

Securing a strong equality and human rights agenda

Wales review 2011 / 12

Wales programme 2012 / 13



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Equality and
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Commission

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Contact us

The Equality and Human Rights Commission aims to protect, enforce and promote equality and promote and monitor human rights.

This report and more information can be found at:

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Foreword

In May 2011, the UK Government published its response to the consultation on the future of the Equality and Human Rights Commission, announcing some changes to our remit. It made clear it envisages the Commission retaining a strong and distinct presence in Wales – one that works closely with the Welsh Government. We are determined the Commission will continue to be a powerful catalyst for change.

Looking back over the year we are delighted the Welsh Government and so many other public sector organisations have used our **How fair is Wales?** report to set their equality objectives. We are pleased that our workplace policies on domestic abuse and mental health are being adopted by the private sector. Protecting the human rights of all our citizens has been a priority - whether that is building links between disadvantaged groups and the media to tackle negative coverage or working with partners to tackle disability harassment in our communities.

Ann Beynon, Wales Commissioner

Kate Bennett, National Director for Wales

In the year ahead we will drive forward work, with a broad range of partners, to address the greatest inequalities. We know that poverty is an underlying cause of much inequality in Wales. We will investigate the relationship between socio-economic disadvantage and the inequality experienced by people with protected characteristics. These characteristics are gender, race, sexual orientation, age, disability, transgender, religion or belief, pregnancy and maternity and marriage and civil partnership.

Only a joined-up approach to tackling inequalities and promoting human rights will be effective. So we are keen to hear your views about how best to build the coherent and integrated strategy that is needed in Wales. We look forward to working with you to deliver that strategy.



The Wales Committee - working in partnership

In last year's **Wales Review**, we asked people to work with us to meet the challenge and lead the change towards a fairer Wales.

It has been inspiring to work with all those who responded to this call. We have been guided by hearing first-hand the concerns and hopes of individuals and organisations as we travelled around Wales.

It has been a year of achievement through partnership. Together, we have taken major steps towards securing a strong future for equality and human rights in Wales:

- Public authorities have set objectives under the new public sector equality duties to tackle inequalities in health, education, employment, security and positions of power
- New Welsh legislation is putting equality and human rights at the heart of social services, housing, sustainable development and measures to tackle violence against women
- Private and public sector organisations have worked with the voluntary sector to extend the reach of our workplace policies on domestic abuse and mental health
- The Welsh Government is taking forward the recommendations of our Inquiry into disability-related harassment.

Now we need to build on this momentum. The next twelve months will be a time of further challenges and opportunities. Our goals this year include:

- Helping public authorities to achieve the best outcomes from the equality duties
- Making sure that budget reductions are made fairly so that certain groups are not disproportionately affected
- Using our evidence to assist people to take the best decisions about how money and resources should be spent
- Transferring our knowledge to trade union and other legal advisors so that they can tackle discrimination effectively.

We ask everyone who shares our agenda to get in touch and work with us. Powerful partnerships are the key to making progress and the Committee aims to identify shared agendas and encourage the development of partnerships that can drive change.

The Committee looks forward to working with you during the coming year to secure a strong equality and human rights agenda in Wales.

Meet the Wales Committee

Ann Beynon OBE is the Commissioner for Wales. Ann chairs our Wales Committee, supported by the National Director for Wales. Ann is the Director for BT in Wales.

Anne Crowley is a policy and research consultant, with particular expertise in the field of children and young people.

Rhian Davies is Chief Executive of Disability Wales.

Karen Dugate is Chief Executive of Merthyr Tydfil Housing Association.

Reverend Aled Edwards OBE is Chief Executive of CYTUN (Churches Together in Wales).

Siân Gale is a Director of Cwmni Pawb specialising in training, research and evaluation for the creative industries as well as community organisations and trade unions.

Clifton Robinson is Chief Executive of the Housing Diversity Network.

Dr Olwen Williams is Chief of Staff for Primary Community and Specialist Medicine at Betsi Cadwaladr UHB.

Committee Members from April 2011 to April 2012



Increasing Welsh accountability for equality and human rights

The Welsh Government's Programme includes a commitment to 'explore how stronger Welsh accountability for equality and human rights legislation, including enforcement of Wales specific duties, can be achieved'. This will contribute towards securing a strong equality and human rights agenda in Wales by holding organisations to account and driving up their performance.

Welsh Government Equalities Minister Jane Hutt asked the Commission for advice about achieving this commitment.

We have already identified a number of emerging issues as we explore how to strengthen accountability.

A key one is the need to look closely at the relationship between equality and social justice. Strategies aimed at achieving equality for people with protected characteristics are often disconnected from strategies to address socio-economic inequality. Bringing them together would create a powerful, coherent and unified agenda for change.

