

Annual Report and Accounts

1 April 2018 – 31 March 2019

Equality and Human Rights Commission

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1 April 2018 – 31 March 2019

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The Equality and Human Rights Commission was established under the Equality Act 2006, and our statutory powers and duties are described in the 2006 and 2010 Equality Acts.

This is our Annual Report and Accounts for the year 1 April 2018 to 31 March 2019.

It includes details of the work we carried out during this period in line with our Business Plan.

It also includes our accounts prepared in accordance with the Government Financial Reporting Manual (FReM). The accounts are prepared on an accruals basis under International Financial Reporting Standards (IFRS).

Further information about us is available on our website **equalityhumanrights.com**.

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Foreword from our **Chair**

Brexit has understandably preoccupied many of us this year, but EHRC has continued to focus on tackling the equality and human rights challenges faced by us all.

It is vital that we stand up for justice, freedom and compassion while also responding to our rapidly changing times.

Our state-of-the-nation equality report, 'Is Britain Fairer?' launched in October, set out the challenges we all face. It is our most comprehensive review yet. And while we celebrated progress in some areas, we could not ignore the areas in which things have deteriorated. These problems will take another generation to remedy unless we act now.

Our legal powers are vital for our effectiveness; when we use them we can tangibly change lives. I am pleased that we have used the full spectrum of our unique legal powers more robustly and more intelligently than ever before. Among other things, 13 NHS local bodies have changed their policies so that disabled people can live independently; gig economy workers have been accorded greater protection at work; and thousands of children with special educational needs who



are at risk of school exclusion are now better protected. Our work on Premier League football stadia accessibility has also led to clubs offering 1,000 additional wheelchair spaces.

I am especially pleased that we are also using our powers more, reaching legal agreements with household names like Chelsea Football Club and working with the Royal Bank of Scotland to ensure they provide accessible services for disabled people. Following high-profile allegations of harassment towards event staff at a Presidents Club dinner, we reached agreement with the agency involved to strengthen their policies and procedures to better protect their staff in the future.

It is easy to overlook the vast amount of expert advice we provide to the courts. This advice can make a huge difference and help determine the success of some life-changing cases. This year, our expert evidence helped a 94-year-old peaceful protester win his case to have his personal data removed from the police database; the Government's mass interception and surveillance programme was declared incompatible with human rights law as a result of our advice; and the Right to Rent scheme was found to be unlawful and its roll-out in Scotland and Wales halted.

Internationally our reputation continues to grow. As the chair of the Commonwealth Forum of National Human Rights Institutions we have shared our successful track record of change in Britain. I am immensely proud that we will lead this group until 2020 and am particularly pleased that we can work with other Commonwealth countries on lesbian, gay, bisexual and transgender rights to increase the knowledge and skills of other human rights bodies.

Our human rights work is under the spotlight as never before. Our 'Following Grenfell' project reported on the human rights implications of the tragedy and we continue to play a key role in the Brexit debate, advising both Parliament and the Government to ensure that people's rights are not diminished as we leave the European Union. This is a defining moment for our country and EHRC has been working hard on these matters – both publicly and behind the scenes.

I am sure many will agree that aspects of the Brexit conversation have been disappointing and that the importance of constructive and respectful debate has often been overlooked. Freedom of expression is the foundation of our democracy.

But I fear that society is in danger of losing the ability to debate properly and consider others' views.

We have seen this in many situations, but especially education. So, together with Government and a range of other partners, we translated our shared respect for the right to freedom of speech into practical guidance for higher education institutions to ensure that all students are exposed to new ideas – even if some of those ideas prompt disagreement.

Only by listening to others can we develop the empathy and understanding that form the building blocks of an equal society. I hope that, whatever divisions and insecurities currently exist, we can re-establish a culture that makes this possible.

I would like to thank EHRC Commissioners and all of the EHRC team for their commitment and hard work. I do not take your efforts for granted, and without your contribution we would not have achieved all that we have.

Foreword from our **Chief Executive**

Our job is to improve lives, to help us all live better together through changing times. It is an immense privilege to work with a team charged with and committed to that responsibility, and to have a job that is invested with the values we all share.

This year has seen huge change, both on the national stage and also internally at the Commission to ensure we are ready to play our part in the challenges ahead. The past year has also been the culmination of the work cycle which began with 'Is Britain Fairer? 2015', the basis for our Strategic Plan 2016-19.

Throughout that period, our domain approach to working ensured our perspective looked across different areas of life and the experiences of all those who share protected characteristics. That included access to health services for asylum seekers and successfully influencing the outcome of the Mental Health Act review; encouraging schools to use data to prevent and tackle identity-based bullying; and successful legal action to allow disabled people to adapt their homes and live independently.



As a woman and as a lawyer, it is particularly meaningful to me that this past year has spanned the 12 months from the centenary in 2018 of some women's suffrage to the centenary in 2019 of the Act of Parliament allowing them to enter the law (and other professions). It has been a time to reflect on how recent these landmarks are, how much we owe to those who went before us, how far we have come and how far there is to go.

I am proud of what the Commission has added to that journey, using the range of its powers to enforce, to investigate, to monitor and to recommend change, building on the evidence of 'Is Britain Fairer?' In partnership with Government, we successfully enforced the Gender Pay Gap Regulations to reach a satisfying 100% compliance rate for businesses believed to be in scope. Meaningful change takes time, and these requirements are not only the law and the right thing to do, they are also helpful in placing a spotlight on the issue and encouraging employers to take action.

Equal pay has also been in the headlines over the last year. After reviewing evidence of equal pay for women and following lengthy discussion with the BBC, we have used our legal powers and opened an investigation into suspected historical unequal pay at the public broadcaster.

We also published 'Pressing for Progress', our largest review yet on women's rights in Great Britain, which shows how far we have come but also where women are still being failed in many areas of life. It is a testament to the quality of this research, and the recommendations contained within, that the UN included the vast majority of our suggestions in its review of women's rights

in the UK. We will continue to use the breadth of our powers to achieve impact across the lives of people all over the country.

In November 2018, the Commission underwent a 'Tailored Review'. Every public body is reviewed during the life of a Parliament to ensure it is fit for purpose and delivers value for money.

The Review found lots of things of which we can be proud. But it also identified important areas for improvement, which we are taking forward in earnest as we enter the start of a new three-year strategic cycle.

Much detailed planning and consultation with our partners has informed our new set of priorities for the coming years, which can be found in our new strategic plan, and we are committed to ensuring we are a strong and effective body.

As part of our new plan there will be an even greater focus on enforcement, compliance and litigation, placing it at the heart of everything we do, as set out by the Board's long-term vision.

I would like to thank everyone at the Commission, including the Board, the senior team and everyone across all the offices. Your hard work and commitment is the reason for our success and a big part of what makes the job rewarding for me. We are committed to investing in all teams to ensure they have the skills and opportunities to grow and develop – and we have published our own gender pay gap for all to see and put in place new policies on maternity, paternity, adoption and shared parental leave. We must live our own values to have impact on everyone in Britain.



Who we are and what we do

Our vision and purpose

Our work is driven by a simple belief: if everyone gets a fair chance in life, we all thrive.

We stand up for freedom, compassion and justice in changing times. And as we face a future of faster and deeper change, we believe that human rights and equality are more important than ever. They are principles that have deep roots, built on values we can all recognise – like open-mindedness, respect for human dignity and being fair and decent to one another.

We put these important principles into practice so that everyone can make the most of their rights, is treated fairly, with dignity and respect, and has the chance to lead a fulfilling life.

Our powers

We use a wide range of different methods to tackle discrimination, disadvantage and human rights abuses, and our 2018/19 business plan set out the different ways in which we would drive change.

We work with other organisations and individuals to advance fairness, dignity and respect, and are ready to take action against those who abuse the rights of others.

Our statutory powers give us a range of tools with which to do this. We use these tools selectively and proportionately.

Our work

We grow understanding through insight, researching and exploring how we live and work together, revealing truths and uncovering injustices.

We uphold people's rights without fear or favour, defending everyone's right to an equal chance in life using the full force of our wide ranging legal powers and speaking out with confidence and commitment.

We bring people together to create change, working with our partners and with governments to come up with practical answers that get to the greatest good.

Our work reaches every part of and every person in Great Britain. But we know we can't do everything and we know we can't do it alone. That's why we have to be smart and creative. We have to work in partnership with others. And we have to make tough decisions on where, how and when to focus our resources.

Our strategic aims for 2016–19

1. We said that we would have significant impact on society
2. We said that we would build a strong evidence base to shed light on equality and human rights challenges
3. We said that we would uphold the infrastructure needed to protect rights in practice
4. We said that we would improve our capability to be an expert, independent and authoritative national body

You can learn more about what we did over the past year in our performance report, which highlights the impact we've had and looks at how well we've performed against the things we set out to achieve.

Our statutory duties and functions

We are a statutory non-departmental public body established by the Equality Act 2006. As such, we operate independently and are recognised as an expert and an authority on equality and human rights law, evidence and analysis. Policymakers, businesses and public bodies turn to us for guidance and advice.

We are also Britain's national equality body and have been awarded an 'A' status as a national human rights institution (NHRI) by the United Nations. We work with equivalent bodies in Scotland and Northern Ireland, across Europe and internationally to protect and promote equality and human rights around the world.

Under the Equality Act 2006, we have unique duties and powers to fulfil our mandate.

To maintain our status as an NHRI, we are required to meet the six main criteria set out under the United Nations Paris Principles, which are:

- mandate and competence: a broad mandate, based on universal human rights norms and standards;
- autonomy from Government;
- independence guaranteed by statute or Constitution;
- pluralism;
- adequate resources; and
- adequate powers of investigation.

We have a duty to make Britain a fair society in which everyone has an equal opportunity to fulfil their potential and participate, without being limited by prejudice or discrimination; a society that respects and protects every person's human rights, recognises individual dignity and worth, and values diversity and equality.

We have a responsibility to promote understanding of and good practice in relation to equality and diversity and to make sure that people understand their rights and responsibilities under the Equality Act 2010. This includes enforcing the Equality Act and working towards the elimination of unlawful discrimination and harassment.

We promote the harmonisation of national law, policy and practice with international human rights law and standards, and encourage public bodies to comply fully with the Human Rights Act 1998, which incorporates the European Convention of Human Rights into national law. We also monitor the UK's compliance with the seven United Nations human rights treaties that it has signed and ratified.

We do all of this in different ways, using different functions and powers. These include measuring progress on equality and human rights in Britain and reporting to Parliament, providing advice, guidance, education and training, and enforcing the law and investigating instances in which it may be being broken.

Our governance and risk management

Within the framework of its duties and responsibilities, including those prescribed by the statute, the Board of Commissioners ('the Board'), led by Chair David Isaac, and its sub-committees are responsible for:

- approving the strategic and business plan
- monitoring our performance against the plan, and
- ensuring that there are appropriate systems of governance, accountability and control in place.

The Chief Executive, Rebecca Hilsenrath, is responsible under authority delegated by the Board for:

- our overall organisation, management and staffing
- our procedures in financial and other matters, including conduct and discipline
- developing and implementing strategy proposals and plans and reporting to the Board the results of these, and
- being our appointed Accounting Officer.

More information about our governance arrangements and risk management can be found in the 'corporate governance report' section on pages 52–77.

Going concern

The Secretary of State (the Minister for Women and Equalities) provides funding as defined in the Equality Act 2006. This funding is provided through grant-in-aid and forms part of the supply estimate of our sponsor department, which in 2018/19 was the Department for International Development (DFID).

We received a budget settlement comprising a commitment for the financial years 2016/17 to 2019/20 and, in consequence, there is no reason not to believe that future approvals will not be forthcoming. It has therefore been considered appropriate to adopt a going-concern basis for the preparation of these financial statements.

Performance report

Key achievements

- Our year in numbers 16
- Changing Britain through our unique legal powers 18
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- Influencing policy 24
- Leading insight into equality and human rights 27
- Setting a worldwide example 29
- Shifting attitudes and behaviours 30
- Transforming the organisation 32

Our year in numbers

85%

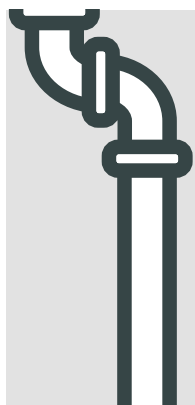
of our treaty monitoring recommendations were adopted by the UN



We supported

84

legal cases



Thousands of workers

in the 'gig economy' stand to gain workers' rights and other benefits after we funded Gary Smith's case against Pimlico Plumbers

We initiated

10

legal investigations leading to **9 legally binding agreements**

63%

of our legislative recommendations to Government were cited in Parliament

1,202

national print and broadcast media mentions **34% above target**



We considered some

265

instances of alleged breaches of equality and human rights law

Our Working Forward project reached more than

1.85 million staff

across 430 businesses last year



Use of our enforcement powers led to

100%

compliance with gender pay gap regulations in the first year of reporting



6.5 million website views

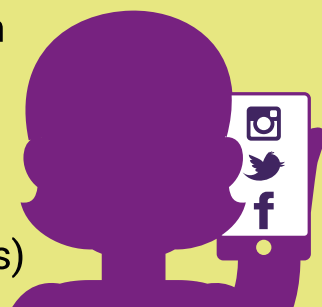
Up 18% from the previous year



Our social media campaign to shift human rights attitudes was seen

2.9 million times

by our audience
(47% above industry benchmarks)



76%

of our people are proud to tell others they work for the Commission,

11% higher than the civil service average

74%

of our programme's success measures were delivered or substantially delivered

13

NHS local bodies have changed their policies so that disabled people can live independently as a result of our enforcement action



45,000 people

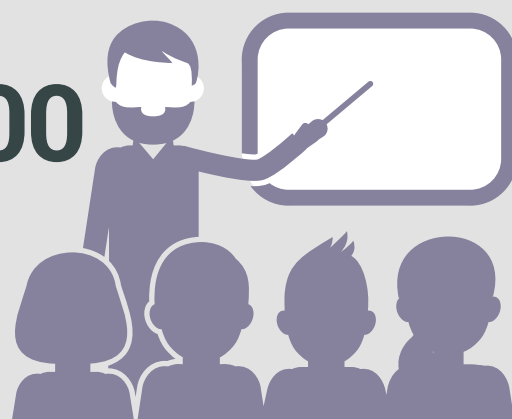


downloaded our toolkit to deal with workplace discrimination, part of our EHRC Adviser Support service

Nearly half a million teachers

in **30,000 schools** and **205 education authorities** in England, Wales and Scotland now have access to our guidance on using data to prevent bullying

We invested over
£164,000
in learning and development for staff



83%

of our legal casework clarified or positively changed the law

Changing Britain through our unique legal powers

We are using the full range of our legal powers more robustly and intelligently than ever before. This year, we initiated enforcement procedures against 10 organisations. In 9 cases, this has already led to binding legal agreements that will guarantee change.

Organisations such as **Go-Ahead London, Police Scotland and Chelsea FC** are now legally bound to make fundamental changes to policies and procedures relating to bullying, harassment or discrimination.

This year our legal powers hit the headlines after our work with the BBC developed into a **formal investigation over potential historical pay inequality**, which will report later this year.

We have agreed to assist, intervene or take action in our own name in **39 strategic legal cases**, and agreed to provide initial assistance in a further 17. Each has the potential to transform the lives of people facing discrimination in the UK. We were successful in 83% of the cases that concluded this year, helping to clarify or positively change the law. These cases will help thousands of workers in the gig economy, protect children from unfair exclusions and ensure that disabled people can live independently in their homes, among other key areas of life.

A further **32 cases were approved for funding** under the Legal Support Projects for England and Wales and Scotland, which provided advice and funding to help individuals who have experienced discrimination to pursue legal claims. These cases increased access to justice for individuals experiencing discrimination in education and housing.

We also considered 265 alleged breaches of equality and human rights law during the year, and followed up employment tribunal judgments in which employers have a finding of sexual harassment made against them. In four cases, this resulted in us entering into legal agreements with employers that will help to safeguard employees and ensure that complaints of sexual harassment are dealt with appropriately. In other cases, where employers had already taken more substantial steps to improve their policies, procedures and practices, we have provided them with further guidance.

Investigations and legally binding agreements are amongst the most effective tools for us to bring organisations in line with the law and help employers or individuals to do the right thing.

Over 10,000 employers reported their gender pay gap figures, with 1,456 employers believed to be in breach of Gender Pay Gap rules by the deadline. After threats of legal action, 100% of employers in scope reported.

Our continued work on Premier League stadia accessibility led to clubs offering

1,000

additional wheelchair spaces.



Our impact in focus:

protecting the right to education

Disabled children will have better protection against school exclusion after we funded a 13-year-old boy's appeal

A previous court ruling had said that children with a tendency to physically abuse others were not covered by the Equality Act 2010, even if that behaviour arose out of an underlying disability.

This left thousands of children vulnerable to being excluded from school and, in cases of exclusion, they could not use the Equality Act to challenge the decision.

We wanted to change the law to better protect children whose disability puts them at greater risk of school exclusion. We funded an appeal brought by the parents of a 13-year-old boy with special educational needs who was excluded from school.

The Upper Tribunal ruled that the regulations under the Equality Act that exempted schools from requirements to support such children by making reasonable adjustments are unlawful.

This decision is immensely important in upholding the right to education and will protect thousands of children at greater risk of exclusion because of their disability.

We initiated

4 judicial review cases

We supported

84 legal cases

including 32 under the Legal Support Projects and 21 interventions

Our impact in focus:

advancing equality and strengthening rights in employment

Thousands of workers in the ‘gig economy’ stand to gain workers’ rights and other benefits after we funded Gary Smith’s case against Pimlico Plumbers

Gary worked for Pimlico Plumbers as an ‘independent contractor’ – one of more than 100 such contractors engaged by the company. He wore a company uniform, drove a company-branded vehicle and worked exclusively for them.

