



HOUSE OF COMMONS

LONDON SW1A 0AA

David Isaac CBE  
Chair  
Equality & Human Rights commission  
Fleetbank House,  
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08 September 2016

Dear David

**PLEA TO THE EQUALITY & HUMAN RIGHTS COMMISSION BOARD: ACT NOW - SAVE THE EHRC**

Congratulations on your appointment as Chair of the Equality Human Rights Commission. We have not had the opportunity to meet as yet and I am sure you are finding your new role both challenging and rewarding.

Ever since the Government has begun cutting the Commission's budget, I have supported stakeholders across the country and the Trade Unions in their efforts to stop what I fear to be the progressive dismantling of the Commission.

At the outset, I must state that I am a strong believer in the work of the Commission which has led to some remarkable recent initiatives such as:

- Ongoing work to tackle the prevalence and nature of pregnancy discrimination and disadvantage in the workplace;
- Publication of the important report: 'Healing a divided Britain';
- Continuing programme of work dedicated to improving the conditions for people working in the Cleaning Sector.

Indeed I personally have worked with the Commission for many years, including on the landmark report into the discriminatory nature of the 2-tier labour market in the Meat Industry.

I want this work to continue for the sake of my constituents and for all people living in Great Britain.

Given my long standing commitment to equality and human rights, I want to express my deep concern that the Commission has now agreed a 25% cut to its budget over the period of the Comprehensive Spending Review (CSR) with the intention of frontloading these cuts and threatening staff with compulsory redundancies. This will result in a shocking number of job losses and leave the Commission with less funds and people than the Commission for Racial Equality in 2006. The CRE was only one of three legacy bodies the Commission replaced.

### **EXTERNAL CONTEXT & BUDGETARY CONSIDERATIONS**

The timing of the proposed changes to the Commission is highly controversial. You will be well aware that we have seen a shocking rise in incidents of race hate crime in the wake of the EU referendum vote. According to the National Police Chiefs' Council reports incidents of hate crime rose 57% after the vote. The reality is likely to be much worse as hate crime is notoriously under-reported. In my region the West Midlands Police and other relevant agencies acknowledge an increase in race hate crimes. This is also reflected in my constituency case work with victims coming to see me for advice and support. In this context, I cannot understand why the independent equalities regulator with important and relevant enforcement powers is making plans to downsize.

I find it particularly unacceptable that the Commission is threatening its staff with compulsory redundancies at a time when people need a well-resourced Commission, ready and willing to deploy its staff in line with the powers bestowed by Parliament to tackle these growing problems.

If you go ahead with these plans it is inevitable that it will lead to a loss of skills which history tells us will increase the cost to the taxpayer in the long-term. I am sure you would have been briefed by your staff that previous restructuring exercises resulted in the Commission spending over £14 million since 2010 on non-payroll staff, hired to fill the skills gaps. Your annual accounts for last year sees this trend continuing, with over £1 million spent on seven individuals and one interim earning double the salary of the Prime Minister! This has the potential of damaging the reputation of the Commission. As recently as 2012 the Government had to allocate over £10 million to cover the transitional costs of implementing a new Operating Model over the following two years. Has the Commission conducted a review of that restructuring exercise and, if you have, I would be grateful if I could receive a copy?

The impact of these cuts will be felt particularly hard by victims of discrimination or human rights abuses who don't qualify for legal aid, can't afford tribunal fees, aren't a member of a trade union, and whose local law centre or CAB has closed. Yet the Commission plans to reduce the number of legal caseworkers to three covering all of Great Britain and remove staff working in satellite offices, including your Birmingham office. Surely the times demand that you should be increasing staff numbers so you can provide victims of race hate crime with the type of comprehensive support you funded for victims of LGBT hate crimes? The Commission is also uniquely placed to encourage public bodies to comply with their duty to promote good relations and tackle rising race hate crimes by dedicating staff and

resources at a regional level. Surely the £5.9m available to the Commission this year, which is ring fenced for frontline services, could be used for this purpose? Yet the Commission finds itself in the extraordinary position of threatening staff with compulsory redundancies and I understand to add insult to injury trade union negotiators have been targeted for dismissal when they carry out their lawful duties to their members.

All of this against the background where it is evident from Ministerial responses that the Government has not confirmed the Commission's budget for any of the subsequent years in the period of the current Comprehensive Spending Review, Clearly, this is far from an ideal time to introduce a new Operating Model and does not demonstrate informed strategic decision making.