We plan to make a submission to the Silk Commission as it reviews the powers of the National Assembly and devolution of more power to the Welsh Government. We will highlight the gaps and inconsistencies in the current legislative arrangements, why these matter and how they can be addressed.

Ann Beynon, Wales Commissioner and Jane Hutt AM, Equalities Minister, Welsh Government



Advising Government

The Commission has a statutory responsibility to advise the Welsh Government on equality and human rights issues.

The Commission has advised the Welsh Government on the use of equality impact assessments in its budget-setting process to ensure that budget decisions are made fairly and certain groups are not disproportionately affected.

The Welsh Government led the way by being the first GB Government to introduce new specific equality duties – duties that were supported by all parties at the National Assembly. We advised the Government about how these duties could be focused on outcomes not process. As the regulator of the duties we are monitoring public authorities performance.

This monitoring will give Government greater knowledge of how the duties are working so that they can identify the best levers for change and assist them with Ministerial reporting.

We provided advice to the Welsh Government on draft legislation covering Social Services, Housing, Sustainable Development and tackling Violence Against Women. We proposed ways in which a human rights-based approach could be put at the heart of the legislation.

This means introducing a new adult safeguarding framework so that, for example, disabled people who have experienced persistent financial abuse have a real say in decisions about their future. The emphasis must be on tackling the criminal behaviour of the perpetrators rather than action that limits the independence of disabled people.

“A strong and distinct equality and human rights agenda is taking shape in Wales and the Commission is contributing significantly to this. Welsh solutions are being sought to Welsh problems.”

Jane Hutt AM, Equalities Minister, Welsh Government

“The EHRC is clear about what we are striving to achieve. We must reduce not only domestic violence, but homophobic crime and disability hate crime.”

Lindsay Whittle AM, Equality spokesperson, Plaid Cymru

Using evidence to drive change

The Commission is an evidence-based regulator. The purpose of our research is to identify and describe inequalities and share this so that resources can be focused where they are most needed.

Our **How fair is Wales?** report paints a clear picture of inequality in Wales. The report identifies the key challenges to overcome if we are to build a fairer future for Wales.

Hundreds of people attended our conferences to understand the challenges and how best their organisation could contribute towards solutions.

The Welsh Government and many other public authorities based their equality objectives on the **How fair is Wales?** challenges and this shared agenda provides a great opportunity to make progress.

“The **How fair is Wales?** challenges form a huge agenda. It is one that cannot be dealt with overnight, but it is one that I think that everyone in this Chamber is signed up to and committed to deliver.”

Peter Black AM,
Equality spokesperson,
Liberal Democrats

How fair is Wales? challenges

Life and health

Reduce health inequalities between socio-economic groups - especially those affecting older and younger men.

Education and skills

Close the gap in attainment between different socio-economic groups - including that of boys, black, Bangladeshi and Pakistani pupils and disabled children.

Reduce the incidence of young people who are not in employment, education or training (NEET).

Employment

Increase employment rates for all people, especially disabled people and older people.

Close gender, ethnic and disability pay gaps faster and further.

Legal and physical security

Reduce the incidence of domestic abuse and sexual violence and reduce homophobic, transphobic, disability-related and religiously motivated bullying and hate crime.

Power and voice

- 8 Increase participation of protected groups in decision making and make Wales's public, private and third sector bodies representative of the people they serve.

Our **Anatomy of economic inequality in Wales** report looks at economic inequality through the lens of people's characteristics such as gender, ethnicity, age and disability. It points to the link between the protected characteristics and poverty.

We launched the report in partnership with the Wales Institute of Social and Economic Research, Data and Methods at an event in which academics, policymakers, service providers and users came together to identify steps forward.

Our aim is that the report plays a major role in devising policy to tackle persistent and newly discovered forms of inequality so that poverty is not something that parents pass on to their children.

"The ground-breaking report '**An anatomy of economic inequality in Wales**' provides further valuable evidence on the impact of background and birth on life chances, which has fed into our tackling poverty action plan."

Jane Hutt AM,
Equalities Minister, Welsh Government

Welsh Government Equality Objectives 2012-16

→ Put the needs of service users at the heart of delivery in key public services, in particular health, housing and social services, so that they are responsive to the needs of people with protected characteristics.

→ Reduce the number of young people in education, employment or training (NEET).

Tackle barriers and support disabled people so that they can live independently and exercise choice and control in their daily lives.

→ Work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences.

→ Create a more inclusive workplace that promotes equality of opportunity for staff with protected characteristics through improved employee engagement and increase awareness of learning and development opportunities that are accessible to staff.

→ Reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse.

→ Improve the engagement and participation of under-represented groups in public appointments.

→ Strengthen advice, information and advocacy services to help people with protected characteristics understand and exercise their rights and make informed choices.