But when he had a heart attack and needed to work reduced hours, Pimlico Plumbers refused the request and dismissed him.

We believed Gary was protected by the Equality Act, so we funded Gary’s case through the Court of Appeal and the

Supreme Court. The courts both ruled in Gary’s favour and agreed that he was protected by the law.

This is a landmark case for workers’ rights in the gig economy. It could help thousands who have been wrongly classed as self-employed to enforce their employment rights like the right to reasonable adjustments, as well as holiday pay and other benefits.

Our impact in focus:

improving living standards

Landlords must allow disabled leaseholders to make reasonable alterations after we supported Stacey Smailes' case

Stacey Smailes has Ehlers-Danlos syndrome, a condition that limits her mobility. She needed to make changes to her home – such as moving the kitchen and the bedroom but a term in the lease banned alterations.

Her landlord, Clewer Court Residents Ltd, refused to make an exception, despite Stacey's circumstances, and she and her husband had to move out of their home.

We funded and supported Stacey's discrimination case against her landlord to make sure that the law is clear and supports other disabled people like Stacey to live independently.

In January 2019, Cardiff County Court ruled that the landlord should have let Stacey make alterations to her home, which were reasonable in light of her disability.

The judgment means that landlords must allow disabled leaseholders to make alterations that are reasonable and necessary.

“

All that we have sought is for me to be able to live independently and use my home as anyone else would. We are relieved that [the] judgment will finally allow me to do this and will protect other disabled people from going through what we have.

”

Stacey Smailes

Our inquiries

Inquiries allow us to delve into a particular issue or industry, such as access to legal aid or the state of housing for disabled people. The goal is to reveal underlying problems and make policy recommendations for change that will fundamentally improve the lives of people across Britain.

This year, we have had a record number of inquiries closed or ongoing. This increase represents the Commission's renewed focus on exercising our powers and publicising our work.

Closed inquiries

Housing for disabled people – our recommendations for change stand to **improve the lives of 365,000 people** who may not be benefitting from their right to live independently. The Planning Inspectorate has already changed its policies, making its compliance with the Public Sector Equality Duty much clearer and meaning there will be increased scrutiny by them on local authorities to ensure that their local plans are future proof and reflect disabled people's projected needs.

Pending publication

Legal aid for victims of discrimination – we were concerned that legal aid for discrimination cases dropped by nearly 60% after the mandatory telephone gateway was introduced. Few cases were being referred for advice – with an even smaller number actually going to court. Our report will set out recommendations to improve access to justice for people in this situation.

Live inquiries

How the **criminal justice system treats disabled people** – our inquiry will reveal what can be done to meet the needs of **disabled people in pre-trial stages**.

Racial harassment in higher education – research suggests significant numbers of ethnic minority students are **victims of racial harassment**. Understanding this is important due to the link between race and achievement or participation in higher education.

Our impact in focus:

shining a light on access to justice

This year we built on our landmark Inquiry work by delving into the state of legal aid for discrimination cases

Access to justice remains one of our key concerns. Legal aid for discrimination cases dropped by nearly 60% after the mandatory telephone gateway was introduced. And despite handling some 18,000 cases, only a few of these were referred for face-to-face advice – with an even smaller number actually going to court and receiving an award.

In the last financial year, we tackled one of the major barriers to accessing justice by supporting a landmark legal case on employment tribunal rights.

In 2018/19, we built on this work by launching a formal inquiry to find out whether legal aid for discrimination cases provides effective access to justice. We discussed our concerns and early findings with the UK Government, whose own review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 reflected all the issues we raised.

The Government has also pledged to remove the telephone gateway by 2020 and make other changes in line with early recommendations.

Influencing policy

In the year that #MeToo and #TimesUp put **workplace sexual harassment top of the news agenda**, we used our research evidence to identify areas for action, engaged with a range of partners and worked closely with the Women and Equalities Committee.

We developed a series of recommendations and as a result, the Government has asked us to publish technical guidance on workplace harassment in late 2019, building to a **Statutory Code of Practice in 2020**. This will protect the 40% of women and 18% of men who have experienced unwanted sexual behaviour in the workplace.¹

We worked with the National Police Chiefs' Council, providing input on their action plan to tackle sexual harassment in the police, and engaged with the House of Commons authorities regarding improving procedures for dealing with sexual harassment in the House. We also made a written submission to the Cox inquiry, large parts of which were reflected in the Cox report.

Together with the acceptance of our recommendations on the use of non-disclosure agreements, our work has helped put protection for those that face unfair treatment at work top of the agenda for governments and employers.

63% of our legislative recommendations and priorities were cited or supported in Parliament:

3 on the Immigration Bill

5 on the EU Withdrawal Bill

2 on the Trade Bill

5 on Courts and Tribunals

4 on Mental Health Units (Use of Force) Bill

¹BBC Research 2017.

Alongside civil society organisations, we supported the **Mental Health Units (Use of Force) Act**. Known as 'Seni's Law', the Act means mental health units must, among other things, train staff to avoid using restraint and improve data collection, monitoring and reporting on their use of restraint.

After many NHS Continuing Healthcare policies of Clinical Commissioning Groups (CCGs) in England capped costs of continuing health care, we were concerned that disabled people with substantial health needs could be moved from their homes into residential care against their will. Since 2017, we have undertaken compliance activity with 32 CCGs setting out why we are concerned. This has led to 13 CCGs withdrawing their potentially discriminatory continuing healthcare policies. A further 16 either are withdrawing their policies or putting them under review. We continue to monitor this area.

During parliamentary debates on Brexit-related legislation, including the EU (Withdrawal) Bill and Trade Bill, MPs and Peers have repeatedly cited our recommendations aimed at ensuring that human rights and equality are not reduced after Brexit. We worked with Government to secure amendments to the Trade Bill, which will require a ministerial statement where regulations modify any provision of the Equality Acts, thereby providing an additional necessary constraint on the exercise of delegated powers.

Under our Equality in Investment project we continued to influence and engage with the seven local authorities City Region Deal (CRD) partnerships in Scotland. The project aims to make sure that they target the £4bn of UK and Scottish Government investment equitably.

We provided the CRD partnerships with the knowledge, training and tools to assess their spending proposals so that they benefit women, ethnic minorities and disabled people in areas such as employability and accessible housing and to include clear equality outcomes for investment projects.

Our support is helping local authorities to embed these assessments in procurement tenders with the private sector and the Scottish Government has now agreed that, at the end of the two-year project, they will commit further resources building on our work to ensure ongoing support to ensure the CRDs advance equality.

Our impact in focus:

supporting people with mental health conditions

Mental health patients will be better protected and could see improvements to the help and support they receive after we contributed to policy debate and an Independent Review of the law

Beth is a young woman with autism. Under the Mental Health Act 1983, she has been placed in long-term detention, away from her family, and has been repeatedly restrained.

We are funding Beth's case because there are too many cases like hers and we want to make sure that everyone gets the right help and support, when and where they need it.

We made recommendations and provided advice to inform the Independent Review of the Mental Health Act. The Review's own recommendations reflected many of our key asks and the Government now has a comprehensive new road map to reform the Act.

We are developing and testing new tools and published a new framework to ensure this reform happens and that people are aware of their rights, as well as using our legal powers to support cases like Beth's that will help protect people around the UK with mental health conditions.

Alongside civil society organisations, we supported the Mental Health Units (Use of Force) Act. Known as 'Seni's Law', the Act means mental health units must, among other things, train staff to avoid using restraint and improve data collection, monitoring and reporting on their use of restraint.

Leading insight into equality and human rights

In October 2018, we launched **'Is Britain Fairer?'** (IBF). It is our most comprehensive review to date, providing a state-of-the-nation report of equality and human rights in Britain, and sets the agenda for governments to address priority areas of concern, such as health, education, work and justice. Since IBF's launch, initial findings from an independent evaluation show it has played a key role in highlighting and raising the profile of equality and human rights across the UK.

In March 2019 we published our **'Following Grenfell' research** report and made detailed legal submissions to the Grenfell Inquiry. Our submissions argue that residents' rights to life and adequate housing were breached before the fire started on 14 June 2017. Residents' concerns and experiences have been documented throughout the project and are represented in our final research report. We called for the Grenfell Inquiry and local authorities to ensure that all failures are addressed immediately to prevent future loss of life.

In April 2018 the **Scottish Government introduced the Equality Act socio-economic duty**, the Fairer Scotland duty. We worked with the Scottish Government in developing guidance for public authorities who are covered by this new duty. We also commissioned and published research that identified new ways to address inequalities that are linked to socio-economic disadvantage.



Our impact in focus:

increasing participation

Higher education establishments have committed to protecting freedom of expression, partnering with us on the publication of new guidance for the sector

Freedom of expression is the foundation of democracy. But divisions and insecurities often get in the way of this and the compassion that makes an equal society possible.

This issue has come to the fore in education, and groups across the higher education sector wanted to know how they could better promote and protect freedom of expression.

Working in partnership with the Department for Education, National Union of Students, Charity Commission, and Office for Students and Universities UK, we issued guidance on freedom of expression for higher education establishments.

The guidance sets out good practice benchmarks and practical ways in which organisations could work together better.

Higher education representatives and government ministers welcomed the new guidance, describing it as 'important

and timely', and it has been the most downloaded document on our website over the past year.

Dr David Llewellyn, Chair of GuildHE and Vice Chancellor of Harper Adams University, said, 'This new guidance ... will provide greater clarity on the rights and obligations for freedom of expression, particularly in areas such as the balance between our commitment to free speech and legislation to prevent radicalisation.'

“

This guidance is a symbol of the commitment from across the higher education sector to protecting freedom of speech

”

Universities Minister, Chris Skidmore

Setting a worldwide example

We are proud of our reputation as a global leader in treaty monitoring, research, communications, legal action and finance, to strengthen human rights.

Our most significant impact was the Treaty Monitoring Team's work on the **Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)**, where 85% of the issues covered in our reports, and all of our priority recommendations, were reflected in the CEDAW Committee's concluding observations.

As **Chair of the Commonwealth Forum of National Human Rights Institutions (CFNHRI)**, we reshaped the forum's governance and strategic direction, which was unanimously adopted by the membership at the 2019 annual meeting. After identifying sexual orientation and gender identity rights (SOGI) as a priority, we held two international seminars exploring the role of business and Universal Periodic Review (UPR) in the advancement of SOGI rights.

Highlights from the Commonwealth Forum of NHRIs

Web stats:

60%

increase in website
page views

11,511

page views total from
August 2018 to April 2019

1,439

average monthly page
views

CFNHRI annual meeting, March 2019:

22 attendees

with 14 NHRIs represented

Business and Human Rights networking
breakfast, November 2018:

25 attendees

with representatives from 12 NHRIs

UPR seminar March 2019:

34 attendees

from 16 organisations

This year the Commission trained **20 parliamentary select committee staff** on treaty monitoring, leading to an influx of questions in Parliament regarding a Private Members Bill on Gypsy and Traveller Communities (Housing, Planning and Education).

Shifting attitudes and behaviours

Our Working Forward project reached more than 1.85 million staff across 430 businesses last year, supporting employers to improve workplaces for pregnant women and new parents. Half of all members said the project had increased their understanding of best practice in creating a family-friendly workplace. The project also led to the Mayor of Greater Manchester, Andy Burnham, committing to putting Working Forward at the heart of the city's own Good Employment Charter.

50%

of Working Forward members said the project had increased their understanding of best practice in creating a family-friendly workplace

Nearly half a million teachers in 30,000 schools and education authorities now have access to our guidance on using data to prevent bullying. The guidance, which covers everything from homophobia to racism, sexism and transphobia, will benefit the 10 million pupils across England, Scotland and Wales.²

In the first month after publication, 45,000 people downloaded our toolkit to deal with workplace discrimination and 6,000 downloaded guidance on dealing with housing discrimination. These toolkits are part of our EHRC Adviser Support service and were commissioned from Citizens Advice.

In January 2019, we launched a **targeted Facebook campaign** to shift attitudes and teach people about how human rights are part of our everyday lives.

The digital campaign was seen

2.9 million times

by our audience and a focus group revealed its personal impact:

“

The campaign could convince even the most conflicted supporters that human rights breaches could happen to anyone

”

After engaging with the campaign

20%

more people than before (64.3%) said they were 'very interested in human rights'.

² Data from the British Educational Suppliers Association website (www.besa.org.uk/key-uk-education-statistics)

Our impact in focus:

improving access for disabled people

Disabled people are less likely than non-disabled people to use the internet for personal use.

This means that many rely on local banking services to do day-to-day things, like withdrawing money, paying bills and getting financial advice.

Like lots of other banks, one of the ways the Royal Bank of Scotland provides banking services is via mobile branches. RBS agreed to work with us to further improve the accessibility of these branches after we provided it with advice and guidance.

RBS has already committed to making positive changes as a result – for example, introducing adjustments for visually impaired customers and those with hearing loss, as well as exploring how the mobile branch van can be adapted to provide wheelchair access.

The bank will also look to improve how it communicates with disabled customers, providing further training to staff and, on our recommendation, is strengthening its work with disabled people's organisations.

Transforming the organisation

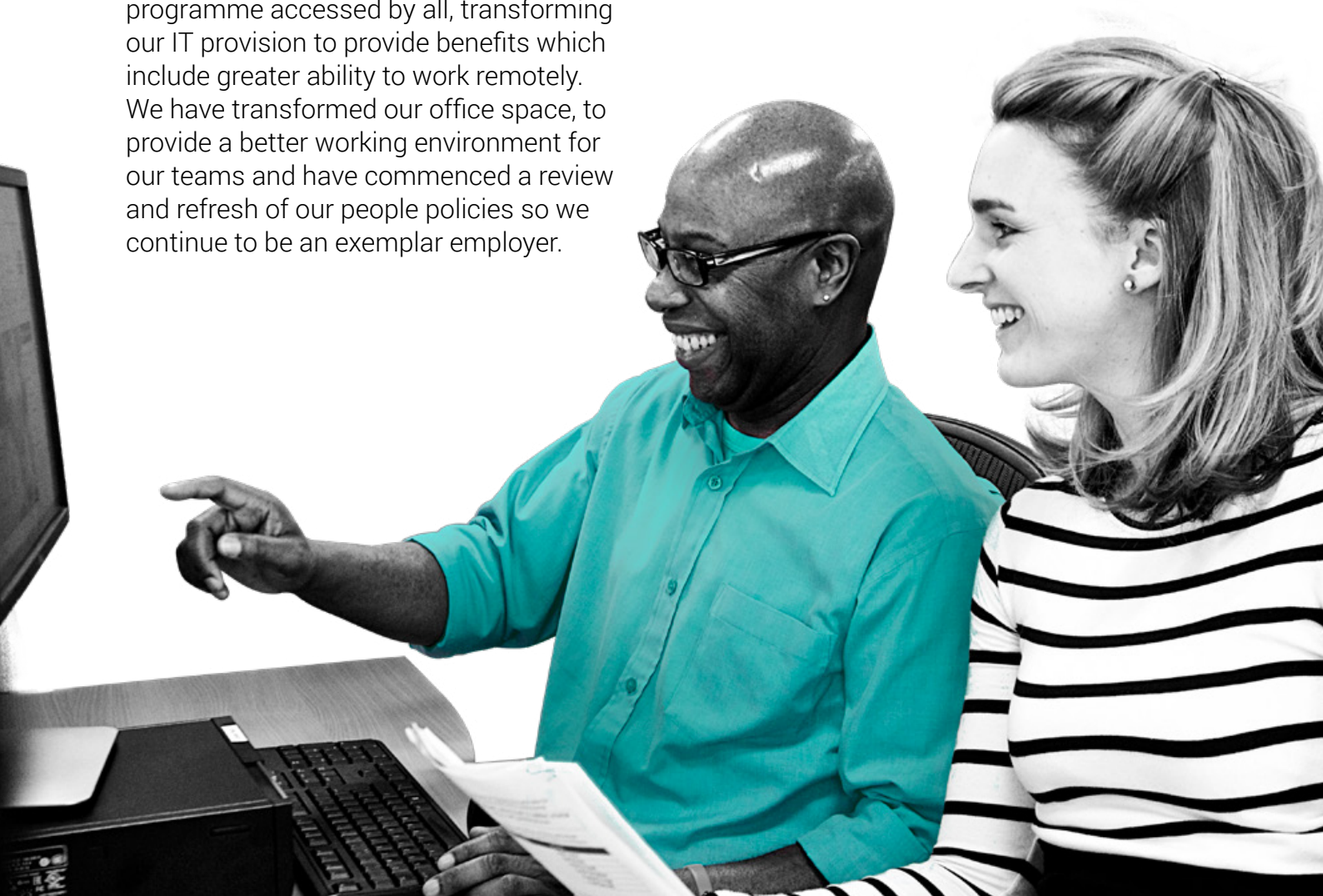
We recently underwent a Tailored Review, the findings of which were published in November 2018. The Review found the Commission to be passionate about reducing inequality and enhancing the role of rights in society and pointed to a variety of successes and our strong international reputation.

With the start of a new strategic cycle, we have used the review as an opportunity to identify improvements and ensure we are strong, effective and deliver our mandate fully.

Our people are our greatest asset and we have continued our transformation to ensure they have the skills needed and the right environment to deliver.

We have invested in the development of our employees, running a core training programme accessed by all, transforming our IT provision to provide benefits which include greater ability to work remotely. We have transformed our office space, to provide a better working environment for our teams and have commenced a review and refresh of our people policies so we continue to be an exemplar employer.

