at age 30 which narrowed from 12 percentage points in 2016/17 to 7.4 percentage points in 2019/20.

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<sup>96</sup> We tested differences at age 20, 30, 40, 50 and 60 between 2016/17 and 2019/20. Our reporting is focused on the 30-year-old level as census data indicates that around two out of three lesbian, gay and bisexual people in Wales are under 35.

## Sexual orientation

**Figure 77: Predicted probability of 30 -year- old LGB adults reporting good health compared with a heterosexual people of the same age, Wales, 2016/17 to 2019/20**

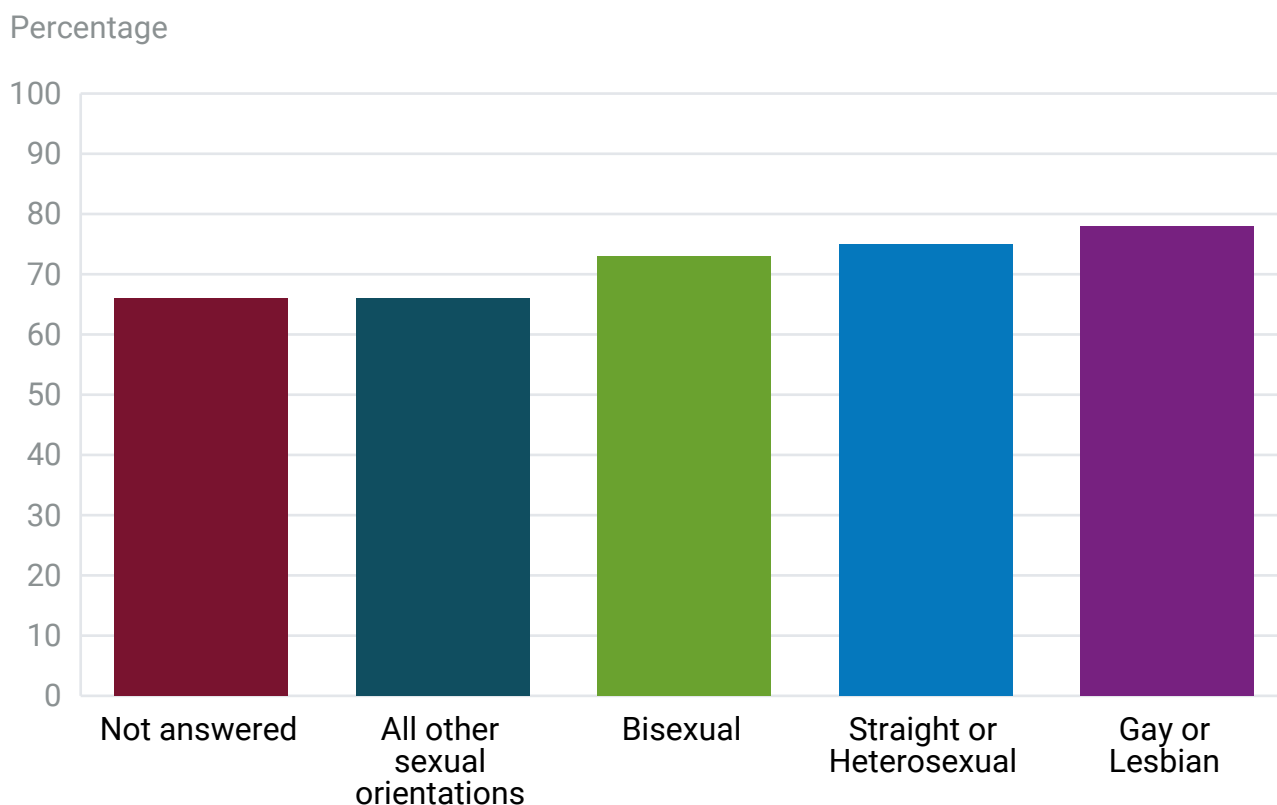


(Source: EHRC analysis of National Survey of Wales)

The 2021 census give a more detailed breakdown by sexual orientation. Census 2021 results indicate that gay or lesbian adults reported higher levels of good and very good health than heterosexual adults, but that adults identifying as bisexual, an 'other sexual orientation' or who did not respond, report higher levels of poor and very poor health (ONS, 2023b).<sup>97</sup>

<sup>97</sup> These figures have not been age adjusted.

