

Equality and Human Rights Commission

Business Plan

2019/20



**Equality and
Human Rights
Commission**

Contents

Introduction	3
Our measures of success for 2019/20.....	4
Corporate activity	12
Budget and resource allocation.....	14
Contacts	16

Introduction

This year we have published a new Strategic Plan setting out clearly the priorities for our work in the years ahead. It also identifies the impact we seek to achieve over the long term in delivering our mandate, set by Parliament, to challenge discrimination, promote equality of opportunity, and protect and promote human rights.

Informed by our evidence base and by consultation with stakeholders, the Strategic Plan sets out the goals and aims against which we will measure our impact. This Business Plan for 2019/20 identifies the key activities from across our work programme where we plan to deliver measureable change this year. Our approach places enforcement and litigation at the heart of what we do. The measures we highlight in this Business Plan are those on which we will report in our Annual Report and Accounts to demonstrate the impact of our work.¹

We work across Great Britain, identifying opportunities to advance equality and human rights in the specific contexts of England, Wales and Scotland. Our Wales and Scotland committees help us identify and make the most of those opportunities. In Scotland, the Scottish Human Rights Commission has the remit to promote human rights and encourage best practice in relation to human rights in devolved areas.

This Business Plan outlines how we will allocate our resources this year in terms of the delivery of our aims. We recognise the need to do this in an agile way to respond to opportunities and challenges that present themselves during the year, which we anticipate will be a period of significant legal, economic, political and social change.

We will put in place a stronger structure to ensure we have the capacity and capability to deliver our new Strategic Plan. This will include creating new enforcement and compliance teams to focus on using our unique powers, while strengthening our policy and strategy capabilities and prioritising learning and development across all teams.

¹ Our full KPI framework will be set out on our website.

Our measures of success for 2019/20

Using our unique powers to uphold the system of equality and human rights protections

In pursuit of our core aim, and across all of our priority aims, we will use our enforcement and litigation powers to challenge discriminatory practices or breaches of rights.

To support delivery of our core aim of upholding strong equality and human rights laws, we will use our litigation and enforcement powers where we see flagrant breaches of the law, systemic barriers or serious breaches of individuals’ rights. Our activities and success measures in relation to this are shown below.

In addition, in relation to our other priority aims, we will use the full spectrum of our compliance and enforcement tools and powers robustly to drive progress. From investigations, formal and informal agreements to inquiries and litigation, we will act quickly to identify and tackle unlawful behaviour and we will use strategic litigation to strengthen and clarify the law.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Our legal cases clarify and strengthen the law around equality and human rights, and/or support the outcomes we are seeking in respect of our priority aims.	Support, fund, intervene in, or bring in our own name, cases which advance our aims.	50 strategic cases. 70% of cases where we support individuals; reverse a discriminatory policy, decision or rights infringement; and/or bring a positive benefit to the public.
Public and private sector organisations are aware of our enforcement powers and are deterred from non-compliance.	Undertake enforcement activity using all our powers as relevant (e.g. investigations, unlawful act notices, action plans and agreements). This	90% achieve a positive outcome, i.e. withdrawal or amendment of a policy or reversal of a decision.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
	will include enforcement under the Public Sector Bodies (Website & Mobile Applications) Accessibility Regulations.	13 enforcement activities leading to a section 20 investigation or section 23 formal agreement.

Core Aim: Strong equality and human rights laws protect people, and data shows what is happening to people in practice

We have a unique role to play in upholding and strengthening the system that protects equality and human rights.