**More than
3/4
of our people are proud
to tell others they work
for EHRC**



Performance against our KPIs

In keeping with feedback from the Women and Equalities Committee and with direction from the Board, our strategy this year has been to use the range of our powers more robustly including investigations, judicial reviews, binding legal agreements, inquiries and enforcement of gender pay regulations.

While the number of individual strategic cases has slightly fallen as a result, by using our resources and the full range of our powers we have maximised impact and prioritised the areas or instances of discrimination that cast the biggest shadow over Britain, as well as increased the totality of our enforcement work across the board.

Table 1: Our key performance indicators, targets and outturns 2018/19

Key performance indicator (KPI)	KPI description	2018/19 target	2018/19 outturn
Our interventions on equality and human rights issues are effective	Percentage of domain success measures achieved by due dates	65%	74%
We deliver our work on time and to good quality	Percentage of domain output measures delivered	90%	90%
Our policy recommendations are widely supported	Percentage of Treaty Monitoring recommendations adopted by the UN	50%	85%
Our work protects and strengthens legal rights to equality and human rights	Percentage of our legislative recommendations and priorities cited or supported by parliamentarians and key stakeholders	60%	63%
Our legal interventions clarify and strengthen the law	Number of cases we fund, intervene in or bring in our own name	N/A	39

Key performance indicator (KPI)	KPI description	2018/19 target	2018/19 outturn
Protecting equality and human rights and increase access to redress	<p>Percentage of section 28 (where we provide legal assistance to an individual) casework concluding during the financial year that:</p> <ul style="list-style-type: none"> • effects a positive clarification or change in the legal framework; and/or • reverses a discriminatory policy, decision or rights infringement; and/or • brings a positive benefit to the public. 	70%	83%
Our external communications increase the reach impact of our work	National print and broadcast mentions	800	1,202
Our external communications increase the reach impact of our work	Website page views	5.7m	6.5m
We are an inclusive employer with a diverse and high performing workforce who have the skills and tools to deliver our objectives	<p>Workforce diversity by sex, disability and ethnicity³</p> <p>EHRC workforce vs UK working population</p> <ul style="list-style-type: none"> • 60% female employees vs 46.5% • 14% of employees describe themselves as disabled vs 19% • 12% declared they are from ethnic minority groups vs 15% 	60%	63%

³ All of our diversity data is based on self-declaration by colleagues. We recognise that in small organisations such as ours, minor workforce changes can have a disproportionate statistical impact, and average diversity figures should be viewed with some caution.

Key performance indicator (KPI)	KPI description	2018/19 target	2018/19 outturn
We are an inclusive employer with a diverse and high performing workforce who have the skills and tools to deliver our objectives	Employee engagement index score	70%	68%
	Tracking our progress		
	This is a 5% improvement on our 2017 score, and is 6% higher than the civil service 2018 average.		
	Gender, ethnicity and disability pay gaps ⁴	Gender pay gap (2017/18) -1.1% mean -3.0% median Disability pay gap (2017/18) 6.4% mean 8.0% median Ethnicity pay gap (2017/18) -3.7% mean 7.5% median	
	Employee satisfaction levels with learning and development	60%	48%
We manage public money effectively	Expenditure outturn against budget	Any underspend within 3% of budget	We ended the year with an underspend of 1.76%

⁴ As we have fewer than 250 employees at the EHRC we are not required to publish our gender pay gap figures. However, as the organisation responsible for enforcing the Gender Pay Gap Regulations, we have chosen to publish our data on our gender, race and disability pay gaps because we want to lead by example. Our pay gap reporting is retrospective covering the year 2017/18 and is based on a 'snapshot date' of 31 March 2018.

Our approach to regulation

For us, the purpose of regulation is to change behaviour in society and to prevent and stop unlawful actions through working with individuals and organisations in the public, private and voluntary sectors. We do this to improve equality, human rights and good relations in society. Helping people and organisations comply with legislation is the main focus of this work, and sometimes this will mean formal enforcement action, using the powers the Equality Acts give us.

Regulation does not just mean legal enforcement action such as inquiries and investigations. It also means providing advice, raising awareness and understanding, transferring expertise and supporting organisations in their efforts to comply with the law.

In short, we have a range of tools we can use, and we will always choose the method that will work best in each circumstance. We base our actions on evidence and an assessment of what is in the public interest. In so doing, we are bound by the Hampton Code of Practice for Regulators, which outlines five principles of good regulation: proportionality, accountability, consistency, transparency and targeting.

We carry out our regulatory remit on different levels. The Commission:

- has direct regulatory responsibility (and is bound by codes of practice) for promoting equality, human rights and for ensuring compliance with the law
- works with other regulators in the public, private and voluntary sectors
- has a public leadership and advocacy role – we aim to create a consensus which recognises that equality and human rights are central to a fair society
- is the UK's accredited National Human Rights Institute (NHRI) and works in accordance with the Paris Principles – which means, for example, monitoring and acting on violations of human rights, advising government and educating the public.

Regulatory objectives

The setting of regulatory objectives or aims is a first step in defining the regulatory regime. It is against clear primary objectives that the regulator must determine the appropriate regulatory action. They are also the measures against which a regulator is held accountable and are therefore critical for those charged with regulatory responsibility. In terms of the operation of the regulatory framework and a risk based approach, regulatory authorities should use their resources where the risks to the established objectives and principles are the greatest.

The Commission's regulatory objectives are:

1. To bring about a society that understands and respects equality and human rights – we aim to do that by shaping and influencing attitudes and behaviours.
2. To improve organisations' and individuals' compliance with equality and human rights obligations and duties.
3. To build confidence and understanding of equality and human rights across the private, public and voluntary sectors.
4. To protect individuals from discrimination and human rights violations.
5. To become an effective and credible regulator and NHRI.

We measure the impact of our work on society and publish our review of Human Rights, 'Is Britain Fairer?' which provides a comprehensive review of how Britain is performing on equality and human rights, and a complete picture of people's life chances in Britain today.

Our operations

Financial review

Our allocated resource budget for 2018/19 (excluding depreciation) was £18.349m, consisting of £13.028m administration and £5.321m programme funding. In addition, we received funding of £0.520m for capital expenditure.

Due to an unavoidable underspend late in the financial year, our administration Grant in Aid was reduced by £0.200m in-year resulting in an adjusted administration budget of £12.828m. Reviews within this report are based on this amended figure.

The comprehensive net expenditure for the year taken to taxpayers' equity was £18.257m and capital investment was £0.208m.

The annual statement of accounts and notes to the accounts for the year to 31 March 2019 are set out from page 103 onwards.

We have utilised our budget allocation during the year to achieve our Business Plan objectives, further details are contained within the performance report (page 15).

Performance against our resource envelope (excluding capital and depreciation) is shown in the following table:

Table 2: Financial performance against our resource envelope 2018/19

Year ended	Total budget £'000	Total spend £'000	Variance (Underspend) £'000	% Variance (Underspend)
31 March 2019	18,149	17,830	319	1.76

Capital structure

Our capital structure, shown as taxpayers' equity, is funded by the annual resource allocation from our sponsor department. The statements of financial position and changes in taxpayers' equity for the year provide additional information.

Long-term expenditure trends and Value for Money

During the current spending review, our funding will have reduced by £3.1m (15%) from £20.4m (2016/17) to £17.3m (2019/20). The Commission continues to use the resources available to it to deliver work with real impact.

We have continued to realise savings and efficiencies within our corporate services infrastructure portfolio to reduce our overhead costs and ensure cost-effective procurement of goods and services.

Payment of suppliers

We are committed to the Prompt Payment Code (www.promptpaymentcode.org.uk) and aim to pay all undisputed invoices within 30 days. Against this measure, 100% of undisputed invoices were paid within the target (99.7% in 2017/18).⁵

Our business model

We operate from four offices based in London, Manchester, Cardiff and Glasgow. Our business model is designed around networks, each led by an executive director to ensure effective communication and strategic working practices.

⁵ We define undisputed invoices as those that quote a valid purchase order number and where the Commission is content with the goods / service provided.

Our equality objectives

Under the Equality Act 2010, all public bodies, including the Commission, are subject to the Public Sector Equality Duty. This means they must have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

Equality and diversity are at the heart of everything we do, and our equality objectives underpin our employment practices and our ways of working. They are designed to:

- ensure business improvements and any organisational changes are implemented fairly
- foster an accessible and inclusive working environment for all our staff
- ensure that our services are accessible and users' experiences and outcomes are positive, and
- promote equality within our supply chain, supporting our suppliers to embed equality and diversity practices within their own organisations and those with which they work.

We publish an annual summary of the employment monitoring data we have collated and considered in our equality and diversity workforce reports. Information about our equality objectives and how we are performing in promoting equality of opportunity for all of our staff is available on our website.



Our people

Our inclusive organisation

Over the course of this year we have continued to implement our People and Infrastructure strategies to develop an inclusive organisation. We aspire to be an exemplary employer, providing the working environment, information technology, learning and development and people policies that enable all of our colleagues to thrive at work, perform to the best of their abilities and deliver our strategic plan.

We are committed to ensuring that our employment policies and practices are fair, advance equality of outcome, eliminate discrimination and foster good relations. Our People and Infrastructure strategies have been developed and are being delivered in partnership with our colleagues to ensure that everyone has a voice in improving our organisation.

- We have established an Inclusion and Diversity Steering Group with diverse representation of gender, ability and ethnicity, colleagues with different backgrounds and people from each of our offices in England, Scotland and Wales.
- The delivery of our People Strategy is overseen by a working group of colleagues at different levels and in different roles from all of our offices, supplemented by colleagues with expertise in equality law and best practice who feed into the development of our policies.

- We support and recognise trade unions, and we work in close partnership with our trade union colleagues to consult and negotiate on all relevant matters.

We also ensure that any changes to our people policies are informed by robust equality and diversity analysis. To inform our priority areas for improvement we gather evidence from our equality monitoring data, equality impact assessments and consultations with our colleagues and we use this information to:

- identify any potential disparities in the diversity profile of our workforce, which helps us in developing actions to address any perceived inequalities and barriers to equality of opportunity
- understand whether our employment policies, practices and procedures are equitable and are being implemented fairly, by examining under- or over-representation of staff
- identify differences in the outcomes or experience of staff and, where required, develop training and guidance to support our managers in managing a diverse workforce, and
- inform the development of all our people policies to ensure that they advance the three aims of the general duty.

Working environment, technology and flexible working

As part of our Infrastructure strategy, during 2017/18 we fundamentally modernised our Manchester office to make better use of space and to facilitate smarter working. During 2018/19 we built on this approach by making a significant investment in our information, communication and technology (ICT). Across our estate, we replaced desktop computers with lightweight laptops and the infrastructure needed to support them. We have also upgraded our video conference facilities in all of our offices.

These investments have enabled all of our colleagues to work more flexibly, facilitating remote working and improving connectivity between England, Scotland and Wales. We have surveyed people to assess the impact of the new technology, as part of the Commission's plan to make flexible working easier, and 98% of staff were supportive of the improved technology.

We are committed to supporting the Government's Places for Growth Programme, which, over the long term, will help to address regional imbalances by moving Civil Service roles and public bodies away from London and the South East of England. We are working with the Government Property Agency to seek long-term accommodation for our workforce when our current leases expire.

In the shorter term, we will modernise our offices in London in 2019/20 to provide an improved working environment.

People programme

We have continued to deliver our integrated programme of activity that is enabling all of our colleagues to thrive at work, develop their knowledge and skills and reach their full potential. A diverse working group of people from across the Commission oversees this programme.

We have begun a review of all of our people policies to ensure that they support flexibility, reflect current thinking on inclusion, equality and diversity and changes in employment legislation. This year we introduced a range of new policies on parental leave informed by the Commission's own research into best practice. We also worked in partnership with trade union colleagues to appoint Domestic Abuse Allies and publish supporting guidance for our managers and colleagues. We have also introduced a new employee benefits programme.

Our commitment to the health and wellbeing of our colleagues has continued with the appointment of Mental Health First Aiders, and the delivery of mental health awareness training tailored for managers, together with a general course for all staff. We arranged flu jabs to keep our teams well over winter and on-site occupational health checks in spring. We are committed to ensuring colleagues feel supported and know where to turn to for help and advice. Comprehensive information is available on our intranet and we provide access to a confidential, free Employee Assistance Programme (EAP), which is available 24 hours a day, 365 days a year. We operate a flexible working policy for all employees, and

common types of flexible working taken up across our workforce include:

- homeworking
- part-time working
- compressed hours (working agreed hours over fewer days), and
- staggered hours (different starting, break and finishing times).

Investment in learning, development and careers

It is critically important to us that our colleagues have the skills and knowledge to do their jobs and to develop their careers. This year we carried out a detailed learning and development survey, and a team-by-team learning needs analysis to identify the areas where we needed to focus. We have made a significant investment in everyone's learning and development by funding an extensive programme of core learning as well as investing in the professional development needs of individuals. All of our staff have accessed development this year.

We invested over £164,000 in learning and development this year, which included among other things:

- a 12-month management development programme, including extensive training on coaching, development, performance and attendance management and peer learning
- quarterly executive development events, with inclusive leadership training, 360° feedback, and executive coaching, together with an introduction to the Future, Engage, Deliver (FED) leadership model

- mandatory equality and diversity training for all colleagues
- accessibility training
- problem structuring and analytical thinking
- writing skills and policy influencing for colleagues involved in relevant work
- records management training to ensure legal compliance and best practice
- job evaluation training for our People team
- ICT training to ensure best use of our new laptops
- investment on wellbeing, project management, influencing and communication skills, and
- comprehensive financial awareness training for budget holders.

We are proud of the investment that we have made, but we want to do more. Our People Survey results tell us that fewer than 50% of our colleagues are satisfied with their career development, so we are taking action to address this.

We held a conference to introduce managers to the Future Engage Deliver model, we held a workshop for all staff at Associate level, to invest in their skills and career development and we have provided interview skills coaching and training. Most importantly, we have created a number of new roles across the Commission to provide career development opportunities.

Employee engagement

This year we launched a new annual People Survey, modelled on the approach taken across the civil service. This survey replaces the pulse surveys that we ran in previous years. The headlines from this year's survey are as follows:

- Our overall Employee Engagement Index (the standard public sector measure) is at 68%. This is 6% higher than the civil service average, and is 5% higher than last year's pulse survey result.
- 76% of our colleagues are proud to tell people they work at the Commission. This is 11% higher than the civil service average.
- 71% of colleagues feel a strong personal attachment to the Commission.
- 94% of people are interested in our work and 79% understand the Commission's objectives.
- 90% of people are positive about their team and 92% know we can rely on colleagues to work together to improve the services we provide.
- 95% of our colleagues feel that they have the skills to do their job effectively.

Pay gaps

Pay gaps remain one of the key indicators of inequality in the workplace and there is no doubt that reporting gender pay gaps has led to greater transparency and is an important first step in helping employers to make positive changes.

As we have fewer than 250 employees at the EHRC, we are not required to publish our gender pay gap data. However, as the organisation responsible for enforcing the Gender Pay Gap Regulations, we have chosen to publish our gender, disability and ethnicity data because we want to lead by example. We want to encourage more employers to publish their data and to use their reports to set benchmarks for improvement, to develop action plans on inclusion, diversity, pay and progression, to monitor progress and to showcase success.

We recognise that in small organisations such as ours, minor workforce changes can have a disproportionate statistical impact, and average figures should be viewed with some caution.

76%

of our people are proud to tell others they work for the Commission,

11%

higher than the civil service average



Gender pay gap data

Our analysis revealed that at 31 March 2018 (the 'snapshot date') we have a negative mean gender pay gap of 1.1%. This means that on average, women working for our organisation are paid 1.1% more than men.

Table 3: Mean and median gender pay gap in hourly pay 2018/19

Mean gender pay gap in hourly pay	-1.1%
Median gender pay gap in hourly pay	-3.0%

Our full gender pay gap report is available on our website at www.equalityhumanrights.com.

Disability pay gap data

Our analysis revealed that at the snapshot date, we have a mean disability pay gap of 6.4%. This means that on average, people with who identify as having disabilities are paid 6.4% less than people who do not identify as having disabilities.

Table 4: Mean and median disability pay gap in hourly pay 2018/19

Mean disability pay gap in hourly pay	6.4%
Median disability pay gap in hourly pay	8.0%

Ethnicity pay gap data

Our analysis revealed that at the snapshot date, we have a negative mean ethnicity pay gap of 3.7%. This means that, on average, colleagues who identify as black or minority ethnicity are paid 3.7% more than colleagues who identify as white.

Table 5: Mean and median ethnicity pay gap in hourly pay 2018/19

Mean ethnicity pay gap in hourly pay	-3.7%
Median ethnicity pay gap in hourly pay	7.5%

To reduce our disability and ethnicity pay gaps we are focusing on supporting the career development of colleagues by investing in positive action programmes and providing career support. We also take positive action in recruitment, inviting applications from under-represented groups. We operate a Guaranteed Interview Scheme and are a member of the Department for Work and Pension's Disability Confident scheme.

Diversity data

The following section summarises our workforce diversity profile as at 31 March 2019, using data extracted from our HR management system. Figures are displayed as percentages of the total workforce analysed.

In small organisations such as ours, minor workforce changes can have a disproportionate statistical impact, and we rely on self-declaration by our colleagues. This year we have seen a slight decrease in self-declaration rates in some areas. We believe that this is due to a number of recent recruits who have yet to update their data. We take diversity monitoring seriously and continue to encourage people to update their information to ensure that our analysis remains relevant. In 2019/20 we will introduce a new HR system and equality monitoring information will be automatically uploaded during the recruitment and on-boarding process.

Overall, there has been no significant change to the diversity of our workforce during the year.