**Figure 78: Percentage reporting good or very good health by sexual orientation, Census 2021**



(Source: Office for National Statistics)

Evidence suggests lesbian, gay and bisexual patients tend not to disclose their sexual orientation when talking to healthcare professionals. The National LGBT Survey found 46% of Welsh non-trans lesbian, gay and bisexual respondents had actively chosen not to share their sexual orientation with healthcare staff in the past 12 months (GEO, 2018). This may be linked to negative experiences, as there is evidence that some LGBT people have encountered uninformed assumptions made by health professionals because of their sexual orientation (Stonewall, 2018).

Research commissioned by Welsh Government found that 22% of LGBT respondents had been subject to inappropriate curiosity, 18% had felt their healthcare needs were ignored or not taken into account and 12% had avoided accessing treatment or services out of fear of discrimination or intolerant reactions (Welsh Government, 2021c). Nevertheless, 85% of participants in the same survey felt that disclosing their sexual orientation or gender identity to healthcare staff either did not affect their treatment or had a positive impact.

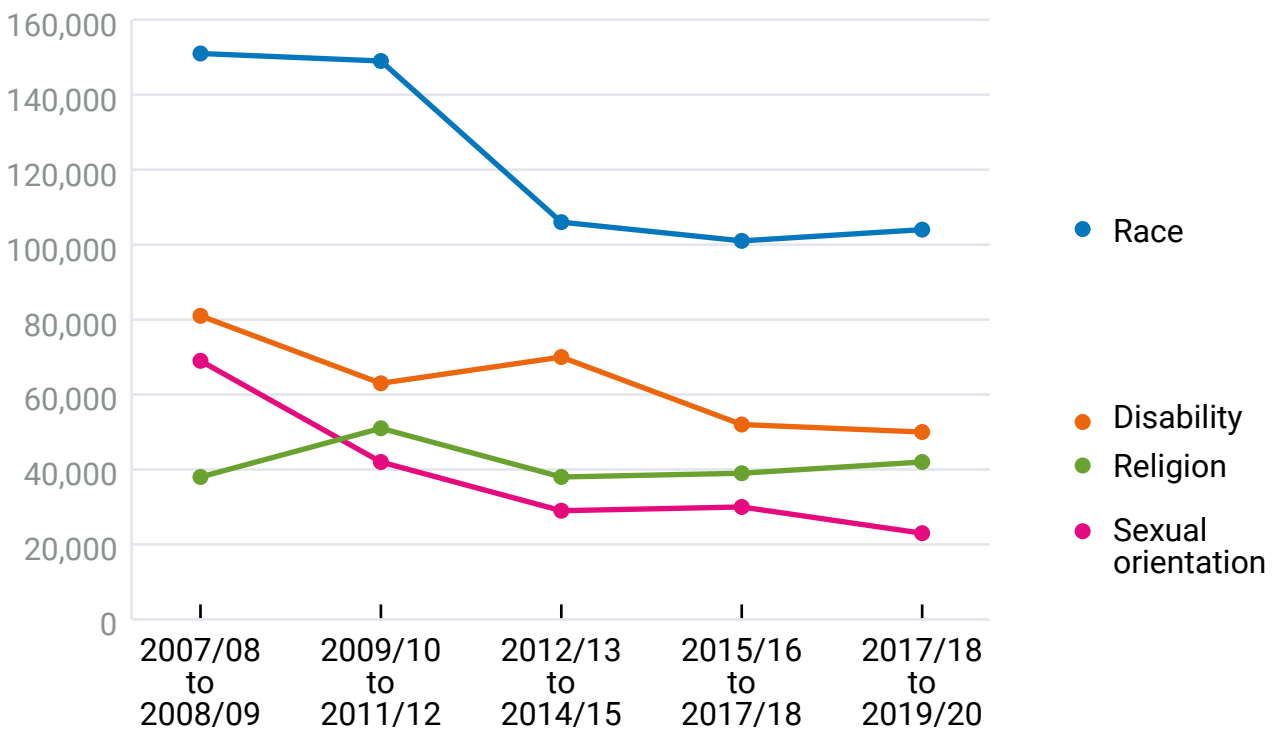
## Justice

### Hate crimes

The estimated prevalence of hate crime motivated by sexual orientation in England and Wales fell by 67% between 2007–2009 and 2017–2020, though this decline has slowed since 2012–2015 (Home Office, 2020).<sup>98</sup>