We will focus on the legal framework that supports equality and human rights in Britain, working towards full implementation of the Equality Act 2010, to strengthen the Public Sector Equality Duty, and for the law to provide stronger protection of human rights. We will also seek to close gaps in the data that shows whether people are experiencing discrimination, inequality or a breach of their rights.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Equality and human rights laws are maintained or strengthened.	<p>Influence governments to strengthen the Public Sector Equality Duty specific duties, informing the Scottish Government’s review and supporting the Welsh Government to align and improve duties on Welsh public bodies.</p> <p>Influence any proposals to amend equality and human rights protections in key legislation to address any diminution of these rights as we leave the EU.</p>	<p>Proposals to amend the Scottish and Welsh specific duties reflect our recommendations.</p> <p>Meaningful dialogue opened with the UK Government about the need for changes in England.</p> <p>Governments and parliaments are alerted and respond to risks of regression and to opportunities to advance legal protection for equality and human rights.</p>
Gaps in current data are reduced and data can be	Work with ONS and Government data owners to address data gaps, including influencing the	Our data gaps strategy is published and promoted to relevant audiences.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
broken down by protected characteristics.	questions for 2021 censuses in England, Wales and Scotland.	Census proposals reflect our advice on data collection, in particular on sexual orientation, gender identity and Gypsy, Roma and Traveller.
Accountability mechanisms for compliance with international human rights standards are strengthened.	Influence UN Concluding Observations by participating in the UK examination on the UN Convention Against Torture and delivering a shadow report on the International Covenant on Civil and Political Rights, and report on human rights progress in a mid-term report for the UK’s Universal Periodic Review.	UN recommendations reflect at least 50% of the human rights concerns that we highlight in our reports.

Strategic Goal 1: To ensure that people’s life chances aren’t held back by barriers in their way

We believe that if everyone gets a fair chance, we all thrive.

Priority Aim 1: People in Britain have equal access to the labour market and are treated fairly at work

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Pay gaps are exposed and employers implement specific, evidence-led and measureable action plans to address barriers in recruitment, retention and progression.	Enforce the Gender Pay Gap Regulations and influence employers to publish action plans.	100% of relevant employers report gender pay gap figures by August 2019. 100 employers with the most statistically implausible data are challenged to verify or amend their reports.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Governments implement measures to tackle factors driving pay gaps, both in the workplace and at a societal level.	<p>Influence relevant organisations to implement our recommendations for tackling the root causes of gender, ethnicity and disability pay gaps.</p> <p>Working with key Government departments and teams, including the Race Disparity Unit and the Government Equalities Office, to influence policy and legislation to tackle pay gaps.</p>	Any proposals in relation to changes to pay gap reporting reflect our recommendations.
Laws preventing and responding to sexual harassment in the workplace are strengthened.	<p>Develop and disseminate technical guidance/code of practice on preventing and responding to workplace sexual harassment.</p> <p>Respond to UK Government consultation(s) on workplace sexual harassment issues.</p>	Statutory code of practice is laid before Parliament, or is published and promoted as technical guidance.

Priority Aim 2: Public transport supports the economic and social inclusion of disabled people and older people

This a new area of strategic focus for us, and our work in 2019-20 is intended to better understand the landscape and opportunities to achieve change.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Breaches of the law are challenged effectively.	Implement a section 28 casework project to support individuals experiencing breaches of the Equality Act 2010 in relation to public	At least 25 cases supported which resolve issues for the individuals.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
	transport, using the intelligence to influence our policy work.	
Industry bodies’ policies and practice in relation to the provision of reasonable adjustments are changed to better meet users’ needs.	<p>Work with the Office for Rail and Road, and other industry bodies across the UK, to ensure revised guidance to transport providers fully reflects our positions.</p> <p>Establish strong stakeholder networks with key industry bodies.</p>	<p>Relevant regulators and oversight bodies agree to amend and issue clear guidance, in respect of reasonable adjustments that reflect best practice and our advice.</p> <p>Stakeholders are actively involved in development of future activity.</p>
Equality considerations are central to public transport service design.	Work with the UK, Scottish and Welsh governments, and industry bodies, to ensure that equality and accessibility considerations are fully addressed in the implementation of key transport strategies.	The UK, Welsh and Scottish governments refine the implementation of their transport strategies to reflect our advice and positions.