- Our workforce numbers decreased from 196 (185 full-time equivalent, FTE) on 1 April 2018 to 189 (180 FTE) on 31 March 2019.
- This reduction has led to consequential changes to some of our reported percentages.
- We have seven women and five men in senior roles (director and above); two of our senior managers (our Chief Executive Officer and executive directors) are male and two female.
- We have 107 women and 70 men at other levels.
- 79% of new recruits were female, leading to a small increase in the percentage of women at the Commission.
- Our percentage of black and minority ethnic colleagues has increased slightly.
- 10% of leavers declared a disability while none of our new recruits did, leading to a small decrease in our percentage of disabled colleagues.
- A smaller percentage of our colleagues have declared a religion or belief.
- There has been a small increase in the number of colleagues who identify as lesbian, gay or bisexual.

Table 6: Our staff diversity data 2018/19

Characteristic	31 March 2018	31 March 2019	Difference
Ethnicity			
Black and minority ethnic	11%	12%	1%
White	78%	76%	-2%
Prefer not to say / not declared	11%	13%	2%
Sex			
Female	59%	60%	1%
Male	41%	40%	-1%
Marital status			
Married or in a civil partnership	46%	48%	2%
Not married or in a civil partnership	41%	42%	1%
Prefer not to say / not declared	13%	10%	-3%
Religion or belief			
Religion or belief	34%	32%	-2%
No religion or belief	50%	54%	4%
Prefer not to say / not declared	16%	14%	-2%
Disability			
No	67%	71%	4%
Yes	16%	14%	-2%
Prefer not to say / not declared	17%	14%	-3%

Characteristic	31 March 2018	31 March 2019	Difference
Sexual orientation			
Lesbian, gay or bisexual	9%	10%	1%
Heterosexual / straight	76%	77%	1%
Prefer not to say / not declared	15%	13%	-2%
Caring responsibilities			
No	48%	50%	2%
Yes	38%	39%	1%
Prefer not to say / not declared	14%	11%	-3%
Age			
16–24	1%	1%	0%
25–34	20%	21%	1%
35–44	37%	34%	-3%
45–54	24%	24%	0%
55–64	17%	18%	1%
65+	1%	2%	1%
Transgender			
No	84%	83%	-1%
Yes	1%	1%	0%
Prefer not to say / not declared	15%	16%	1%

Recruitment policies

We encourage applications from a diverse range of candidates and operate a guaranteed interview scheme. We also encourage all applicants to request any reasonable adjustments where necessary.

Risk management

The Commission carries out all its work within a formal risk management framework to ensure that all strategic risks to the delivery of our strategic plan objectives are identified.

Our risk management strategy is outlined in the governance statement on page 58.

Sustainability

We include sustainability in our decision-making and activities. Our environmental policy is consistent with the UK's commitment to sustainable development, the 'Greening Government' agenda and the targets set out in the 2006 Energy Review. In 2018/19, we had fewer than 250 FTE staff and are therefore exempt from reporting against the full range of Greening Government targets.

We promote environmentally friendly practices throughout our estate. We are committed to reducing our energy consumption, minimising waste and reducing our carbon footprint.

Performance report signed by:



Rebecca Hilsenrath
Accounting Officer

5 July 2019



Accountability report

The accountability report contains:

The corporate governance report

- Directors' report
- Statement of Accounting Officers' responsibilities
- Governance statement
- Our risk management strategy

The remuneration and staff report

- Commissioners and committee members' remuneration
- Pay and pension arrangements
- Our organisational structure

The Parliamentary accountability and audit report (including the Certificate and report of the Comptroller and Auditor General)

Corporate governance report

Directors' report

Board of Commissioners

As at 31 March 2019, the Board comprised 11 non-executive Commissioners and the Chief Executive, who is a Commissioner ex officio.

During 2018/19, the Board members included:

- David Isaac CBE (Chair)
- Caroline Waters OBE (Deputy Chair)
- Suzanne Baxter (from 27 April 2018)
- Pavita Cooper (from 27 April 2018)
- Alasdair Henderson (from 27 April 2018)
- Susan Johnson OBE
- Mark McLane (from 27 April 2018)
- Helen Mahy CBE (from 27 April 2018)
- Dr June Milligan (Wales Commissioner)
- Professor Lorna McGregor (to 5 January 2019)
- Professor Lesley Sawers OBE (Scotland Commissioner)
- Professor Swaran Singh
- Rebecca Hilsenrath (CEO and Commissioner ex officio)

The biographies for the Commissioners are available on our website at

www.equalityhumanrights.com/en/who-we-are/our-commissioners-committees-and-governance/about-our-commissioners

The Board met formally six times between 1 April 2018 and 31 March 2019. Minutes of recent meetings are available on our website at

www.equalityhumanrights.com/en/corporate-reporting/board-meetings

Scotland Committee

The Scotland Committee was chaired by Professor Lesley Sawers, Scotland Commissioner and met formally four times during 2018/19.

The Scotland Committee exercises its powers as delegated in the Equality Act 2006; it has power to give advice to the Scottish Government in respect of new laws or proposed changes to the law, which, in the Commission's opinion, affect only Scotland. Furthermore, the Committee advises the Commission on the impact of its work in Scotland.

The Scotland Committee welcomed Phil Arnold and Bernadette Monaghan who were appointed as new members and extended its thanks to Emma Ritch and Lorraine Barrie, whose terms of office as Committee members came to an end during the year.

In 2018/19, the Scotland Committee considered a range of issues and advised the Commission on a number of matters. This included providing further resources for the Scottish City Deals equality initiatives, publishing research on the effectiveness of the Equality Act 2010 (Specific Duties) (Scotland) and the Public Sector Equality Duty, and the publication of 'Is Scotland Fairer?' (2018). To support the development of the new Commission Strategic Plan 2019-22, the Committee met and held a number of events with stakeholders including in Dumfries and Glasgow seeking their views on the Commission's future priorities. The Scotland Commissioner continued to promote and support the work and priorities of the Commission and met with Scottish Government Ministers and other key stakeholders to achieve this aim.

There is additional information about the Scotland Committee and its work available on our website.

Wales Committee

The Wales Committee was chaired by Dr June Milligan and met formally four times during 2018/19.

The Committee exercises its powers as delegated in the Equality Act 2006. The Committee has the delegated power to give advice to the Welsh Government in respect of new laws or proposed changes to the law, which, in the Commission's opinion, affect only Wales. Furthermore, it advises the Commission on the impact of its work in Wales.

In 2018/19, the Wales Committee travelled across Wales and met a wide range of people from diverse backgrounds to listen to and learn about the key equality and human rights challenges across the country. During the year, the Wales Committee considered a range of issues including race inequality in Wales; access to justice in Wales and the provision of advice. The Committee advised the Commission on its next Strategic Plan, its policy position on the Public Sector Equality Duty and the 'Is Wales Fairer?' 2018 research.

The Wales Committee welcomed one new member during 2018/19, Mark Sykes.

During the year, one member, Andrew Edwards, stepped down. The Committee extends its appreciation to Andrew for his contribution to its work.

There is additional information about the Wales Committee and its work available on our website at www.equalityhumanrights.com/en/about-commission-wales/wales-committee

Human Resources and Remuneration Committee

The Human Resources and Remuneration Committee (HRRC), chaired by Caroline Waters, is an advisory committee of the Board. Its purpose is to provide strategic focus and assurance in respect of the Board's responsibilities for matters relating to our human resources arrangements, including pay and conditions of employment.

The Committee ceased to formally meet awaiting the appointment of new members, during this period the Chief Executive and Director of People and Infrastructure continued to benefit from the advice of the chair of HRRC with any key decisions delegated upward to the Board.

New members (Pavita Cooper, Helen Mahy and Mark McLane) were appointed in November 2018 and the reconstituted Committee met on 16 January 2019.

There is additional information about the HRRC available on our website at www.equalityhumanrights.com/en/corporate-reporting/board-meetings/advisory-committees

Audit and Risk Assurance Committee

The Audit and Risk Assurance Committee (ARAC) was chaired by Susan Johnson and met four times during the year ending 31 March 2019.

The Committee is advisory and assists the Board and the Accounting Officer by reviewing the comprehensiveness, reliability and integrity of our internal controls, risk management processes and governance arrangements, along with the quality and reliability of our financial reporting.

The Committee advises the Board on the appointment of the internal auditor, approves the internal audit strategy and work plan, and ensures that internal audit provides an appropriate level of assurance to the Accounting Officer and the Board. The Committee receives the National Audit Office external audit plan, reviews the Audit Completion Report and associated management letter, as well as any recommendations that the NAO identifies during its audit work. The Chief Executive and representatives of the internal and external auditors attend ARAC meetings, as well as relevant Commission employees as necessary. The Government Equalities Office (GEO) are invited to attend meetings in an observer role.

The ARAC's terms of reference state that it should comprise three Commissioners, and up to two independent members, with the option of an additional co-opted member.

- Commissioner members between 1 April 2018 and 31 March 2019 were Susan Johnson (Chair); Suzanne Baxter (from 5 September 2018); Helen Mahy (from 5 September 2018); Caroline Waters (to 30 November 2018).
- Between 1 April 2018 and 31 March 2019, Roger Dunshea sat as an independent member of the Committee.

There is additional information about the ARAC available on our website at

www.equalityhumanrights.com/en/corporate-reporting/board-meetings/advisory-committees

Disability Advisory Committee

The Disability Advisory Committee (DAC) informs and advises on our work to protect and promote human rights and equality for disabled people. DAC met four times in 2018/19.

In May 2018 eight new appointments to the Committee were made, bringing it up to a total of 14 members, including the Committee Chair elected by members (Dr Rachel Perkins) and the Committee Deputy Chair elected by members (Sarah Coleman). DAC meetings and deliberations are joined by a representative from the Board (currently Caroline Waters from 26 July 2018); with the Scotland Committee being represented by Marsali Craig (from 31 May 2018) and the Wales Committee by Martyn Jones (from 5 February 2019).

At the Board meeting of 5 March 2019 the Board agreed to extend the term of operation of the DAC until 31 March 2022.

There is further information about the members of the Disability Advisory Committee and its work available on our website at www.equalityhumanrights.com/en/who-we-are/our-commissioners-committees-and-governance/disability-advisory-committee

Accounting Officer

Rebecca Hilsenrath, the Chief Executive, served as Accounting Officer for the whole of the reporting period 1 April 2018 to 31 March 2019. The responsibilities of the Accounting Officer are set out below. The Accounting Officer is also responsible for maintaining a sound system of internal control. The governance statement on page 58 sets out how this responsibility has been discharged in the year to 31 March 2019.

Statement of Accounting Officer's responsibilities

Under the Equality Act 2006, the Secretary of State, with the consent of HM Treasury, has directed the Commission to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Commission and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual (FReM), and in particular to:

- observe the Accounts Direction issued by the Secretary of State, with the consent of HM Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the Government FReM have been followed, and disclose and explain any material departures in the financial statements
- prepare the financial statements on a going-concern basis, and
- confirm that the Annual Report and Accounts as a whole is fair, balanced and understandable and take personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable.

The Department has appointed the Chief Executive as Accounting Officer of the Commission. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Commission's assets, are set out in Managing Public Money published by the HM Treasury.

Scope of responsibility

I was appointed Accounting Officer in accordance with section 5, subsection (6) of the Government Resources and Accounts Act 2000.

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the delivery of the EHRC's policies, aims and objectives, whilst safeguarding the public funds and the Commission's assets for which I am personally responsible, in accordance with the responsibilities assigned to me in 'Managing Public Money'.

In delivering this role, I am supported by the Executive Group, and by the Board of Commissioners and its subcommittees who operate independently of the Commission.

Statement regarding disclosure of information to the auditors

As Accounting Officer, I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to establish that the National Audit Office are aware of that information. As far as I am aware, there is no relevant audit information of which the auditors are unaware.

I confirm that this Annual Report and Accounts is fair, balanced and understandable and as Accounting Officer I take responsibility for the judgements made to ensure that it is fair, balanced and understandable.

Governance statement

Introduction

The Commission is a statutory non-departmental public body established by the Equality Act 2006. We are Britain's national equality body under EU law and are recognised as an 'A' status National Human Rights Institution (NHRI) by the United Nations. The Commission, in light of these roles is independent of Government.

This Governance Statement, for which I, as Accounting Officer take responsibility, is designed to give a clear understanding of how the duties set out above have been carried out during 2018/19. It sets out our governance structure, internal controls and risk management processes.

Corporate governance structures

Our corporate governance structures and information on how we report to Parliament are set out in the Equality Act 2006. Our Annual Report and Accounts are sent to our sponsor department (for the 2018/19 reporting period, this was the Department for International Development), which lays copies of it before Parliament. Copies of the report are also sent to the Scottish Parliament and the National Assembly for Wales.

Our relationship with our Sponsor Department is agreed through the Management Agreement Framework Document, which also contains details of my responsibilities as the Commissions' Accounting Officer.

Further information can be found throughout this section of the report and is available on the Commission's website at www.equalityhumanrights.com/en/who-we-are/our-commissioners-committees-and-governance.

Our governance structure

Our governance structure provides independent control and oversight of our operations. Schedule 1 to the Equality Act 2006 formally established our Board.

The Board provides:

- effective support and challenge in order to ensure good governance and internal control
- additional rigour and discipline in decision-making, and
- insight from the wider experience of non-executive members that informs our thinking.

Board of Commissioners

Details of the Commissioners who served as members of the Board between 1 April 2018 and 31 March 2019 is given at page 52.

Commissioners are independent in character and judgement, and are required to disclose any relationship that could potentially affect their judgement when participating in Board decisions. We maintain a register of Commissioners' interests and at the start of each Board meeting, Commissioners are reminded to keep the register up to date and to declare any interests in the agenda items for that meeting.

The Commissioners' register of interests is available at on our website

www.equalityhumanrights.com/en/who-we-are/our-commissioners-committees-and-governance

The Board is responsible for setting overall direction, policy and plans.

The specific role, responsibilities and function of the Board and its committees are set out in our Governance Manual prepared in line with the Cabinet Office Code of Best Practice for Board Members of Public Bodies which, along with the Equality Act 2006 and the GEO-EHRC Framework Document, acts as the Board's terms of reference.

The Governance Manual is available on our website at **www.equalityhumanrights.com/en/publication-download/governance-framework**

The Framework Document is available on our website at

www.equalityhumanrights.com/en/who-we-are/how-we-work-government

The agreed minutes of recent Board meetings are published on our website at

www.equalityhumanrights.com/en/corporate-reporting/board-meetings

The Board met six times during 2018/19; attendance figures for meetings are provided on page 62. Five new Commissioners were appointed to the Board on 27 April 2018 (see page 52),⁶ bringing the total number of Commissioners to 13. However, in January 2019 the term of appointment of one of the Commissioners ended and the current number of Commissioners is now 12.

⁶ Announcement of the appointment of five Commissioners to our Board was made by the Secretary of State in May 2018 (**www.gov.uk/government/news/five-new-commissioners-appointed-to-the-equality-and-human-rights-commission**).

Committees of the Board

During the year, the Board was supported by two statutory committees with decision-making powers as set out in the Equality Act, each chaired by a Commissioner. These are:

- Scotland Committee
- Wales Committee

The Board has established three non-statutory committees. These advisory committees provide assurance and advice to the Board and Executive Group, but do not have statutory or formal decision-making powers:

- Audit and Risk Assurance Committee
- Human Resources and Remuneration Committee⁷
- Disability Advisory Committee

Information about these committees, their remit and functions can be found on pages 53–56

⁷ During the period to 16 January 2019 the Committee was inquorate and met on a consultative and advisory basis, with key decisions being delegated upwards to the Board as appropriate.

Board and Committee attendance

Table 7: Board meeting eligibility and attendance 2018/19⁸

Name	Attendance / eligibility	Attendance %
David Isaac (Chair)	6/6	100
Caroline Waters (Deputy Chair)	5/6	83
Suzanne Baxter (appointed April 2018)	5/6	83
Pavita Cooper (appointed April 2018)	4/6	67
Alasdair Henderson (appointed April 2018)	5/6	83
Susan Johnson (appointed January 2015; re-appointed for 3-year term to 6 January 2022)	6/6	100
Helen Mahy (appointed April 2018)	5/6	83
Lorna McGregor (term ended January 2019)	3/4	75
Mark McLane (appointed April 2018)	5/6	83
June Milligan	6/6	100
Lesley Sawers	4/6	67
Swaran Singh	3/6	50
Rebecca Hilsenrath (CEO)	6/6	100

⁸ A number of the Commissioners appointed in April 2018 were unable to attend the May and July Board meetings due to pre-existing commitments.

Membership of and attendance at formal statutory and advisory committee meetings is recorded in the following tables

Table 8: Scotland Committee meeting eligibility and attendance 2018/19		
Name	Attendance / eligibility	Attendance %
Lesley Sawers (Chair)	6/6	100
Phil Arnold (appointed February 2019)	1/1	100
Naomi McAuliffe	5/6	83
Lorraine Barrie (term ended January 2019)	3/5	60
Nicola Busby	6/6	100
Marsali Craig	6/6	100
David Crichton	4/6	67
Calum Irving	4/6	67
Clare MacGillivray	6/6	100
Bernadette Monaghan (appointed February 2019)	1/1	100
Rami Okasha	5/6	83
Emma Ritch (term ended January 2019)	4/5	80

Table 9: Wales Committee meeting eligibility and attendance 2018/19

Name	Attendance / eligibility	Attendance %
June Milligan (Chair)	4/4	100
Alison Parken	4/4	100
Andrew Edwards (resigned January 2019)	2/3	67
Faith Walker	4/4	100
Geraint Hopkins	3/4	75
Mark Sykes (appointed February 2019)	1/1	100
Martyn Jones	3/4	75
Nicola Williams	3/4	75
Rocio Cifuentes	4/4	100
Sophie Howe	3/4	75

Table 10: ARAC meeting eligibility and attendance 2018/19⁹

Name	Attendance / eligibility	Attendance %
Susan Johnson (Chair)	4/4	100
Caroline Waters	2/3	67
Suzanne Baxter	3/3	100
Helen Mahy	3/3	100
Roger Dunshea (term ended 31 March 2019)	4/4	100

⁹ The attendance/eligibility shown in the above table reflects the number of meetings ARAC members were eligible to attend during their appointment to the Committee

Table 11: HRRCC meeting eligibility and attendance 2018/19¹⁰

Name	Attendance / eligibility	Attendance %
Caroline Waters (Chair)	1 / 1	100
Pavita Cooper	1 / 1	100
Mark McLane	1 / 1	100
Helen Mahy	1 / 1	100

¹⁰ During the period to 16 January 2019 the Committee was inquorate and met on a consultative and advisory basis, with key decisions being delegated upwards to the Board as appropriate.