### **PROPOSED OPERATING MODEL**

In my mind, there is no doubt but that Britain needs an Equality Commission that fulfils its core functions in a cost-efficient, visible manner, but the proposal being presented in the New Operating Model will mean the Commission will be left so stripped down that it will be an ineffective body. It will lose its connection to what is happening at the grass roots and to the lives of ordinary citizens who face the reality of racial abuse, inequality and injustice. The Commission's own recent report (Race report: Healing a divided Britain) highlights the problems facing Black, Asian and ethnic minority workers. You have rightly gone public following the publication of the report to state that: ***'We must redouble our efforts to tackle race inequality urgently or risk the divisions in our society growing and racial tensions increasing'***.

However, I have good reason to believe that the new Operating model will mean the loss of most of the Commission's Black and minority ethnic and disabled staff. This is far from the lead expected from the regulator of equalities. I hope the management of the EHRC seriously notes and take steps to strengthen the EHRC (and not introduce front loaded cuts) in line with the very recently published concluding observations of the United Nations Committee to Eliminate Racial Discrimination (CERD) which clearly states:

*'The Committee expresses concern at the reduction of the role of the Equality and Human Rights Commission (EHRC) following the adoption of the Enterprise and Regulatory Reform Act 2013, as well as the reduction in the resources of the EHRC and the Northern Ireland Human Rights Commission. It is also concerned at the overlapping competencies of the EHRC and the Scottish Human Rights Commission (SHRC), and the lack of power of the SHRC to support individuals in claims or legal proceedings' (art.2).*

The nation would clearly expect the Commission to ensure that it sets an example as an employer on how to recruit and retain its BME work force. I must add that this is not just about people's jobs, it is also about the future of the Commission as an effective independent equality and human rights body.

If the Commission fails to deliver on its remit due to the cuts imposed on their budget and the self-imposed changes driven by management, it is inevitable they will lose the trust and confidence of their stakeholders and the communities you are meant to serve

## OFFICE CLOSURES

I also understand that the Commission is looking at ending the provision of office space and work stations in Birmingham and other parts of the country. At a time when the Commission is most needed in the regions, assessing local and regional equality trends, I find it very disturbing to see that the Commission is closing these offices.

## AN EMPOWERED COMMISSION

Looking ahead, the real future for the Commission should be as an outward looking, integrated well-resourced organisation, in touch with the grassroots concerns and needs of ordinary people, an evidence based regulator using its enforcement powers, as we navigate these difficult economic and times.

It is shameful that Ministers are stripping those without power of the ability to challenge the powerful when they are victims of discrimination or the denial of human rights. **But it is crucial that the Board speaks out in no uncertain terms, telling Government and its own Executive Team who have decided to frontload these cuts, that you will not preside over the slow dismantling of that which is key to the cause of equality and human rights in our country.**

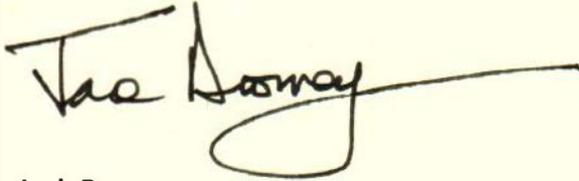
Having argued in the past for a stronger Commission, I can clearly see the mistakes of the past are being revisited in this new Operating Model, with millions of pounds being wasted on highly paid non-payroll staff and essential expertise lost through costly redundancy schemes. The implementation of a new organisational model without meaningful consultation with parliamentarians, stakeholders or Trade Unions does not bode well for the future of the Commission.

I am taking the issues I have outlined very seriously and will be raising them in Parliament and on other relevant platforms, arguing for a much stronger outward facing Commission – and not the new Operating Model currently being proposed by the Commission

I sincerely hope that you and the Board take note of my concerns and exercise the important role you have as a Board, taking decisions which will determine the future for equality and human rights in this country for years to come. I am the first to understand that the main responsibility lies with Government. However, given that there has been no budget settlement for the final three years of the CSR period, I believe that the Board and its management need to publicly explain their reasons for drastically scaling down now the operations of the Commission and how they plan to mitigate the impact on staff and service users. The Commission is after all subject to the Public Sector Equality Duty like most other public bodies. Case law states that engagement is important in ensuring public bodies understand the impact of their decisions on different people and I think it would be wise for the Commission to consult and engage with the public and stakeholders before implementing any of these proposals.

I am sending a copy of this letter to all members of the Board and releasing it publicly.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Dromey', with a long horizontal stroke extending to the right.

**Jack Dromey**  
**Member of Parliament for Birmingham Erdington**

CC:

- Caroline Waters OBE (Deputy Chair)
- Lord Chris Holmes (Disability Commissioner)
- June Milligan (Wales Commissioner)
- Dr Lesley Sawers (Scotland Commissioner)
- Evelyn Asante-Mensah OBE
- Laura Carstensen
- Susan Johnson OBE
- Lorna McGregor
- Professor Swaran Singh
- Sarah Veale CBE
- Rebecca Hilsenrath (Chief Executive)