Making the most of the Public Sector Equality Duty

In 2011, the Welsh Government introduced powerful specific equality duties requiring public authorities to set equality objectives that tackle the most pressing inequalities.

The Commission has worked to increase public authorities understanding of how to get most benefit from the duties. Our evidence has assisted the Welsh Government and almost every public authority in setting its equality objectives across areas such as health, education, and employment. Our **Essential Guide** is helping authorities to get the best outcomes from the duties.

Our Equality Exchange Network of equality practitioners is sharing knowledge and effective practice as work on the duties develops.

The use of equality impact assessments to ensure that budget and policy decisions do not impact disproportionately on people with protected characteristics is a central part of the new duties.

We hosted roundtables, bringing together finance and equality leads from local authorities, to learn from each others' experience of effective approaches taken to the impact assessment of budget decisions.

We have encouraged voluntary sector organisations to use the duties to get their priorities on the agenda of public authorities and hold them to account. Welsh Women's Aid promoted guidance about using the duties to prevent violence against women. Fifteen out of twenty-two local authorities in Wales have set this as an equality objective.

We have worked with the Wales Audit Office, Estyn, Healthcare Inspectorate Wales, and the Care and Social Services Inspectorate through the newly created Inspection Wales forum. We want to demonstrate that public service improvement can only be achieved by giving greater consideration to the needs of the most disadvantaged people.

“The Equality Act 2010 enabled the Welsh Government to introduce measures to tackle inequalities in Wales and to put fairness at the heart of policy making. The Welsh Government is reliant on the Commission to regulate the Wales-specific equality duties, which, I am pleased to say, were passed unanimously by the National Assembly. These duties are unique to Wales, and afford an opportunity to tackle the greatest inequalities that we face.”

**Mohammad Asghar AM, Shadow Equalities Minister,
Welsh Conservatives**

Monitoring four key areas

As regulator of the duties we are encouraging, guiding and monitoring public authorities so that the duties achieve greater impact.

Our initial monitoring is focused on four key areas: health, local government, fire and rescue, and universities.

In the health sector, we are focused on tracking health boards and trusts in meeting their duty to engage with people from protected groups. We have selected this for health because a combination of increased demand, limited resources and the need to re-configure means that engagement of citizens in setting priorities is essential.

With local authorities, we are focusing on their responsibility to assess the impact of the decisions they take.

We know that carrying out equality impact assessments can enable better decision-making and greater transparency. They have the potential to increase the involvement of people in identifying priorities – as well as protecting the most disadvantaged.

In Fire and Rescue Services our focus is on disabled people, as many of those dying in house fires in Wales have a mental health condition.

There is currently a 20% gender pay gap in universities so with Welsh universities we are particularly looking at progress in tackling the gender pay gap.

We will share our findings from these key sectors with the appropriate Welsh Ministers as they prepare their statutory reports under the new duties.



Equality Exchange Network

Promoting equality and human rights

Introducing new workplace policies

We brought together voluntary sector expertise and employer experience to develop and promote effective workplace guidance covering staff with mental health conditions and staff experiencing domestic abuse. This year, we have increased take-up of these policies through a range of public and private sector networks.

In September, more than 30 of North Wales's largest private and public sector organisations, as well as representatives from the voluntary sector and trade unions, came together to encourage action on tackling domestic abuse. These employers learnt how, by taking a number of small practical steps in the workplace, they can reduce sickness absence, save money and save lives. Speakers included Stuart McKenna from the Co-operative Group - one of the private sector organisations leading the way by having an effective domestic abuse policy in place.

Organisations such as Coleg Meirion-Dwyfor, Conwy Council, Convatec and Wylfa Nuclear Power Station are using our guidance to improve their equality workplace policies.

Our presentation to the Welsh Contact Centre Forum Employers Seminar about our domestic abuse workplace guidance reached over 50 delegates from the private sector, including representatives from British Gas, Scottish and Southern Energy, Barclays Bank and ING Direct. The Forum is now developing its own website guidance directing organisations to our toolkit.

We are taking forward work with major employer Cassidian, who are on their way to implementing a domestic abuse policy for their 800 staff.

“Employers, such as the AA, Admiral and HSBC, are using the Commission’s guidance to support employees through traumatic situations. Through direct work in the public sector, 150,000 workers are being supported with schemes covering mental illness and domestic abuse.”

Ann Jones AM, Chair, Communities, Equality and Local Government Committee

“It was inspirational to hear from Wayne Gwilym about equality in the private sector and solutions that could be used elsewhere.”

Conference delegate

Sharing effective practice

Our Equality Exchange Network of employers has over 150 members. The Network meets regularly to share effective practice and innovative solutions for promoting equality and human rights.