Table 12: Disability Advisory Committee meeting eligibility and attendance 2018/19

Name	Attendance / eligibility	Attendance %
Rachel Perkins (Chair)	4/4	100
Sarah Coleman (Deputy Chair)	4/4	100
Simone Aspis	4/4	100
Marc Bush	4/4	100
Helen Chipchase	3/4	75
Miro Griffiths	2/4	50
Fazilet Hadi	4/4	100
Maddy Kirkman	2/4	50
Anna Lawson	4/4	100
Colin Low	4/4	100
Liz Sayce	4/4	100
Michèle Scattergood	3/4	75
Nick Watson	3/4	75
Colin Young	4/4	100
Caroline Waters (non-voting attendee) (Board)	3/3	100
Marsali Craig (non-voting attendee) (Scotland Committee)	4/4	100
Martyn Jones (non-voting attendee) (Wales Committee)	1/1	100

Board performance and effectiveness review

During 2018/19, the Board and officers implemented the refreshed approach to Board and committee development agreed in January 2018. This focused on a framework of actions to better support and develop the Board to:

- provide leadership and strategic direction for the Commission as a Britain-wide organisation
- ensure appropriate corporate governance arrangements are in place
- scrutinise and assure financial and operational management and performance through appropriate systems and KPIs, and
- support and amplify the organisation's work through effective and strategic stakeholder and media engagement.

The Board agreed to undertake as part of this an externally led Board effectiveness review, which took place from June to November 2018 and engaged all Commissioners and senior management. The findings of the review were considered and approved by the Board in November 2018.

The review concluded that:

- overall the Board was performing effectively, with many areas of good practice identified
- the Commission is some significant way along the path to successfully transforming its culture and governance, and
- that there were some areas where the Board's effectiveness might be improved further, including:
 - clarifying elements of the governance framework and roles and responsibilities
 - more clearly articulating the shared vision for the Commission, and
 - ensuring that the conduct of business supports the Board in maintaining strategic focus and tightening up delegations.

In addition, it was identified as part of the process of conducting the review that there would be benefit in exploring the relationship between the Board and the Statutory (Scotland and Wales) Committees, and their effectiveness, in more detail. In response to this, additional work took place between November 2018 and March 2019. This process was also externally led and resulted in a further set of recommendations that are currently being considered.

Our leadership

The role of senior management (executive directors) is to help the Chief Executive develop and implement strategy, provide leadership for staff, set work priorities, monitor performance and manage risk.

There is further information about the members of senior management team in the remuneration and staff report commencing on page 78.

The Chief Executive is supported by three executive decision-making groups. These groups support her in the ongoing management of the organisation, its programmes, projects and regulatory activity. The groups and their remits are:

The **Executive Group**, consisting of executive directors and directors, has responsibility for:

- developing and implementing our Strategic and Business Plans
- approving our publications and submissions
- taking decisions that require resources or that have high levels of strategic, reputational or operational risk, and
- keeping the organisation under review and taking day-to-day operational decisions.

The **Prioritisation Group**, chaired by the Executive Director for Corporate Strategy and Policy and Wales.

This group:

- decides what action to take on new or emerging issues that do not form part of our Business Plan, using agreed prioritisation criteria
- makes decisions about the appropriate use of our regulatory powers (where these are not reserved to the Board), and
- makes decisions about taking enforcement action.

The **Delivery Group**, chaired by the Executive Director for Scotland and Corporate Delivery, is responsible for:

- ensuring delivery of the Business Plan
- providing assurance that projects are being effectively governed and managed
- undertaking detailed reviews of our key strategies in year
- making decisions about the allocation of resources to new priorities that come from the Prioritisation Group, and
- making decisions about re-phasing or stopping work to undertake new priorities in year.

Internal audit

Mazars LLP were appointed as the Commission's internal auditors for a period of three years from 2018/19 and produce, under the direction of the ARAC, the internal audit plan, which is designed to provide independent assurance on our governance, risk management and internal controls. Audits are carried out in accordance with the guidance contained within the Public Sector Internal Audit Standards.

During 2018/19, the internal audit plan comprised:

- core financial controls (Procurement)
- assurance mapping
- people programme
- equality review
- stakeholder engagement
- cyber security, and
- risk management.

The internal auditor reports on the results of its work, its findings and recommendations to the ARAC.

The Commission agrees action plans and timescales to implement recommendations made during the audit programme. The ARAC checks progress against these recommendations at each meeting.

Auditing of accounts

The Commission's external audit is carried out by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General (C&AG).

The NAO's fee for the audit of the 2018/19 financial statements was £52,000 (£50,000 in 2017/18). The NAO did not perform any non-audit work for the Commission.

Personal data-related incidents

All Government departments are required to publish information about any personal data incidents that have to be reported to the Information Commissioner. During 2018/19, 22 security incidents were reported, of these, 12 were recorded as having no impact and 10 as being low impact.

Of the total incidents we recorded 8 as being related to personal data. These were reported to the Information Commissioner's Office. All incidents were fully investigated, documented, closed and lessons learned were implemented.

Donations

There were no charitable or political donations in the year. A small amount of low value peripheral equipment purchased as reasonable adjustments, that had nil value to the Commission was gifted to the employees who left the organisation.

Complaints

We welcome comments and suggestions about our performance. All complaints received are taken seriously and feedback is used to help us to develop and improve the way we work.

We treat every expression of dissatisfaction that requires a response as a complaint. This includes dissatisfaction with the standard of service that should be expected from us, the behaviour of our staff in delivering that service, or any action by our staff or others engaged on Commission business. Our complaints policy does not cover comments about our policies or policy decisions, or dissatisfaction with our policies or decisions about individual cases, funding, or requests for legal advice and assistance. We have an alternative resolution system for dealing with these.

In the 12 months to the end of March 2019, we received 31 new, stage-one service complaints (19 in 2017/18). Reasons for complaints included dissatisfaction with advice we have been able to give or the redirection of enquiries to the Equality Advisory and Support Service (EASS); dissatisfaction with our response or lack of response to a human rights or discrimination issue; and delay in or our failure to respond.

Those who feel that their complaint has not been resolved after it has been through both stages of our complaints procedure can refer the matter to the Parliamentary and Health Service Ombudsman. Four complaints were referred in 2018/19, all of which were non-service complaints about the Commission's failure to provide assistance. None of the complaints were upheld.

Information about our complaints policy is available on our website at

www.equalityhumanrights.com/en/complaint-policy-and-procedure

Corporate and social responsibility

We are committed to ensuring that our work on corporate social responsibility continues to be part of the culture for the Commission, consistent with our commitment to fairness, dignity and respect.

Commission employees are entitled to up to three days per year special leave (paid) to undertake voluntary work because we recognise that volunteering can be a way to share and gain new skills and develop links with the wider society.

We also recognise our responsibility to combat modern slavery and have held training sessions for colleagues in collaboration with the Crown Commercial Service to raise awareness of our responsibilities in this area.

Internal control

Performance reporting against agreed milestones is an integral part of the function of the Delivery Group. Performance information is subject to scrutiny and review at Board and ARAC meetings providing independent oversight.

We work to ensure that the Board and our committees are provided with the information they require to enable them to function well.

Strategic risks and issues considered by senior management are escalated to the Board, with agreed management action where appropriate.

Our sponsor department during 2018/19 was the Department for International Development (DFID). The accountabilities, responsibilities and financial delegations given to our Accounting Officer are set out in a Framework Document (Management Agreement).

We have a clear system and hierarchy of corporate financial delegations for budget holders and managers that underpins the financial delegations given to us under the framework document. Budget holders are directly accountable for the management of their budget and are required to report on their performance to the Delivery Group.

Risk management

Our risk management approach is based on devolved accountability – risks are owned by those best placed to manage them. That is, at project and operational level. Risk owners are responsible for ensuring that a sound risk management culture is promoted within their area.

The strategic direction on risk management is set centrally by the Board, which scrutinises the strategic risk register – reviewing the risks and the mitigating strategies and identifying new risk areas.

We have updated our Risk Management Policy, placing greater emphasis on culture, behaviours and leadership. During 2019/20 we will be rolling out a revised risk management model to ensure that risk management is embedded in our processes, and risk information is actively used in decision-making at all levels.

Strategic risks in 2018/19

At 31 March 2019, our strategic risk register contained seven risks that link to our 2016/19 Strategic Plan as outlined in the following table. The risks are monitored closely through regular reviews by the Senior Leadership Team. The strategic risk register is incorporated into our reports to the Board as well as being submitted for discussion to the ARAC.

Table 13: Strategic risks and mitigations

Strategic risk	Mitigation
We are not seen as independent or authoritative	<p>We have developed a strategy to increase our accountability to Parliament, this was incorporated into our response to the Tailored Review. Among its recommendations, we have made progress in relation to the Chair's involvement in the Commissioner appointment process.</p> <p>We have used the Women and Equalities Select Committee (WESC) Inquiry into the breadth and impact of our enforcement work to underpin a strong narrative about our increased investment in enforcement work as reflected in our new Strategic and Business Plans.</p>
Our strategic approach is ineffective in protecting and promoting equality and human rights	<p>We have updated our Senior Stakeholder Engagement Strategy to reflect the platform Is Britain Fairer (IBF) provides for outlining our key policy asks of Government. We have sought stakeholder views on the development of our new Strategic Plan, and have taken account of horizon scanning evidence.</p> <p>We continue to facilitate collaboration with the WESC and the Joint Select Committee on Human Rights (JSCR), working closely with clerks and advisers in preparation for their evidence sessions</p> <p>We are working collaboratively with the GEO and Cabinet Office officials on shared priority areas and information sharing.</p>

Strategic risk	Mitigation
<p>We do not have the workforce and infrastructure needed to deliver our objectives</p>	<p>We have developed a workforce plan to ensure we have identified the professional skills required to meet our core business needs. Our recently completed Learning and Development Survey and Learning Needs Analysis is being used to inform current and future training provision.</p> <p>We continue to monitor performance to provide assurance of consistent standards and to assess fairness and diversity.</p> <p>We are delivering our IT strategy with an emphasis on improved information management, cyber security and compliance with data protection regulations.</p> <p>We have in place strong health and safety processes with trained reps, regular inspections and appropriate governance and escalation.</p> <p>Our Business Continuity Plan is reviewed regularly to enable prompt action to be taken in the event of a major incident.</p> <p>We have established a General Data Protection Regulation (GDPR) improvement plan in response to Information Commissioner's Office (ICO) recommendations on information and records management.</p>
<p>We do not respond appropriately to devolution and constitutional changes in the UK, and to the UK's relationship to Europe</p>	<p>The Scotland and Wales Committees advise the Board on devolved matters and, through their delegated functions, advise their respective governments.</p> <p>We are working with governments, parliamentarians and other stakeholders to ensure no loss of protection enshrined in anti-discrimination legislation after Brexit based on the principles of no regression of existing rights and protections.</p> <p>We have developed a Treaty Incorporation Strategy to monitor and encourage greater adherence by the UK to UN recommendations arising for UN Treaties.</p>

Strategic risk	Mitigation
<p>Coherent arrangements are not in place to oversee the delivery of our strategic aims</p>	<p>As part of our Governance Improvement Programme, we have undertaken a Board effectiveness review and are in the process of implementing its findings. This includes clarifying the roles and expectations of Commissioners and those charged with governance, a new protocol to cover potential conflicts of interest, collective decision-making and the making public statements in a personal capacity.</p> <p>We have also initiated a review of our Scotland and Wales Statutory Committees, looking at the effectiveness of relationships, delegations, consultation processes and decision-making.</p>
<p>We are unable to deliver our Business (and subsequently) our Strategic Plan commitments</p>	<p>The Delivery Group undertakes ongoing scrutiny of the delivery of our business plan, agreeing additional resource or reprioritisation as required to ensure implementation of our key projects and programmes of work.</p> <p>It also ensures that we remain aligned to our agreed commitments and authorises any necessary changes in strategic direction or operational delivery.</p> <p>It is additionally responsible for reviewing progress against our outcomes and success measures to enable us to better understand the impact of our work.</p>
<p>Inadequate funding to fulfil our role and deliver our Strategic Plan</p>	<p>We continue to closely monitor and manage spend against our allocated budget to ensure that resources are fully optimised.</p> <p>We are actively engaging with officials in the Cabinet Office and the GEO to build a strong evidence base for the forthcoming spending review and are developing positions and gathering evidence on the need for a sufficient and sustainable budget so that we can fulfil our statutory mandate.</p>

Information management

Information governance and the protection of assets holding sensitive information and personal data continue to be a priority. We have appointed a Data Protection Officer and Records Manager to lead our regulatory compliance, reporting to our Information Governance Steering Group and the ARAC.

This year we have audited our cyber security systems and policies, successfully tested our disaster recover functionality and business continuity plans and reported to the ARAC.

We hold personal data relating to our employees and hold data relevant to our work. All such data is stored securely in our offices and is only retained for the period required or in line with our retention schedule. When no longer required, data is disposed of using secure methods. We have not recorded any data losses requiring referral to the ICO.

Review of effectiveness of risk management and governance

The system of internal controls reflects good practice. It is designed to identify and prioritise the risks to achieving our policies, aims and objectives; to evaluate the likelihood of those risks being crystallised and the impact should they crystallise; and to manage them efficiently, effectively and economically. These controls have been in place throughout the year ended 31 March 2019 and up to the date of approval of the Annual Report and Accounts, and accord with HM Treasury guidance.

The EHRC makes stringent efforts to maintain and review the effectiveness of the systems of internal control. Some of these processes are:

- periodic review by internal auditors
- regular review of the Risk Register
- signed assurance statements from executive directors and directors on how they have discharged their corporate governance responsibilities
- quarterly meetings of the ARAC
- bi-monthly Board meetings with a Performance Report review as a standing item.

Any additional measures required to strengthen controls will be incorporated if gaps are identified.

As Accounting Officer, I have responsibility

for reviewing the effectiveness of the system of the Commission's governance, risk management and internal control.

My review is informed by:

- the work of the internal auditors
- annual assurance statement returns from each budget holder who have responsibility for the maintenance of the governance structures and internal control framework within their delegation, and
- observations made by the external auditors in their management letter and other reports.

The systems in place are designed to manage risk within the Commission, rather than to eliminate all risk of failure to achieve policies, aims and objectives; they can therefore only provide reasonable and not absolute assurance of effectiveness.

We continually assess and refine management data to ensure that the Board is provided with the most appropriate information to allow them to identify and respond to emerging risks. The Board is involved in shaping the information they receive to ensure its quality and that it meets their needs in overseeing the work of the Commission.

I have been advised on the implications of the effectiveness of the system of internal control by the Board and the Audit and Risk Assurance Committee and where any weaknesses have been identified, plans have been put in place to rectify them.

The Chair of the ARAC has provided the following statement:

'We have an effective Audit and Risk Assurance Committee commensurate with the size and complexity of the Commission. The committee is well supported by management, the secretariat and both internal and external audit. There is a range of skills and experience amongst the committee members which provides valuable insight and review.

The Committee is of the opinion that all control systems performed well and there are no significant issues to be drawn to the attention of the Accounting Officer.'

The Commission's whistle-blowing policy has been in operation throughout the year. The policy sets out the steps staff should take to raise their concerns about behaviours and practices within the Commission. This is supported by detailed guidance on the procedures to follow when raising these concerns and has been made available to all staff. No issues were raised under the whistle-blowing arrangements during 2018/19.

Internal audit summary

Maintaining and improving effective governance remains a key priority. A comprehensive internal audit programme is agreed each year with the resulting reports and recommendations acted upon.

There were no fundamental internal control issues, and no fundamental findings from internal audits during the year.

On the basis of their audit work, the internal audit opinion on the framework of governance, risk management, and control within the Commission is 'Moderate'¹¹ in its overall adequacy and effectiveness. Certain weaknesses and exceptions were highlighted by our audit work; however, none were considered fundamental.

These matters have been discussed with management, and a number of recommendations have been made, all of which have been, or are in the process of being, addressed.

Accounting Officer's conclusion

As Accounting Officer, I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to ensure that our auditor is aware of that information. As far as I am aware, there is no relevant audit information of which the auditors are unaware.

I have considered the evidence provided during the production and review of the Annual Governance Statement and the independent advice and assurance provided by the ARAC. I am therefore content that a good system of internal control which was robust and fit for purpose, including the maintenance of an appropriate structure for managing risk was in place for the year ended 31 March 2019.

I conclude that we have satisfactory governance and risk management systems with effective plans to ensure continuous improvement.

I confirm that this Annual Report and Accounts is fair, balanced and understandable and as Accounting Officer I take responsibility for the judgements made to ensure that it is fair, balanced and understandable.