**Figure 79: Prevalence of hate crime in England and Wales estimated by the CSEW, 2007/9 to 2019/20<sup>99</sup>**

Number of hate crime incidents



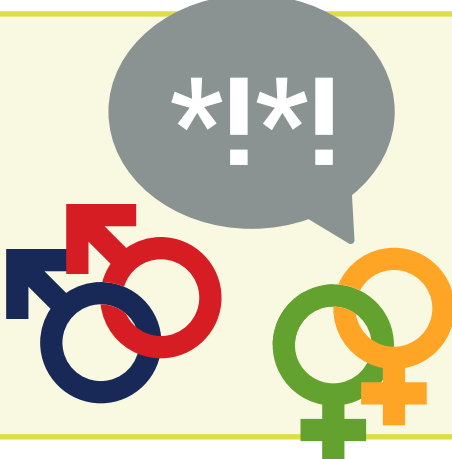
(Source: Crime Survey for England and Wales)

<sup>98</sup> Data from the CSEW. Data cannot be disaggregated to Wales only.

<sup>99</sup> Multiple years are aggregated to improve data robustness.

## Sexual orientation

The evidence shows a difference between estimated prevalence of hate crime, and the number of hate crime offences recorded by the police.



Sexual orientation was the second largest motivating factor for police-recorded hate crimes in Wales in 2021/22, increasing from 19.1% (751 cases) in 2018/19 to 21.1% (1,329) in 2021/22 (Home Office, 2019; Home Office, 2022).

However, growth in the number of recorded hate crimes does not imply growth in the actual number of hate crimes committed. Police forces say they have made 'significant improvements' in the way they record crime and in the identification of crime. These factors may cause increases in recorded hate crime (Home Office, 2022).



## Participation

### National elections

Three openly lesbian, gay or bisexual candidates were elected in the 2016 Welsh Senedd elections, the first time any lesbian, gay or bisexual candidates had ever been voted to the Senedd. Two of them (Jeremy Miles and Hannah Blythyn) have since been given prominent roles in Welsh Government. All three members were re-elected in 2021 (Senedd Research, 2021).

### Local government

The 2022 Welsh Local Government Candidates Survey found, of the 1,077 candidates who responded, 88% identified as 'heterosexual or straight', 6% identified as 'lesbian, gay or bisexual' and the remaining 1% identified as 'any other sexual orientation'. Of the 309 elected county councillors who responded, 6% stated they were lesbian, gay or bisexual, while 8% of the 261 county candidates not elected in 2022 identified as lesbian, gay or bisexual (Welsh Government, 2023d). This represents a higher proportion than the percentage of lesbian, gay and bisexual people in the Welsh population identified in the 2021 Census.

### Sport and other activities

NSW data analysis found no significant difference between the percentage of heterosexual respondents and all other respondents that participate in sports. However, heterosexual respondents were less likely to be interested in taking up a new sport than all other respondents. In 2019/20, 50% of heterosexual respondents were interested in taking part in at least one activity they were not currently doing, compared with 62% of all other respondents (Welsh Government, 2021b).<sup>100</sup>

### Social and community cohesion

NSW analysis found heterosexual respondents in 2018/19 were more likely (72.6%) to agree that they belonged to their local community than all other respondents (63.2%). Heterosexual adults were also more likely (72%) to feel safe than all other adults (64%) (Welsh Government, 2021b).<sup>101</sup>

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100 This effect may be caused by age not sexual orientation. The heterosexual group had an older age demographic. Older respondents were less likely to express interest in taking up a new sporting activity.

101 Respondents were asked if they feel safe at home, walking in the local area and travelling.

### Recommendations

42. The Welsh Government, Local Authorities, Commission for Tertiary Education and Research, Estyn and schools should reduce the risk to pupils and students of experiencing discrimination or bullying in education arising from their sexual orientation, including recording and reporting incidents.
43. The Welsh Government should introduce compulsory measures for public bodies in Wales to record and monitor incidents of bullying based on sexual orientation and evaluate the effectiveness of procedures and take action where trends are identified.
44. The Welsh Government should ensure that its refreshed Mental Health Strategy addresses poorer mental health outcomes arising from sexual orientation.