Strategic Goal 2: To make sure we have strong foundations on which to build a more equal and rights-respecting society

We want the principles of freedom, compassion and justice to be a reality across Great Britain.

Priority Aim 3: People can access redress when they are wronged and have a fair trial in the criminal justice system

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Rules governing access to legal aid for discrimination cases are amended in line with our recommendations.	Complete our inquiry into legal aid in England and Wales and related research in Scotland, with clear recommendation for changes.	Bodies targeted by our inquiry and research recommendations commit to take action in response to them.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Mechanisms for seeking redress for breaches of the Equality Act 2010 and Human Rights Act 1998 are made more accessible and effective.	Influence the UK and Scottish governments to introduce a requirement for recording of data in relation to discrimination cases, and influence the UK and Scottish court services to collect data on the protected characteristics of court users.	Our recommendations are considered and adopted by the Women and Equalities Committee in its inquiry report. Her Majesty's Courts & Tribunal Service and the Scottish Courts and Tribunal Service commit to improved data collection.
Practice and procedures in the criminal justice system are improved to ensure a fair trial for disabled people.	Complete our inquiry into the treatment of people with mental health conditions, cognitive impairments and neuro-diverse conditions, including autism and ADHD, in the criminal justice system.	Bodies targeted by our inquiry recommendations consider and commit to take action in response to them.
Barriers to justice for women and girls who have survived violence are exposed and reduced.	Policy and enforcement work in Scotland on access to justice issues.	Proposals on criminal justice policy and practice reflect our advice on removing the requirement for corroborative evidence in rape cases, 'not proven' verdicts and on civil justice for the survivors of sexual violence.
More people are able to access high quality advice in relation to discrimination and human rights.	Continue to deliver the EHRC Adviser Support service and advice clinics to bodies in the advice sector.	Advice sector representatives report increased capacity to advise on discrimination and human rights.

Priority Aim 4: The education system promotes good relations with others and respect for equality and human rights

This a new area of strategic focus for us, and the main body of work in 2019/20 is intended to better understand the landscape and opportunities to achieve change.

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Oversight mechanisms are changed to better tackle discriminatory exclusions.	Support a review of early years and schools inspection frameworks.	Changes to inspection frameworks consider and reflect our advice.
Curriculum subjects are amended to reflect the need to promote equality, good relations and human rights.	Influence current and upcoming changes to schools’ curricula in Wales and Scotland.	Any proposals for changes to curricula in Wales and Scotland that are considered are discussed and reflect our advice.
Public bodies introduce better mechanisms to tackle racial harassment experienced by staff and students as a result of our inquiry recommendations.	Complete our inquiry into racial harassment in universities, providing clear recommendations.	Public bodies targeted by our inquiry recommendations consider and commit to take action in response to them.

Strategic Goal 3: To protect the rights of people in the most vulnerable situations

People in the most vulnerable situations are particularly at risk of discrimination and human rights abuses.

Priority Aim 5: Rules and practice governing entry into, exit from and treatment in institutions respect equality and human rights standards

Intermediate changes – the impact we want	Activity – what we will do in 2019/20	Success measures – what we want to achieve in 2019/20
Legal and policy safeguards are strengthened to prevent people sharing certain protected characteristics/at particular risk of vulnerability from being disproportionately detained or deprived of their liberty.	Influence UK Government reforms to legislation and policy on immigration detention, and UK and Scottish Government reforms to mental health and mental capacity legislation and policy.	Reforms to UK and Scottish law and policies on immigration, mental health and mental capacity are considered and any changes reflect our advice.

<p>Reduction in practice of unlawful or improper treatment (including use of force and isolation) which violates human rights or rights of people sharing certain protected characteristics in institutions.</p>	<p>Scope and launch an inquiry into the recording, monitoring and accountability mechanisms in relation to the use of force and isolation in detention and institutions, and the effectiveness of individual complaints mechanisms, with support from relevant regulators, inspectorates and ombudsmen.</p>	<p>Bodies with responsibility in relation to the use of force and isolation commit to participate in the inquiry.</p> <p>Relevant regulators, inspectorates and ombudsmen increase the focus on equality and human rights in their reports.</p>
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Where the success measure we are seeking relates to influencing others, we will measure our impact by identifying a statement from those bodies that reflects support for our position.