Rebecca Hilsenrath,
Accounting Officer

5 July 2019

¹¹ Mazar's definitions of annual audit opinion are: '**Substantial**' – the framework of governance, risk management and control is adequate and effective; '**Moderate**' – some improvements are required to enhance the adequacy and effectiveness of the framework of governance, risk management and control; '**Limited**' – there are significant weaknesses in the framework of governance, risk management and control such that it could be or could become inadequate and ineffective; and '**Unsatisfactory**' – there are fundamental weaknesses in the framework of governance, risk management and control such that it is inadequate and ineffective or is likely to fail.

Remuneration and staff report

Information and sections within the remuneration report marked with double asterisks (**) have been audited.

Commissioners' and committee members' remuneration**

Commissioners are appointed by the Secretary of State for a period of between two and five years and may be reappointed for an additional period. The remuneration for the Chair, Deputy Chair and Commissioners is set by the Secretary of State, and current appointments are not pensionable.

Table 14: Summary of Chair and Commissioners' emoluments 2018/19

	2018/19 £'000	2017/18 £'000
Chair and Commissioners' fees	167	128
Chair and Commissioners' employer's National Insurance Contributions (NICs)	10	10
Statutory committee and advisory group members' fees ¹²	92	72
Statutory committee and advisory group members' employer's NICs	-	-
Total	269	210

The above table is a summary of emoluments disbursed, for which further detail is shown in tables 19 and 20.

The increase in fees paid reflects the appointment of additional Commissioners in 2018/19.

¹² Members of Statutory and advisory Group Committees receive fees of £250/diem and are required to commit a minimum number of days per annum.

Table 15: Chair's remuneration 2018/19

David Isaac was appointed Chair from 10 May 2016. The Chair is classed as an office holder and the post is not pensionable. During the period, the Chair's remuneration was as follows:

	2018/19 £'000	2017/18 £'000
Chairs' fees	50,000	50,000
Employer's NICs	5,736	5,773
Total	55,736	55,773
Expenses	177	145

Table 16: Fees and expenses for each Commissioner 2018/19

Commissioner	Fees £		Expenses £	
	2018/19	2017/18	2018/19	2017/18
Suzanne Baxter Appointed April 2018	9,167	-	708	-
Pavita Cooper Appointed April 2018	9,167	-	-	-
Alastair Henderson Appointed April 2018	9,167	-	-	-
Susan Johnson Initial four-year term from 6 January 2015; re-appointed for 3-year term to 6 January 2022	10,000	10,000	1,872	1,672
Lorna McGregor Term ended January 2019	7,603	10,000	-	601
Mark McLane Appointed April 2018	9,167	-	-	-
Helen Mahy Appointed April 2019	9,167	-	368	-
June Milligan Five-year term from 9 May 2016	10,000	10,000	881	890
Lesley Sawers Five-year term from 29 March 2016	10,000	10,000	1,622	1,204
Swaran Singh Four-year term from 15 January 2018	10,000	10,000	959	1,117
Caroline Waters¹³ Five-year term from 15 January 2018	23,400	23,400	1,469	1,401
Total	116,838	73,400	7,879	6,885
Employer NICs	4,574	4,300	n/a	n/a

¹³ Fees paid to Caroline Waters include an allowance for her work as Deputy Chair.

Fees and expenses for independent members

Fees and expenses paid to independent and co-opted members of non-statutory committees were:

Table 17: ARAC fees and expenses 2018/19

	Fees £		Expenses £	
	2018/19	2017/18	2018/19	2017/18
Roger Dunshea (term ended 31 March 2019)	2,000	2,000	540	71

Table 18: HRRC fees and expenses

	Fees £		Expenses £	
	2018/19	2017/18	2018/19	2017/18
Helen Murlis (term ended 31 January 2018)	-	1,250	-	-

Pay and pension arrangements

Remuneration policy

Our authority to remunerate employees is detailed the Equality Act 2006. The Human Resources and Remuneration Committee (HRRC) reviews the annual reward package of senior management in accordance with their remit outlined in the corporate governance report on page 52.

The senior managers comprise the Chief Executive and three executive directors. The following section contains details of the remuneration and pension interests of the senior managers.

- a) All executive directors have permanent employment contracts with a three-month notice period; for the Chief Executive, a six-month notice period is required.
- b) There are no elements of the remuneration package that are not cash.

Fair pay disclosures**

Reporting bodies are required to disclose the relationship between the mid point of the highest paid director's banded remuneration in their organisation and the median remuneration of the organisation's workforce, including interim engagements.

The definition of 'total remuneration' in the following calculations is annual salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions or the cash equivalent total value (CETV) of pensions. FTE is defined as actual hours work as a proportion of a 'full' working week (36 hours).

The annual equivalent remuneration paid to interim staff is estimated, as this information is not available. The estimate is based on 222 days at the interim's agency day rate net of value added tax less 30% to cover agency fees and employer's NICs.

Table 19: Fair play disclosures 2018/19 and 2017/18

	2018/19	2017/18
The banded remuneration of the highest paid director	£120k – £125k	£120k – £125k
Mid point of above band (used to calculate the ratio)	£122.5k	£122.5k
Median total remuneration	£41,968	£40,087
Ratio	2.92	3.06

The total remuneration of the highest-paid director (the Chief Executive) in the organisation in the financial year 2018/19 was in the range £120,000 to £125,000 (£120,000 to £125,000 in 2017/18). This was 2.92 times (3.06 in 2017/18) the median remuneration of the workforce, which was £41,968 (£40,087 in 2017/18). The median total for staff has increased by £1,881, due to recruiting additional staff at higher salary bands. The decrease in the ratio between the highest paid director and the median total remuneration can be attributed to this change in the median value of staff salary costs.

In 2018/19, no permanent employee received remuneration in excess of the highest-paid director. There were no interim posts that received remuneration in excess of the highest-paid director (nil in 2017/18).

One director (a permanent employee) received a basic salary in excess of £100,000 in 2018/19.

Salary and pension entitlements**

The following tables provide details of the salary, pension entitlements and value of any taxable benefits-in-kind of our most senior officers for the period ended 31 March 2019.

'Salary' includes: gross salary; performance pay or bonuses; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; and any other allowance to the extent that it is subject to UK taxation.

Table 20: Chief Executive and executive directors' salaries, benefits and pensions 2018/19

Salary** (bands of £5,000 are used in this table)	Salary £'000	Non- consolidated award £'000	Benefits- in-kind (rounded to nearest £100)	** Notional pension benefits £'000	** Total (inclusive of notional pension benefits) £'000
Rebecca Hilsenrath Chief Executive					
2018/19	115–120	0–5	Nil	46	165–170
2017/18	115–120	0–5	Nil	52	170–175
Melanie Field Executive Director Wales, and Corporate Strategy and Policy					
2018/19	95–100	0–5	Nil	20	115–120
2017/18	90–95	0–5	Nil	8	100–105
Ben Wilson Executive Director England, and Corporate Improvement and Impact					
2018/19	90–95	0–5	Nil	37	130–135
2017/18	90–95	0–5	Nil	37	130–135
Alastair Pringle Executive Director Scotland, and Corporate Delivery					
2018/19	90–95	0–5	Nil	33	125–130
2017/18	90–95	0–5	Nil	66	155–160

Cabinet Office guidance requires the inclusion of a column for pension benefits and a 'Total' column. The value of pension benefits accrued during the year is calculated as the real increase in pension multiplied by 20, plus the real increase in any lump sum less the contributions made by the individual. The real increases exclude those due to inflation or any increase or decrease due to a transfer of pension rights. The 'Total' column includes the value of the pension benefits. This figure is notional and does not represent remuneration received directly by individuals.

'Total' column includes the value of the pension benefits. This figure is notional and does not represent remuneration received directly by individuals.

Table 21: Chief Executive and executive directors' pension values 2018/19

Pension entitlements**	Real increase in pension and related lump sum £'000 (bands of £2,500)	Pension at 31 March 2019 and related lump sum £'000 (bands of £5,000)	CETV at 31 March 2019 £'000	CETV at 31 March 2018 £'000	Real increase in CETV as funded by employer £'000
Rebecca Hilsenrath Chief Executive					
	2.5–5.0	10–15	206	149	26
Lump sum	-	-			
Melanie Field Executive Director Wales, and Corporate Strategy and Policy					
	0–2.5	35–40	790	698	11
Lump sum	-	105–110			
Ben Wilson Executive Director England, and Corporate Improvement and Impact					
	0–2.5	10–15	161	117	17
Lump sum	-	-			
Alastair Pringle Executive Director Scotland, and Corporate Delivery					
	0–2.5	30–35	456	380	17
Lump sum	-	-			

Cash equivalent transfer values

A CETV is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement that the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with the Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Civil service pensions

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015 a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme or **alpha**, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: 3 providing benefits on a final salary basis (**classic**, **premium** or **classic plus**) with a normal pension age of 60; and one providing benefits on a whole career basis (**nuvos**) with a normal pension age of 65.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha.

(The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6% and 8.05% for members of classic, premium, classic plus, nuvos and alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.)

Further details about the Civil Service pension arrangements can be found on their website at

www.civilservicepensionscheme.org.uk

Staff report

Exit packages (this information is subject to audit)

During 2018/19 one employee left the Commission under the terms of an efficiency exit; there were no redundancy exits.

Where applicable, redundancy and other departure costs are paid in accordance with the provisions of the Civil Service Compensation Scheme, a statutory scheme made under the Superannuation Act 1972. Exit costs are accounted for in full in the year of departure.

Where we have agreed early retirements, the additional costs are met by the Commission and not by the Civil Service pension scheme.

Ill-health retirement costs are met by the pension scheme and are not included in the table.



Table 22: Redundancies and departure costs 2018/19 and 2017/18

Exit package cost band £	Number of compulsory redundancies		Number of other departures agreed		Total number of exit packages by cost band	
	2018/19	2017/18	2018/19	2017/18	2018/19	2017/18
< 10,000	-	-	1	-	1	-
10,000–25,000	-	-	-	-	-	-
25,000–50,000	-	-	-	1	-	1
50,000–100,000	-	-	-	-	-	-
100,000–150,000	-	-	-	-	-	-
Total number of exit packages	-	-	1	1	1	1
Total resource cost (£'000)	-	-	8	36	8	36

	2018/19 (£'000)	2017/18 (£'000)
Departure(s) agreed	8	36
CiLON and other exit costs	-	79
Adjustments to 2016/17 exits	-	144
Total	8	259

Tax arrangements of public sector appointees

In accordance with HM Treasury guidance on disclosure, the following tables set out the number of interim staff and the assurances given about tax status.

Table 23

For all off-payroll engagements as of 31 March 2019, charging more than £245 per day and that last for longer than six months.

Number of existing engagements as of 31 March 2019 that have existed for

less than 1 year at the time of reporting	1
between 1 and 2 years at the time of reporting	0
between 2 and 3 years at the time of reporting	0
between 3 and 4 years at the time of reporting	0
4 years or more at the time of reporting	0

The Commission confirms that all existing off-payroll engagements, outlined above, have at some point been subject to a risk-based assessment as to whether assurance is required that the individual is paying the right amount of tax and, where necessary, that assurance has been sought and received.

Table 24

For all new off-payroll appointments, or those that reach six months in duration, between 1 April 2018 and 31 March 2019 for more than £245 per day and will last for longer than six months	
(a) The number of new engagements or those that reached six months during the period	1
(b) The number of these engagements which were assessed as caught by IR35	1
(c) The number of these engagements which were assessed as not caught by IR35	N/A
(d) The number that were engaged directly (via PSC contracted to department) and are on the departmental payroll	N/A
(e) The number that were reassessed for consistency / assurance purposes during the year whom assurance has been requested but not received, and	N/A
(f) The number that saw a change to IR35 status following the consistency review	N/A

Table 25

For any off-payroll engagements of Board members and/or senior officials with significant financial responsibility, between 1 April 2018 and 31 March 2019	
Number of off-payroll engagements of Board members and/or senior officials with significant financial responsibility, during the financial year	0
Total no. of individuals on payroll and off-payroll that have been deemed 'board members, and/or, senior officials with significant financial responsibility', during the financial year, (this figure includes both on payroll and off-payroll engagements).	15

Staff numbers and related costs (average staff numbers and staff costs are subject to audit).

Staff numbers

Table 26: Number of staff employed by the Commission at 31 March 2019

	2018/19		
	Male	Female	Total
Directors	5	7	12
Other employees	64	96	160
Other employees (short-term workers)	6	11	17
Total	75	114	189
Interims	2	2	4
Others (support workers)	1	1	2

As at 31 March 2019, 189 individuals were directly employed by the Commission on a permanent or fixed-term basis (this was 196 as at 31 March 2018). We also engaged a number of interim staff and support workers.

Table 27: Average number of FTE employees in post during the year 2018/19

	2018/19	2017/18
Permanently employed staff	158	164
Short-term contract staff	14	10
Inward secondments	-	-
Agency staff (contracted staff)	5	5
Total	177	179

The average number of FTE employees in post during the year 2018/19 was 177 (179 during 2017/18), including seconded, loan or agency staff.

Staff costs

Table 28: Staff costs 2018/19

			2018/19	2017/18
	£'000 Permanently employed staff	£'000 Others (agency and FTC)	£'000 Total	£'000
Wages and salaries ¹⁴	7,470	782	8,252	7,504
Social security costs	854	83	937	852
Pension costs	1,589	160	1,749	1,573
Total staff costs	9,913	1,025	10,938	9,929
Recoveries in respect of outward secondments ¹⁵	(67)	-	(67)	(11)
Total staff costs (less amount recovered)	9,846	1,025	10,871	9,918
Interim costs	-	349	349	504
Total	9,846	1,374	11,220	10,422

¹⁴ 'Salary' includes: gross salary, performance pay or bonuses, overtime, reserved rights to London weighting or London allowances, recruitment and retention allowances and any other allowances to the extent that they are subject to UK taxation.

¹⁵ One member of staff has been seconded to a Local Authority for the duration of the reporting period.

During the year two Civil Service employees were loaned to the Commission on a short term basis.

One Civil Service employee was loaned to the Commission during the reporting period.

Facility time

The Trade Union (Facility Time Publication Requirement) Regulations 2017 that came into force on 1 April 2017 require the Commission to publish information relating to the number of hours spent on facility time by employees who are relevant union officials during the relevant period.

Table 29: Relevant union officials	2018/19
Number of employees who were relevant union officials during the relevant period	22
FTE employee number	21.4

Table 30: % of time spent on facility time				
Percentage of time	0 %	1%–50%	51%–99%	100%
Number of employees	14	8	0	0

Table 31: % of pay bill spent on facility time	
Total cost of facility time £'000	3
Total paybill (staff) £'000	10,871
%	0.03

Table 32: Paid trade union activities	%
Time spent on paid trade union activities as a percentage of total paid facility time hours	100%

Expenditure on consultancy

There was no consultancy spend during 2018/19; this was nil in 2017/18.

People metrics

There has been a slight increase in our sickness absence rate, which was 8.5 average working days lost (AWDL) per FTE in 2018/19 compared with 7.75 days in 2017/18. If long-term absences are excluded, the average per employee reduces to 3.25 days.

Our rate of voluntary turnover was 9.2% compared with 10.9% in 2017/18.

People policies

As an organisation we have a comprehensive suite of HR Policies and Procedures that encompass the entire employee life cycle at the Commission.

In relation to recruitment (both when recruiting internally and externally), we have numerous practices in place to ensure fairness for disabled people, including; the practice of anonymised applications for recruiting panels, guaranteed interview scheme where applicants can be invited to interview when they meet the minimum criteria, and reasonable adjustments considered and made at all stages of the process.

All of our policies and procedures have integrated support within them, for employees who have disabilities in order for us to retain and develop all of our people. All employees are offered full support to remain in work through the use of our flexible working policies, our annual leave and our special and other leave policy.

Employees have access to a comprehensive employee assistance programme and are offered full support by the Commission whenever required including independent and confidential occupational health assessments. When reasonable adjustments are requested, they are considered and implemented

All staff have access to wide-ranging learning and development resources and agree personal development objectives with their line managers. For development and progression, we offer opportunities to apply to government commissioned positive action programmes to employees who fall into eligible categories, as well as a commitment to make reasonable adjustments to roles where candidates are successful at interviews.

In addition to the existing policies and practices, we are part way through a full review of our policies which is bringing them up to date with best practice, with full consideration of the impact of the policies on our current and future workforce.

Pensions

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme in which the Commission is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out as at 31 March 2012. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice-pensions.gov.uk). For 2018/19, employers' contributions of £1,740,873 were payable to the PCSPS (2017/18 £1,573,002) at one of four rates in the range 20.0% to 24.5% (2017/18: 20.0% to 24.5%) of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. The salary bands and contribution rates were revised for 2015 and will remain unchanged until April 2019. The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £8,316 (2017/18: £7,810) were paid to one or more of a panel of appointed stakeholder pension providers. Employer contributions are age-related and range from 8.0 to 14.75 per cent (2017/18: 8.0% to 14.75%) of pensionable pay. Employers also match employee contributions up to 3% of pensionable pay. In addition, employer contributions of £289 (0.5%; 2017/18: £314, 0.5%) of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees. Contributions due to the partnership pension providers at the reporting period date were £695. Contributions prepaid at that date were nil.

There were no early retirements on ill-health grounds (nil in 2017/18).

Parliamentary accountability and audit report

Losses and special payments (this information has been subject to audit)

HM Treasury's publication, 'Managing Public Money' and the Financial Reporting Manual (FReM) require a statement showing losses and special payments by value and by type to be shown where they exceed £300k in total, and those individually that exceed £300k.