In 2011 our Equality Exchange Conference, 'Meet the challenge, lead the change', brought equality and human resources practitioners together to find ways of promoting equality, narrowing gaps, and exploring how equality evidence can be used to ensure resources are focused where they are most needed.

Alison Ward, Chief Executive of Torfaen Council, highlighted the equality challenges within the public sector at a time of budget reductions.

Bill Kerry from the Equality Trust spoke about how the evidence shows that narrowing gaps benefits everyone, not just those directly affected.

Wayne Gwilym, Human Resources Director of global company Rockwool, gave a private sector perspective on the importance of values, authenticity and leadership during difficult times. He said diverse organisations are more adaptable and agile.

As a result of the conference the Network has grown, links between public and private sector organisations have increased and Network members have shared case studies of successfully driving change.

Wayne Gwilym, Human Resources Director, Rockwool Ltd



Building an inclusive Wales

Challenging discrimination

This year, the Commission has delivered training sessions at over 85% of Citizens Advice Bureaux in Wales. We also reached advisors at organisations such as Consumer Focus, Consumer Direct, Trading Standards, MEIC Cymru, BAWSO, Public Service Ombudsman's Office, Age Cymru and Shelter Cymru. Thanks to this work, over 450 front line advisors now have a greater understanding of how the Equality Act 2010 can be used to protect individuals from discrimination.

Our Employment Tribunal Skills and Discrimination Law Course continues to be successful. As well as sessions in Cardiff and Wrexham, to increase the course's reach, we offered our first online version. Around 60 advisors completed the courses this year, giving them the skills to represent clients at employment tribunals. Feedback from those who took the course demonstrates that it is helping individuals to challenge discrimination and helping to tackle the 'advice desert' in Wales.

Promoting dignity and respect

We worked with the Welsh Language Board to develop a bilingual glossary with standardised equality and human rights terminology. We launched this at the 2011 Eisteddfod. The resource is the first of its kind in Wales. The new glossary is on our website and means that everyone - whether they are from a local council, health board or a member of the public - can use language that promotes an inclusive Wales so everyone is treated with dignity and respect.

Changing attitudes

We brought together media practitioners and representatives of disadvantaged groups including Gypsy-Travellers, people with mental health conditions, asylum-seekers and refugees and transgender people to help challenge the negative media portrayals some groups experience. This built useful working relationships and resulted in positive broadcast documentaries and media coverage.

"The Hidden in plain sight report provided a thorough basis for the Committee's Inquiry, and I thank the EHRC for its efforts in bringing this important issue to the attention of the wider public."

Ann Jones AM, Chair, Communities, Equality and Local Government Committee

Eliminating disability-related harassment

Following our Inquiry into disability-related harassment, the National Assembly's Communities, Equality and Local Government Committee undertook its own Inquiry to look at how the Welsh Government could take forward our recommendations. As a result the Government are publishing a Hate Crime framework for action.

As a first step the Welsh Government has commissioned research into perpetrator motivation, which will help us tackle the root causes of harassment. Dyfed Powys Police are piloting the use of Multi-Agency Risk Assessment Conferences to support individuals and prevent harassment escalating. Many public authorities have set an objective to reduce hate crime so we expect to see real changes in the coming year.

Getting more women into public life

Our **Who runs Wales?** work highlights the lack of women in positions of power and influence in Wales. Our report was promoted at events celebrating International Women's Day across the country. We partnered with the National Assembly's Presiding Officer to encourage more women to put themselves forward for positions of power and influence.

Together with the Welsh Government, Women Making A Difference and Sport Wales we are working to find ways of making public appointees more representative of a diverse Wales. This project has led to the Welsh Government setting diversity in public appointments as an equality objective and taking forward a pilot programme with Sport Wales to identify good practice.



Bal Gill, EHRC, Jean Francis, Torfaen People First and Superintendent David Johnson, Gwent Police

Wales programme 2012 / 13

The Commission in Wales has five key priorities for the coming year. We will:

Work with the Welsh Government to establish stronger Welsh accountability for equality and human rights legislation including the enforcement of the Wales specific duties. We will make a submission to the Silk Commission setting out how equality legislation in Wales can be strengthened and made clearer.

Use our evidence base to assist organisations in creating legislation, setting priorities and making policies that address the greatest inequalities in Wales.

Promote, monitor, and regulate the Public Sector Equality Duty so that the duties and equality impact assessments result in improved decisions and services.

Work closely with employers so that they are more aware of equality and human rights issues. We will encourage public and private sector employers to adopt workplace policies on domestic abuse and mental health.

Deliver courses for trade union and other advice providers so that individuals are better informed on discrimination and human rights issues.

We will make the best use of reduced resources through restructuring and changing the way we work to deliver on these priorities.