

# Welsh Government – Consultation: Strategic Equality Objectives 2020 to 2024

## WLGA Response November 2019

The WLGA's consultation response has been informed by feedback from local authorities and consultation and engagement events and discussions through the WLGA's Equality Lead member network.

The consultation document provides a helpful summary of the Welsh Government's recent policy and legislative achievements and outlines the evidence used to inform the draft Equality Objectives. The consultation on the draft Objectives represents the culmination of extensive and constructive engagement across Wales during 2019, which has been welcomed.

The Welsh Government's overarching 'Long-term Aims' provide a broad vision of the Welsh Government's ambitions; however, the underpinning draft Equality Objectives are of variable value as they are a mix of general or specific objectives, actions or a restatement of existing PSED duties.

The consultation document notes that 'key actions' to deliver each of the objectives will be determined at a later date. The overwhelming view of the Equality Lead member network was that the consultation document provided limited detail as a result, as the focus and relevance of these actions will be more significant and have a greater impact than general and well-intentioned overarching objectives. **The key challenge for the Welsh Government, and any organisation subject to the Public Sector Equality Duty (PSED), is to ensure that its equality objectives drive action, culture and policy changes rather than merely allow the alignment and retrofitting of 'business as usual' activity under new general objectives.**

### Question 1: Do you agree with the proposed draft Equality Objectives in Chapter 5?

#### ***Long-term Aim 1 - Elimination of inequality caused by poverty.***

*WG Equality Objective 1: By 2024, we will improve outcomes for those most at risk of living in low income households, particularly those with protected characteristics, by mitigating the impact of poverty, improving opportunities and reducing the inequalities experienced by those living in poverty*

- Elimination of inequality caused by poverty is an ambitious aim. Such inequality has deep roots in history and is perpetuated by popular culture, the media and other factors which Welsh Government cannot control, notably the welfare state. The aim therefore reads as a broad moral position statement

rather than a realistically achievable objective and eliminating poverty itself would be, arguably, a more realistic and achievable objective.

- This objective and subsequent actions therefore need to focus on the types of discrimination or limited opportunities which people on low incomes face, and what Welsh Government's role could conceivably be in addressing this. The consultation document notes that objective and aims will be shaped by the proposed new socio-economic duty and the WLGA will respond more fully to this as part of the separate consultation.
- It has also been argued by some that inequality caused by poverty is unlikely to be addressed without poverty being classed as a protected characteristic, enabling discrimination on the basis of low-income to be identified and addressed.

### ***Long-term Aim 2 - Strong and progressive equality and human rights protections for everyone in Wales***

*WG Equality Objective 2: By 2024, we will complete investigations into ways the Welsh Government can ensure an integrated equality and human rights framework which promotes equality of outcome and opportunity and can help eliminate discrimination for all groups of people with one or more protected characteristic*

- The objective as currently drafted is a commitment to 'complete investigations...[to]...ensure an integrated equality and human rights framework'. This is a broad, general action, rather than a clear objective and should therefore be revised. The term 'investigations' also has connotations of 'compliance' and terms such as 'evaluation and review' of policies and legislation would be clearer. It is noted that this objective/action would be measured through the work of the Advancing and Strengthening Equality and Human Rights Steering Group; however, the WLGA is a member of this Group and it is not immediately clear how this measurement would be achieved.

### ***Long-term Aim 3 - The needs and rights of people who share protected characteristics are at the forefront of the design and delivery of all public services in Wales.***

*WG Equality Objective 3: In order to work towards fostering equality of opportunity and outcomes for all in Wales we will continue to ensure the Welsh Government has implemented the Public Sector Equality Duty (PSED) and Welsh specific equality duties in all we do and work to encourage other Public Sector organisations to follow our example. By adopting an approach based on removing barriers which prevent people fulfilling their potential (including, for example, equality of pay, or following the example of the Social Model of Disability), we will create better policy and better services for everyone.*

- The objective broadly states that the Welsh Government will implement the PSED and will support other public bodies to implement the PSED. It is unclear why this has been included as an objective as it appears to be a restatement of the Welsh Government's statutory legal duty, rather than how it will deliver improvements as a result of discharging this duty. The proposed Measurement references 'improved PSED reporting arrangements', however this will not necessarily demonstrate improvements in how the Welsh Government or other public bodies are delivering, promoting or addressing inequalities but rather how they demonstrate compliance. This is also more of a role for the EHRC than the Welsh Government.
- It would be helpful to know how people with protected characteristics have been "at the forefront of the design" of these draft objectives, and how Welsh Government intends to keep them involved as it moves forward to developing actions. An explanation of how they have been involved would give this section more authority.

***Long-term Aim 4 - Wales is a world leader for gender equality. A gender equal Wales means an equal sharing of power, resources and influence for all women, men and non-binary people.***

*WG Equality Objective 4: We will begin to deliver the vision and principles of the Gender Equality Review*

- The WLGA supports the Welsh Government's overarching aim and commitments around promoting gender equality and recognises this is a key priority for the Welsh Government. Feedback from engagement events however demonstrates that although there is widespread support for this commitment, it is important that other protected characteristics are adequately considered. The Objective in stating that the Welsh Government will 'begin to deliver the vision' does not translate the Welsh Government's real ambition in this area into clear commitment to make tangible progress and impact.