The Commission made special payments to former employees as out of court settlement for Employment Tribunal cases. The payments were duly authorised by HM Treasury and deemed to offer better value for money to the public purse than contesting the claims at Employment Tribunal.

Table 33: Special payments 2018/19

Total number of special payments	8
Total value of special payments (£'000)	340

No individual payment exceeded £300k.

Accountability report signed by:



Rebecca Hilsenrath
Accounting Officer

5 July 2019

The certificate and report of the Comptroller and Auditor General to the Houses of Parliament

Opinion on financial statements

I certify that I have audited the financial statements of the Equality and Human Rights Commission for the year ended 31 March 2019 under the Equality Act 2006. The financial statements comprise: The Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Accountability Report that is described in that report as having been audited.

In my opinion:

- the financial statements give a true and fair view of the state of the Commission's affairs as at 31 March 2019 and of net expenditure for the year then ended; and
- the financial statements have been properly prepared in accordance with the Equality Act and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate. Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2016. I am independent of the Commission in accordance with the ethical requirements that are relevant to my audit and the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

I am required to conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern for a period of at least 12 months from

the date of approval of the financial statements. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern. I have nothing to report in these respects.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to examine, certify and report on the financial statements in accordance with the Equality Act 2006.

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK), I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the income and expenditure reported in the financial statements have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

Other Information

The Accounting Officer is responsible for the other information. The other information comprises information included in the annual report, other than the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Secretary of State directions made under the Equality Act 2006;
- in the light of the knowledge and understanding of the Commission and its environment obtained in the course of the audit, I have not identified any material misstatements in the Performance Report or the Accountability Report; and
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Report

I have no observations to make on these financial statements.

Gareth Davies

Comptroller and Auditor General

5 July 2019

National Audit Office
157-197 Buckingham Palace Road,
Victoria, London, SW1W 9SP



Statement of **accounts**

1 April 2018 – 31 March 2019

Statement of comprehensive net expenditure

For the year ended 31 March 2019

	Notes	2018/19 £'000	2017/18 £'000
Income			
Operating income	4	(289)	(121)
Total operating income		(289)	(121)
Expenditure			
Staff costs	3	11,837	10,891
Purchase of goods and services	3	6,182	7,597
Depreciation and amortisation charges	3	412	424
Provision expense	3	63	295
Other operating expenditure – loss on disposal of property, plant and equipment	3	15	5
Total operating expenditure		18,509	19,212
Net operating expenditure		18,220	19,091
Interest cost on pension scheme liabilities	3	37	44
Net expenditure for the year		18,257	19,135
Other comprehensive net expenditure			
Items which will not be classified to net operating costs:			
- Net (gain) / loss on revaluation of property, plant and equipment	5	183	(43)
- Net (gain) / loss on revaluation of intangible assets	6	(1)	5
- Actuarial (gain) / loss on pension scheme liabilities	12	(5)	(79)
Comprehensive net expenditure for the year		18,434	19,018

Statement of financial position as at 31 March 2019

	Notes	31 March 2019 £'000	31 March 2018 £'000
Non-current assets			
Property, plant and equipment	5	1,285	1,782
Intangible assets	6	119	40
Trade and other receivables	9	90	-
Total non-current assets		1,494	1,822
Current assets			
Trade and other receivables	9	517	574
Cash and cash equivalents	8	26	25
Total current assets		543	599
Total assets		2,037	2,421
Current liabilities			
Trade and other payables	10	(2,908)	(3,529)
Provisions	11	(220)	(127)
Total current liabilities		(3,128)	(3,656)
Total assets less current liabilities		(1,091)	(1,235)
Non-current liabilities			
Trade and other payables	10	(18)	(16)
Provisions	11	(212)	(242)
Pension liabilities	12	(1,435)	(1,498)
Total non-current liabilities		(1,665)	(1,756)
Assets less liabilities		(2,756)	(2,991)
Taxpayers' equity			
Revaluation reserve		118	300
General reserve		(2,874)	(3,291)
		(2,756)	(2,991)



Rebecca Hilsenrath
Accounting Officer

Statement of cash flows

For the year ended 31 March 2019

	Notes	2018/19 £'000	2017/18 £'000
Cash flows from operating activities			
Net operating expenditure SoCNE		(18,257)	(19,135)
Adjustments for non-cash transactions		427	429
(Increase) / Decrease in trade and other receivables		(35)	(17)
Increase / (Decrease) in trade and other payables ¹⁶		(394)	498
Movement in provisions		63	295
Difference between movement on pension liabilities and amounts recognised in the SoCNE		(58)	(48)
Net cash outflow from operating activities		(18,254)	(17,978)
Cash flows from investing activities			
Purchase of non-financial assets		(428)	(300)
Proceeds from disposal of non-financial assets		14	-
Net cash outflow from investing activities		(414)	(300)
Cash flows from financing activities			
Grant in aid received from sponsor department		18,669	18,138
Net increase / (decrease) in cash and cash equivalents in the year		1	(140)
Cash and cash equivalents at the beginning of the financial year	8	25	165
Cash and cash equivalents at the end of the financial year		26	25

¹⁶ The movement in payables and receivables excludes items not passing through the SoCNE

Statement of changes in taxpayers equity

For the year ended 31 March 2019

	Notes	Revaluation reserve £'000	General reserve £'000	Total £'000
Balance at 31 March 2017		257	(2,373)	(2,116)
Grant in aid received from sponsor Department		-	18,138	18,138
Comprehensive net expenditure for the year		-	(19,135)	(19,135)
Remeasurements – actuarial gain / loss on pension scheme liabilities		-	79	79
Revaluation of property, plant and equipment		43	-	43
Balance at 31 March 2018		300	(3,291)	(2,991)
Grant in aid received from sponsor department		-	18,669	18,669
Net expenditure after interest for the year		-	(18,257)	(18,257)
Remeasurements – actuarial gain / loss on pension scheme liabilities		-	5	5
Revaluation of property, plant and equipment and intangible assets		(182)	-	(182)
Balance at 31 March 2019		118	(2,874)	(2,756)

Notes to the financial statements

For the year ended 31 March 2019

The Commission is a statutory non-departmental public body established by the Equality Act 2006. The Commission operates independently and is Great Britain's national equality body. The Commission is sponsored by the Minister for Women and Equalities and is funded through Grant in Aid.

The Commission operates from four offices across Great Britain and has offices located in:

London Fleetbank House, Salisbury Square, EC4Y 8JX

Manchester Arndale House, Arndale Centre, M4 3AQ

Cardiff Government Buildings, St Agnes Rd, Gabalfa, CF14 4YJ, and

Glasgow 151 West George Street, G2 2JJ

1 Statement of accounting policies

These financial statements have been prepared in a form consistent with the Accounts Direction issued by the Secretary of State in accordance with the Equality Act 2006 and in accordance with the 2018/19 'Government Financial Reporting Manual (FReM)' as issued by HM Treasury. The accounting policies described in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy judged to be most appropriate to the particular circumstances of the Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Commission are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

Figures in the financial statements are rounded to the nearest £'000 unless otherwise stated.

1.1 Accounting convention

The financial statements have been prepared on a going concern basis under the historical cost convention modified to account for the revaluation of property, plant and equipment and intangible assets.

1.2 Going concern

During 2018/19, we drew down grant-in-aid from DfE who subsequently recharged the Commission's sponsor department (DFID) to cover cash flow requirements. Due to a Machinery of Government change, the sponsor department for the Commission for 2019/20 will be the Cabinet Office. The future financing of our liabilities has already been included in the sponsor department's (Cabinet Office's) estimates for the year, which have

been approved by Parliament. There is no reason to believe that future sponsorship and future parliamentary approval will not be forthcoming. It has accordingly been considered appropriate to adopt a going-concern basis for the preparation of these accounts.

1.3 Critical accounting judgements and key sources of estimation uncertainty

In the application of our accounting policies, management is required to make judgements, estimates and assumptions about the carrying amounts of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. The estimates and underlying assumptions are continually reviewed. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

Critical judgements in applying accounting policies. The following are the critical judgements, apart from those involving estimations, that management has made in the process of applying our accounting policies and that have the most significant effect on the amounts recognised in the financial statements:

- valuation of property, plant and equipment (see accounting policy 1.9 and note 5), and
- recognition criteria for intangible assets (see accounting policy 1.11 and note 6).

Key sources of estimation uncertainty. The following are the key assumptions concerning the future and other key sources of estimation uncertainty, at the statement of financial position date:

- useful lives of items of property, plant and equipment for depreciation calculations (see accounting policies 1.9 and 1.10 and note 5)
- useful lives of intangible assets and amortisation (see accounting policies 1.11 and 1.12 and note 6)
- provisions (see accounting policy 1.14 and note 11)
- pension liabilities (see accounting policy 1.16 and note 12)
- contingent assets (see accounting policy 1.14 and note 15), and
- contingent liabilities (see accounting policy 1.14 and note 14).

Changes in accounting estimates. There has been a change in accounting estimates used with regard to the useful economic lives of property, plant and equipment used for depreciation calculations as shown in the table below.

	Previously	Revised to
Office furniture	15 years	15 years
ICT and telephony hardware	5–7 years	2–7 years

A review of depreciation estimates and the UEL of assets has been undertaken, the changes above have been implemented to reflect the useful economic lives of items purchased recently:

Items of office furniture (chairs) purchased are sold with a 10-year manufacturer's warranty and the amendment as above enable this to be reflected.

Purchases of ICT equipment include tablet devices for staff and mobile 'phones where the life of the items is less than the previous minimum depreciation period of 5 years.

These changes have been applied to relevant assets in use during the 2018/19 reporting period and future periods; the effect is not material.

Changes in accounting policies

IFRS 9 – Financial Instruments is effective for periods beginning on or after 1 January 2018, the standard is reflected in the FReM from 2018/19. It does not have a material impact on the financial statements which do not contain complex financial instruments.

We are not exposed to the same degree of financial risk as commercial entities because of the non-trading nature of our activities and the way in which we are financed, we cannot borrow or invest surplus funds. Financial assets and liabilities are generated by day-to-day activities and are not held to change the risks facing the organisation in undertaking its activities. We have completed an assessment of the impact of IFRS 9 and have concluded that it will have no material impact on our financial statements.

IFRS 15 Revenue from Contracts with Customers' is effective for periods beginning on or after 1 January 2018. the standard is reflected in the FReM from 2018/19.

The core principle of IFRS 15 is that an entity recognises revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services.

Income is only invoiced once our performance obligation has been satisfied with the customer and, in the main concerns the recovery of costs incurred.

We have completed an assessment on the impact of IFRS 15 and have concluded that the recognition requirements of IFRS 15 will not impact on revenue recognition in the financial statements.

1.4 Grant-in-aid

The FReM requires the Commission to account for grant-in-aid received for revenue purposes as financing, and to credit this to taxpayers' equity. The treatment arises as grant-in-aid is regarded as a contribution from a controlling party, which gives rise to a financial interest in the residual interest of the Commission. Grant-in-aid received for the purchase of non-current assets is also credited to taxpayers' equity.

1.5 Staff (Payroll) Costs

Under 'IAS19: Employee benefits', staff costs must be recorded as an expense as soon as an organisation is obliged to pay them, this includes the cost of any unused leave entitlements at the end of the financial year.

1.6 Purchase of Goods and Services

All goods and services are purchased under our procurement policy, using Government frameworks wherever possible to ensure value for money.

1.7 Grants

The Equality Act 2006 (S17) contains the provision for the Commission to award grants to another person; grants paid are recorded as expenditure in the period in which the activity giving entitlement to the grant occurs and are paid in arrears upon the submission of satisfactory evidence of the activity having occurred, the appropriate adjustments to the financial statements are made through accruals.

1.8 Prepayments

Prepayments for goods and services which are to be provided in future periods are recorded as assets in the Statement of Financial Position and recognised as an expense either when the goods or service is received or over the life of an the agreement.

Items are prepaid if the total cost exceeds £100 and items recognised for prepayment include:

- where a contractual obligation exists to pay for goods or services in advance of consumption (for example building lease charges) where the cost is expensed over the period of the charge, and
- licence costs, subscriptions and maintenance agreements paid in full in advance are expensed over the duration of the agreement.

1.9 Property, plant and equipment

Purchased and donated assets are capitalised where the expected useful lives of the assets exceed one year and where the acquisition exceeds £3,000, either individually or in related groups.

Property, plant and equipment are carried at current value in existing use; depreciated historic cost is used as a proxy for this. This treatment is allowed as the assets are of short life and low value apart from furniture where any revaluation would not be material.

Asset values are updated using producer price indices published by the Office for National Statistics, which we deem to be the most appropriate valuation methodology available. Any gain on revaluation is credited to the revaluation reserve. Any loss is debited to the revaluation reserve to the extent that a gain has previously been recorded, and otherwise to the statement of comprehensive net expenditure.

1.10 Depreciation of property, plant and equipment

Property, plant and equipment is depreciated using the straight-line basis. Depreciation is charged over the estimated useful economic life of an asset commencing when the asset is placed in service.

We estimate the useful economic lives of assets as:

Fit-out costs for premises	The lower of the useful economic life of the fit-out costs and the life of the lease
Office furniture	10–15 years
ICT and telephony hardware	2–7 years
Assistive equipment ¹⁷	4 years

1.11 Intangible assets

Intangible assets comprise acquired computer software licences and certain costs incurred in the development phase of internal computer software projects.

Intangible assets are carried at current value in existing use; amortised historic cost is used as a proxy for this. This treatment is allowable due to the assets being of short life and low value.

¹⁷ In note 5, assistive equipment is included with furniture.

Costs incurred in the developmental phase of internal software projects are only capitalised if they are directly associated with the production of identifiable computer software programs controlled by the Commission that would generate economic benefits beyond one year, and provided that a number of criteria are satisfied. These include the technical feasibility of completing the asset so that it is available for use, the availability of adequate resources to complete the development and use the asset, and how the asset will generate future economic benefit.

Where computer software development costs are capitalised, these are amortised in accordance with the amortisation policy. Other costs associated with developing or maintaining computer software programs are recognised as an expense when incurred.

Intangible asset values are updated using producer price indices published by the Office for National Statistics, which we deem to be the most appropriate valuation methodology available.

Any gain on revaluation is credited to the revaluation reserve. Any loss is debited to the revaluation reserve to the extent that a gain has previously been recorded, and otherwise to the statement of comprehensive net expenditure.

1.12 Amortisation of intangible assets

Intangible assets are amortised over the estimated useful economic life of the asset using the straight-line basis, commencing when the asset is placed in service. Assets are assessed on an individual basis and an appropriate life applied dependent on the characteristics of the asset according to the table below.

Software and associated services	Over the term of the software licence
Information Technology	5 years or over the unexpired term of the software licence (whichever is shorter)

1.13 Impairment of assets

International Accounting Standard (IAS) 36, Impairment of Assets, has been adapted in the FReM so that impairments that are due to a clear consumption of economic benefit should be recognised in the statement of comprehensive net expenditure, rather than set against an available revaluation reserve.

Where asset revaluations give rise to impairment, we will assess whether the impairment is due to consumption of economic benefit and should therefore be recognised in the statement of comprehensive net expenditure.

1.14 Provisions, contingent liabilities and contingent assets

In accordance with IAS 37:

- Provisions are recognised in the statement of financial position when we have a legal or constructive obligation as a result of a past event and it is probable that an outflow of economic benefits will be required to settle the obligation.
- Provisions are determined by discounting the expected future cash flows by the HM Treasury real discount rate for short-term provisions. The HM Treasury real discount rate are:

	2018/19	2017/18
Short-term	0.76%	-2.42%
Medium-term	1.14%	-1.85%
Long-term	1.99%	-1.56%

Provisions are discounted according to the above rates when on recognition their utilisation is expected to be in excess of one year from the date of creation.

- We disclose a contingent liability when there is a possible obligation depending on whether some uncertain future event occurs or a present obligation, but payment is not probable or the amount cannot be measured reliably.
- We disclose a contingent asset when there is a possible asset that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within its control.

1.15 Access to Work scheme

We make use of the Access to Work scheme run by the Department for Work and Pensions (DWP), which considers what reasonable adjustments are required to enable a person to perform their role. The equipment or service required to make the adjustment is paid for by the Commission, with the DWP reimbursing an agreed proportion of the cost under a funding agreement.

1.16 Pensions

Past and present employees are covered by the provisions of the PCSPS and the Civil Servants and Other Pension Scheme (CSOPS). The defined-benefit elements of the scheme are unfunded and non-contributory except in respect of dependants' benefits. We recognise the expected cost of these elements on a systematic and rational basis over the period during which we benefit from employees' services by payment to the PCSPS/CSOPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS/CSOPS. In respect of the defined-contribution elements of the scheme, we recognise the contributions payable for the year.

Pension benefits for former Chairs of the Commission and legacy Commissions are provided under a 'broadly by analogy' scheme. The scheme disclosures are stated in accordance with IAS 19, Employee Benefits. This scheme is an unfunded defined-benefit scheme managed by the Home Office Shared Service Centre, and any pensions are administered by them in accordance with the standard rules (by analogy with the PCSPS). Where actuarial gains and losses arise from changes to actuarial assumptions when revaluing future benefits, and from actual experience in respect of scheme liabilities and investment performance of scheme assets being different from previous assumptions, then the actuarial gains and losses are recognised directly in taxpayers' equity for the year.

Note 12 to these financial statements details the provision on the by-analogy pension liability.

1.17 Leases (see 1.20 – Future IFRS amendments)

In line with IAS 17, leases are identified as finance leases or operating leases.

The Commission does not have any finance leases.

Operating leases and lease incentive (periods of rent-free occupation) are charged to the Statement of Comprehensive Net Expenditure on a straight-line basis over the life of the lease; the Commission currently occupies buildings under operating leases where the Landlord charges for rent and associated services. Future payments as disclosed in note 13 (Commitments under operating leases) are not discounted.