Corporate activity

People / infrastructure

We will continue to invest in our teams. We will implement our People and Infrastructure strategy, ensuring that we can harness the commitment our colleagues bring to their work, giving them the environment and tools to do their jobs, and the skills, knowledge and support to thrive at work.

This year we will:

- improve our London office to create a flexible working environment and make improvements at other locations
- invest in the skills and knowledge that our people need to deliver our new Strategic Plan
- complete our review of all of our HR policies and processes, putting in place an integrated approach that will make us an exemplar employer
- invest further in our ICT and video conferencing facilities to enable better remote and mobile working; introduce new Human Resources, Payroll and Legal Casework systems; and introduce software to make all meetings paperless, and
- implement our Inclusion and Diversity strategy, supported by targets to increase the diversity of our workforce and help all of our colleagues reach their potential; and continue to monitor our pay gaps and take appropriate action to address them.

These changes will support our equality objectives, set out in our Strategic Plan. Our People and Infrastructure and Inclusion and Diversity strategies will be published separately, and will include targets for representation by gender, race and disability, where necessary, by office and level. We will also publish our annual Pay Gap and Workforce Diversity reports.

Communications and engagement

Our role as an information provider is central to our purpose. In support of our Equality Objectives, we will review our stakeholder engagement mechanisms with a view to ensuring that they are accessible. We will ensure the intelligence we gain from regular contact with stakeholders in England, Scotland and Wales is embedded into appropriate decision-making processes.

This year we will:

- refresh our website so that it provides a first-class user experience, providing clear and accurate information, in an engaging and accessible way, meeting the standards in the accessibility regulations, and
- introduce a new approach to providing more detailed information about our compliance and enforcement work.

Budget and resource allocation

Our staff numbers for 2019/20 are 206 and our total budget is £18.551m, comprising resource funding of £17.431m (£12.376m administration and £5.055m programme), depreciation funding of £0.60m and capital funding of £0.52m.

Over the current Spending Review period, we have continued to realise the required savings while delivering impact through our programme of work.

Figure 1 Our 2018/19 forecast spend and the 2019/20 budget

	2018/19 forecast outturn (£,000)	2019/20 budget (£,000)
Administration	12,785	12,376
Programme	5,004	5,055
Total	17,789	17,431
Capital	350	520
Admin (depreciation)	450	600

Delivering value for money

In common with other public bodies, our budget for the period 2017-20 has reduced as part of the UK Government's Spending Review carried out in Autumn 2015. In 2019/20 we will continue to ensure we are delivering work with real impact and manage our organisation and resources effectively.

Figure 2 Our funding allocation for the 2017-20 Spending Review period

Budget	2017/18 (£,000)	2018/19 (£,000)	2019/20 (£,000)
Administration	13,735	12,828	12,376
Programme	5,610	5,321	5,055
Total	19,345	18,149	17,431
Capital	520	520	520
Admin (depreciation)	600	600	600

Contacts

This publication and related equality and human rights resources are available from [our website](#).

Questions and comments regarding this publication may be addressed to: correspondence@equalityhumanrights.com. We welcome your feedback.

For information on accessing one of our publications in an alternative format, please contact: correspondence@equalityhumanrights.com.

[Keep up to date with our latest news, events and publications by signing up to our e-newsletter.](#)

EASS

For advice, information or guidance on equality, discrimination or human rights issues, please contact the [Equality Advisory and Support Service](#), a free and independent service.

Telephone 0808 800 0082

Textphone 0808 800 0084

Hours 09:00 to 19:00 (Monday to Friday)
10:00 to 14:00 (Saturday)

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