# Key terms

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## Key terms

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**Acquired gender:** This is the gender in which someone is living and identifies, where it is different from sex recorded at birth. Legally, it can only be man or woman.

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**Adult poverty:** For the purpose of our data analysis of the Family Resources Survey, poverty is defined as the percentage of all adults aged 16 and over living in a household with an income below 60% of the contemporary median, after housing costs. It excludes dependent children aged 16–19.

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**Child poverty:** For the purpose of our data analysis of the Family Resources Survey, child poverty is defined as the percentage of children aged under 16 and dependent children aged 16–19 living in households with an income below 60% of the contemporary median, after housing costs.

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**Employment tribunal complaint:** Employment tribunal claims are made up of complaints using different legal frameworks that define employment rights. A single claim can be made up of claims using several different legal bases known as 'jurisdictional complaints' in the data, and refer to specific legal basis for an element of the claim. For ease of reading, when referring to employment tribunal data, we refer to 'complaints' when referring to 'jurisdictional complaints'.

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**Employment tribunal disposal:** The closure of an Employment Tribunals case is referred to a disposal and can be because the claim has been withdrawn, settled, dismissed, or decided at a hearing.

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**Economic inactivity:** People not in employment who have not been seeking work in the previous four weeks and / or are unable to start work in the next two weeks.

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**Experimental statistics:** Data sets or analysis that, due to their novelty or difficulty in collection, may not meet the highest standards of statistical reporting. They have nonetheless undergone significant quality assurance and are reported with caveats.

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## Key terms

**Gypsy, Roma and Travellers:** A range of ethnic groups or people with nomadic ways of life who are not from a specific ethnicity. In the UK, it is common in data collections to differentiate between:

- Gypsies (including English Gypsies, Scottish Gypsies or Travellers, Welsh Gypsies and other Romany people)
- Irish Travellers (who have specific Irish roots)
- Roma, understood to be more recent migrants from Central and Eastern Europe

'Gypsy, Roma and Traveller' is a collective term used to describe people from a range of ethnicities who are believed to face similar challenges. These groups are distinct but are often reported together.

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**High-paid occupations:** Employees or self-employed workers with main jobs as managers, directors and senior officials or in professional occupations.

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**Insecure employment:** Employees whose main form of employment is either agency work, casual work, seasonal work, or another form of temporary work. It also includes employees or self-employed workers who are on zero-hour contracts, on-call working arrangements or are self-employed (in SOC 6,8 or 9).

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**Low-paid occupations:** Employees or self-employed workers with main jobs in: caring, leisure and other services; sales and customer services; elementary occupations.

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**Overcrowding:** The number of bedrooms the household requires compared with the number of available bedrooms. An occupancy rating of -1 or less implies that a household's accommodation has fewer bedrooms than required (and is therefore overcrowded).

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**Severe material deprivation:** For the purposes of our data analysis of the Family Resources Survey, severe material deprivation is defined as not being able to afford four or more items from a list of nine items:

- holidays away from home at least one week a year, not staying with relatives
- enough money to keep your home in a decent state of decoration
- household contents insurance
- savings of at least £10 a month
- replacing worn-out furniture
- repairing or replacing broken electrical goods
- money to spend each week on yourself, not your family
- keeping accommodation sufficiently warm
- keeping up with bills and regular debt payments

It is measured in adults aged 16–59, which excludes dependent children aged 16–19.

**Disadvantaged students:** Students are defined as disadvantaged if they meet any of the following criteria:

- they have been eligible for free school meals (FSM) in the previous six years (from Year 6 to Year 11)
- they have been looked after by a local authority in England or Wales for at least one day during the previous year
- they have ceased to be looked after because of adoption, a special guardianship order, a child arrangements order or a residence order

**Free school meals:** For a child to be eligible for free school meals (FSM), their parent or guardian must be receiving:

- Income Support
- Income-based Jobseeker's Allowance
- income-related Employment and Support Allowance
- support under Part VI of the Immigration and Asylum Act 1999
- the guaranteed element of Pension Credit
- Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Universal Credit if applied for on or after 1 April 2018 and household income is less than £7,400 (after tax and not including benefits)

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## Introduction

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## Sexual orientation

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# Contacts

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