1.18 Operating Segments

IFRS 8 – Operating Segments has been implemented without adaptation; we report operating costs and income by segment (Network) in Note 2 to these accounts. Since segmental information for total assets and liabilities is not regularly reported to the chief operating decision-maker (the Accounting Officer) and in compliance with the FReM it has not been produced in the accounts.

1.19 Financial Instruments

IFRS 9 – Financial Instruments addresses the classification, measurement and impairment of financial assets and financial liabilities; the Commission does not hold complex financial instruments therefore there is no material impact on the financial statements.

1.20 Future IFRS amendments and early adoption

We apply new or amended IFRS in line with their adoption by the FReM.

As at 31 March 2019, there were no new standards issued for 2018/19 that were not applied which would materially affect our financial statements.

Current future amendments include:

- IFRS 16 – Leases will be adopted for reporting periods beginning 1 April 2019. The standard replaces IAS 17 ‘Leases’ and represents a change in lease accounting by requiring lessees to recognise assets and liabilities for all leases unless the lease term is 12 months or less or the underlying asset has a low value.

Our current assessment is that this will have an impact due to our accommodation leases which are currently categorised as operating leases of a material value. This will be further assessed in line with HMT implementation guidance.

We have not adopted any standards early.

2 Segmental Reporting

Our operations are divided into networks, these Networks and the cost centres included in each are summarised below.

England, and Corporate Impact and Improvement (E&CII)

Communications and International

Estates and Facilities

Finance, Procurement and Programme Management Office (PMO)

Information Technology

People

Scotland, and Corporate Delivery (S&CD)

Programmes

Inquiries and Investigations

Scotland (including the Scotland Committee)

Wales, and Strategy and Policy (W&SP)

Strategy and Policy

Commissioners and Senior Management

Wales (including the Wales Committee)

Disability Advisory Committee

Human Rights, Treaty Monitoring and Research

Legal (Legal)

Legal

Corporate Legal and Correspondence

	E&CII	S&CD	W&CSP	Legal	2018/19 total
Total operating expenditure	6,579	3,787	4,714	3,429	18,509
Total operating income	(249)	(15)	(4)	(21)	(289)
Interest on pension scheme liabilities	37	-	-	-	37
Net expenditure for the year	6,367	3,772	4,710	3,408	18,257

	E&CII	S&CD	W&CSP	Legal	2017/18 total
Total operating expenditure	7,076	4,148	4,293	3,695	19,212
Total operating income	(39)	(29)	(7)	(46)	(121)
Interest on pension scheme liabilities	44	-	-	-	44
Net expenditure for the year	7,081	4,119	4,286	3,649	19,135

Assets and liabilities are not reported to the chief operating decision-maker at segmental level and have not therefore been included in this table.

3 Expenditure

	Year ended 31 March 2019 £'000	Year ended 31 March 2018 £'000
Staff costs (analysis is provided in the remuneration report on pages 78-97)		
Wages and salaries	8,252	7,504
Social security costs	937	852
Pension costs	1,749	1,573
Seconded staff paid / (recovered)	(67)	(11)
Agency staff	349	504
Chairs' and Commissioners' emoluments	269	210
Settlement payments	340	-
Staff exit packages	8	259
	11,837	10,891
Purchase of goods and services		
Legal ¹⁸	1,181	1,271
Publication and information	1,086	1,127
Support and office services	401	364
Rentals under operating leases	646	644
Premises costs (non-lease) ¹⁹	551	442
Travel and subsistence	550	575
Research and policy development	535	1,069
ICT and telecommunications	442	495
Advisory services	229	84
Staff support, recruitment and training	227	840
Grants awarded	218	583
Access to work	64	53
External auditors remuneration	52	50
	6,182	7,597

¹⁸ Legal costs are net of recoveries.

¹⁹ Premises costs (non-lease) include: service charges, business rates, cleaning, maintenance and utility charges.

This table is continued from the previous page.

	Year ended 31 March 2019 £'000	Year ended 31 March 2018 £'000
Non-cash items		
Depreciation of property, plant and equipment	395	374
Amortisation of intangible assets	17	50
Loss on disposal of property, plant and equipment	15	5
Provision expense	63	295
Interest cost on pension scheme liabilities	37	44
Total This is the total for the whole table (which starts on the previous page).	18,546	19,256

Expenditure analysis

We analyse our operating costs as **programme** (delivery costs) and **running costs** (corporate costs).

Programme costs, which focus on the delivery of our Business Plan objectives, are analysed into the categories below:

Due to the nature of our work, spend on individual programmes may be captured in one discrete reporting period or may be spread across two or more years.

Programme costs	(£'000)
Legal and mediation services	1,181
Publication and information	1,086
Research and policy development	535
Grants awarded	218
Advisory services	229
Total programme costs	3,249

Legal services

- Our legal spend is used to enforce the Equality Acts; spend in year is dependent on the cases we undertake and the duration of cases. Spend includes:
 - enforcement action
 - supporting cases
 - enquiries, and
 - providing legal advice to other areas of our work.

Publication and information

Part of our core remit includes:

- additional stakeholder engagement events to support our work programme
- promotion of our work (e.g. human rights campaign), and
- publishing the findings of inquiries and our work.

Research, policy development and treaty monitoring

Spend in this area is largely driven by the nature of our work. There were a number of new programmes undertaken in 2018/19 along with the final stages of 2017/18 programmes including:

- 2018/19 spend included the publication of 'Is Britain Fairer'
- providing research to support other areas of our work, and
- research into how we measure impact.

Grants awarded

Spend in 2018/19 represents the final phase of our access to justice grants programme launched in 2017/18. We have also awarded a number of smaller grants to support our wider work.

Advisory services

Our website is our primary source of information for the public; we continue to develop and refine the content. In 2018/19, we launched a project to re-design and improve the content offered; this project will run throughout 2019/20.

Running costs, which support the delivery of our work are analysed into the categories below:

Running costs	(£'000)
Staff support, recruitment and training	227
Premises costs (non-lease)	551
Rentals under operating leases (premises)	646
Staff and Commissioners' travel and subsistence	550
IT and telecommunications cost	442
Support and office services	401
Access to Work	64
External auditor's remuneration	52
Total running costs	2,933

4 Income

	31 March 2019 £'000	31 March 2018 £'000
Grants received	204	-
Lease income	43	37
Access to Work	39	53
Other income	3	31
Total	289	121

Notes

- Grants received are income received from the Foreign and Commonwealth Office (FCO) to cover the additional costs we have incurred as Chair of the Commonwealth Forum of NHRI's.
- Lease income represents income from the sub-let of an area of our Manchester office to another government department; the income covers costs outlaid in relation to rent, service charge, business rates and other sundry costs.
- Access to work provides support to employees, costs are incurred and a proportion is recovered from the Access to work Scheme and recognised as income; the Commission funds non-recoverable costs (policy note 1.15).

5 Plant, property and equipment

	Fixtures and fittings	IT and telecoms equipment	Furniture	Payments on account and assets under construction	Total
	£'000	£'000	£'000	£'000	£'000
Cost or valuation					
At 1 April 2018	1,950	2,815	591	342	5,698
Additions in year	-	48	3	57	108
Disposals	(12)	(1,678)	(165)	-	(1,855)
Reclassifications and Transfers	-	342	-	(342)	-
Revaluations	(456)	(114)	(10)	-	(580)
At 31 March 2019	1,482	1,413	419	57	3,371
Depreciation					
At 1 April 2018	1,215	2,278	423	-	3,916
Charge in year	107	270	18	-	395
Disposals	(6)	(1,658)	(164)	-	(1,828)
Revaluations	(273)	(113)	(11)	-	(397)
At 31 March 2019	1,043	777	266	-	2,086
Carrying value					
At 31 March 2018	735	537	168	342	1,782
At 31 March 2019	439	636	153	57	1,285

The Commission owns all assets within the above statement.

Assets under construction include:

- design phase of our London premises re-fit, and
- ICT equipment currently being configured.

Note: the additions in the year above include capital accruals and therefore do not necessarily represent a cash outflow. Cash payments are shown separately in the statement of cash flow.

	Fixtures and fittings £'000	IT and telecoms equipment £'000	Furniture £'000	Payments on account and assets under construction £'000	Total £'000
Cost or valuation					
At 1 April 2017	2,495	2,584	527	-	5,606
Additions in year	29	49	42	342	462
Disposals	(578)	-	(13)	-	(591)
Revaluations	4	182	35	-	221
At 31 March 2018	1,950	2,815	591	342	5,698
Depreciation					
At 1 April 2017	1,638	1,918	399	-	3,955
Charge in year	149	213	12	-	374
Disposals	(578)	-	(13)	-	(591)
Revaluations	6	147	25	-	178
At 31 March 2018	1,215	2,278	423	-	3,916
Carrying value					
At 31 March 2017	857	666	128	-	1,651
At 31 March 2018	735	537	168	342	1,782

6 Intangible assets

	Software £'000	Payments on account and assets under construction £'000	Total £'000
Cost or valuation			
At 1 April 2018	160	15	175
Additions	-	95	95
Disposals	(22)	-	(22)
Revaluations	75	-	75
At 31 March 2019	213	110	323
Amortisation			
At 1 April 2018	135	-	135
Charge in year	17	-	17
Disposals	(22)	-	(22)
Revaluations	74	-	74
At 31 March 2019	204	-	204
Net book value			
At 31 March 2018	25	15	40
At 31 March 2019	9	110	119

The Commission owns all assets within the above statement.

Assets under construction include the development of HR and payroll systems, which are scheduled to go live in summer 2019.

	Software £'000	Payments on account and assets under construction £'000	Total £'000
Cost or valuation			
At 1 April 2017	775	-	775
Additions	24	15	39
Disposals	(559)	-	(559)
Revaluations	(80)	-	(80)
At 31 March 2018	160	15	175
Amortisation			
At 1 April 2017	719	-	719
Charge in year	50	-	50
Disposals	(559)	-	(559)
Revaluations	(75)	-	(75)
At 31 March 2018	135	-	135
Net book value			
At 31 March 2017	56	-	56
At 31 March 2018	25	15	40

7 Financial instruments

As our cash requirements are met through the Estimate process of our sponsor department, financial instruments play a more limited role in creating and managing risk than would apply in a non-public sector body. The majority of financial instruments we hold relate to contracts to buy non-financial items in line with our expected purchase and usage requirements, our exposure to credit, liquidity and market risk is considered minimal.

8 Cash and cash equivalents

	2018/19 £'000	2017/18 £'000
At 1 April	25	165
Net change in cash and cash equivalent balances	1	(140)
Balance at 31 March	26	25

All balances are held with the Government Banking Service.

9 Trade receivables, financial and other assets

	Notes	2018/19 £'000	2017/18 £'000
Amounts falling due within one year			
Trade receivables		20	1
Access to Work		-	12
Other receivables		7	12
Prepayments		395	447
Accrued income		95	12
		517	484
Amounts falling due after one year			
Prepayments		90	90
Total receivables		607	574

10 Trade payables and other current liabilities

	Notes	2018/19 £'000	2017/18 £'000
Amounts falling due within one year:			
Accruals		1,697	2,831
Trade payables		736	260
Other taxation and social security		264	237
Pension payments		182	183
Rent-free accrual		25	16
VAT		4	2
		2,908	3,529
Amounts falling due after one year:			
Rent-free accrual		18	16
Total payables		2,926	3,545

11 Provisions for liabilities and charges

	Legal Provision	Dilapidation Provision	2018/19 £'000
Balance at 1 April 2018	127	242	369
Provided in year	140	-	140
Provisions not required / written back	(47)	-	(47)
Utilised in year	-	-	-
Change in discount rate	-	(25)	(25)
Unwinding of discount	-	(5)	(5)
Balance at 31 March 2019	220	212	432

	Legal Provision	Dilapidation Provision	2018/19 £'000
Not later than one year	220	-	220
Later than one and not later than five years	-	212	212
Later than five years	-	-	-
Total	220	212	432

12 Pension liabilities

Pension liabilities comprise pension benefits for the former Chair of the Commission and legacy Commissioners.

The benefits are provided under a scheme broadly by analogy with the PCSPS.

The pension scheme is unfunded, with benefits being paid as they fall due and guaranteed by the Commission. There is no fund and therefore no surplus, deficit or assets. The Government Actuary's Department, using the following financial assumptions, has calculated the scheme liabilities for service at 31 March 2019:

%	31 March 2019	31 March 2018
Rate used to discount scheme liabilities	2.90	2.55
Rate of inflation: Consumer Prices Index	2.60	2.45
Rate of increase for pensions in payment and deferred pensions	2.60	2.45

The liabilities associated with ex-Chairs holding broadly by analogy pensions are as follows:	31 March 2019 £'000	31 March 2018 £'000
Active members (past service)	-	-
Deferred pensioners	129	133
Current pensioners	1,306	1,365
Net present value of scheme liabilities	1,435	1,498

The movement on the provision during the year is as follows:	2018/19 £'000	2017/18 £'000
Balance at 1 April	1,498	1,625
Net interest	37	44
Re-measurements	(5)	(79)
Less benefits paid	(95)	(92)
Present value of scheme liabilities	1,435	1,498

The movement on the provision during the year is as follows:	2018/19 £'000	2017/18 £'000
Net interest	37	44
Total	37	44
Remeasurements recognised directly in taxpayers' equity	(5)	(79)
Cumulative remeasurements recognised directly in taxpayers' equity	791	796

The movement on the provision during the year is as follows:	2018/19 £'000	2017/18 £'000
Experience loss / (gain) arising on the scheme liabilities	25	17
Changes in assumptions underlying the present value of the scheme liabilities	(30)	(96)
Net total actuarial loss / (gain) in other comprehensive income (total remeasurements)	(5)	(79)
Percentage of scheme liabilities at the year end	1.7	1.1

Changes in the demographic and financial assumptions underlying the valuation of the scheme have resulted in a gain to the scheme of £30,000 (a £96,000 gain in 2017/18) of the statement of financial position valuation of the scheme liabilities.

Experience loss arising on the scheme liabilities amounted to £25,000 (a £17,000 loss in 2017/18) of the statement of financial position valuation of the scheme liabilities.

The total remeasurements were a gain of £5,000 (£79,000 gain in 2017/18).

		Impact on DBO	
The sensitivity analysis of Scheme Liabilities defined benefit obligations (DBO) to changes in the significant actuarial assumptions (keeping all other assumptions unchanged) indicates the following:		%	£'000
Rate of discounting scheme liabilities	+ 0.5% a year	-5%	(78)
Rate of increase in CPI	+ 0.5% a year	6%	80
Life expectancy – each member assumed 1 year younger than their actual age		3%	48

Note: Opposite changes in assumptions to those above would produce approximately equal and opposite changes in the DBO. Similarly, doubling the changes in the assumptions will produce approximately double the changes in the DBO. The sensitivities show the changes in each assumption in isolation. In practice, such assumptions rarely change in isolation and given the interdependencies between them, the impacts may offset each other to some extent.

The longevity assumptions used in the valuation of the scheme are:	Exact age	31 March 2019		31 March 2018	
		Men	Women	Men	Women
Life expectancy at retirement		Years	Years	Years	Years
Current pensioners	60	27.6	29.3	27.5	29.2
Current pensioners	65	22.7	24.3	22.6	24.2

13 Commitments under leases

Total future minimum lease payments under operating leases are given below for each of the following periods:

	31 March 2019 £000	31 March 2018 £000
Premises leases		
Not later than one year	617	623
Later than one year but not later than five years	1,159	2,275
Later than five years	-	-
Total	1,776	2,898

Buildings are occupied under Rental agreements or Memoranda of Terms of Occupation (MOTOs) with other Government Bodies; all with a definite end date.

No other items are currently held under operating leases.

There are no obligations under finance leases.

14 Contingent liabilities disclosed under IAS37

A contingent liability exists regarding one employment tribunal claim; this is scheduled to be heard in July 2019. No further information has been disclosed as this could be prejudicial to the outcome of the case.

Previously, a contingent liability has been disclosed regarding potential pension payments due to a Chair and Deputy Chairs of legacy Commissions where it was believed that their pension allowance was not properly accounted for. We have carried out exhaustive investigation into this matter during the 2018/19 financial year and have established that such liability does not exist, as the posts of the individuals concerned were not pensionable.

15 Contingent assets disclosed under IAS37

Previously a contingent asset has been disclosed regarding the surplus funds held by Legal & General Group PLC relating to the winding up of the Commission for Racial Equality Pension and Life Assurance Scheme (CREPLAS).

We have now confirmed with HM Treasury that any surplus funds realised on the closure of the scheme would be surrenderable to HM Treasury and therefore are not recognised as a contingent asset of the Commission.

16 Related Party transactions

We are a non-departmental public body under the sponsorship of the DFID. During the year, we received £18.669m of grant-in-aid from the DFID. No other significant transactions have taken place between the two bodies.

In 2018/19, we transacted with other government departments and other central government bodies in the performance of our functions. The Commission does not have any subsidiaries.

No board member, key manager or other related party has undertaken any material transactions with the Commission during the year.

17 Events after the reporting period

Under a Machinery of Government change, the Commission has moved from the Department for International Development (DFID) to the Cabinet Office from 1 April 2019 and funding will be included in their Estimates.

David Isaac's appointment as Chair of the Commission, which was due to expire in May 2019, has been extended by a period of one year by the Secretary of State.

Authorised for issue

The accounts have been authorised for issue by the Accounting Officer on the same date as the Comptroller and Auditor General's Audit Certificate.

Contacts

This publication and related equality and human rights resources are available from **our website**.

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.

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