***Long-term Aim 5 - Elimination of identity-based abuse, harassment, hate crime and bullying.***

*WG Equality Objective 5: By 2024, we will ensure victims who experience abuse, harassment, hate crime or bullying as a result of having one or more protected characteristics have access to advice and support to live without fear or abuse.*

- The WLGA supports the Welsh Government's long-term aim to eliminate identity based abuse, harassment, hate crime and bullying. The Objective around providing support to victims is positive and is a vitally important priority, however, it deals with the impact and after-effects of hate crime and harassment, rather than preventing and eliminating hate crime and harassment in the first place, which is what the aim states.

***Long-term Aim 6 - A Wales of cohesive communities that are resilient, fair and equal.***

*WG Equality Objective 6: By 2024, we will develop a monitoring framework to measure progress towards community cohesion and foster good relations between all groups, building on our existing policies and interventions.*

- The WLGA supports the Welsh Government's long-term aim for a Wales of cohesive communities that are resilient, fair and equal. The Objective to develop a 'monitoring framework' however does not sufficiently demonstrate the Welsh Government's ambition in this area and is a supporting action or even 'measurement' rather than an Objective, demonstrating greater compliance or providing additional evidence.

***Long-term Aim 7 - Everyone in Wales is able to participate in political, public and everyday life.***

*WG Equality Objective 7: By 2024, we will increase the diversity of decisionmakers in public life and public appointments, exploring areas where further action is needed to ensure greater balance of diversity among decision-makers and identify and investigate mechanisms to redress inequality*

- The WLGA supports and shares the Welsh Government's aim and Objective to expand engagement with and participation in public life. The WLGA, working with Welsh Government and partners, is developing a 'diversity in democracy' programme to encourage a greater diversity of candidates and councillors at the 2022 local elections.

***Long-term Aim 8 - The Welsh public sector leads the way as exemplar inclusive and diverse organisations and employers.***

*WG Equality Objective 8: By 2024 the Welsh Government will be an exemplar employer, increasing diversity, removing barriers and supporting staff from all backgrounds to reach their potential, creating equality of opportunity for all.*

- The WLGA supports the Welsh Government's long-term aim and ambition for the Welsh public service to be exemplar inclusive and diverse organisations. The Objective is appropriate in so far as it applies to Welsh Government as an organisation and employer in itself, but does not go further in demonstrating how or what the Welsh Government intends to do to encourage or support other public service bodies to be exemplar employers.

**Question 2: Do you think there are any areas of inequality that are not addressed by draft Equality Objectives and that are of particular importance to you?**

The Long-term aims and draft Objectives are broad and, although in the main do not refer to specific issues of inequality, provide sufficient flexibility through any future actions to tackle specific areas of inequality where identified.

**Question 3: Are there any emerging trends / issues / evidence regarding inequality in Wales that you feel should be addressed as a priority?**

The emerging trends have been identified through the Equality and Human Rights Commission's 'Is Wales Fairer?' report, which has informed the Welsh Government's draft Objectives. As noted previously, the draft Objectives are generally broad and provide a sufficiently flexible framework to identify specific actions to address any priority issues.

**Question 4: What are your thoughts regarding the approach of developing Equality Objectives that contribute to longer term, aspirational aims?**

It is appropriate that the Objectives seek to address longer-term aims; this aligns with the Well-being of Future Generations Act but also indicates that many issues require concerted and collective action over several years.

However, there is a distinct difference between a longer-term aim, and an ambitious aim which it is not fully in Welsh Government's gift to deliver, however long we plan to take. This needs more careful consideration.

The document suggests that these aims are 'offered as a model which other organisations may wish to adopt'; a pan-organisation, all-Wales Strategic Equality Plan or shared overarching Equality Objectives would be a positive development which would contribute to coordinated commitments and actions. Such an approach should not be 'one-size-fits-all', but allow local adaption and prioritisation according to local needs and priorities. To further develop this approach in future, the Welsh Government should review the equality objectives alongside well-being objectives and in advance of other public organisations' timescales; many local authorities have already drafted or developed Equality Objectives and therefore may not be able to reflect the Welsh Government's aims locally.

**Question 5: Do you agree with the intended approach to develop a small number of key actions under each Objective, linked to the 6 domains in Is Wales Fairer? 2018, as exemplars to demonstrate how the objectives will be achieved?**

As noted earlier, the Welsh Government's actions will be hugely significant in determining the successful achievement of the Equality Objectives and the Welsh Government's contribution to a more equal Wales. The proposal to link any actions to the *Is Wales Fairer?* domains is sensible as it will provide a framework with which to measure progress.

**Question 6: Do you agree with the intention to continue to align Equality and Inclusion funding with the Strategic Equality Objectives?**

The WLGA is supportive of this approach as it ensures a strategic focus to the distribution of the Equality and Inclusion funding and ensures resources and support are targeted in evidence-based and priority areas.

**Question 7: We would like to know your views on the effects that the proposed Strategic Equality Objectives would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How might we build momentum and increase any positive impact of these effects, or where you think there might be negative effects, what can we do to mitigate them?**

In setting the context for the draft Objectives, the consultation paper notes that the Welsh Language is not a protected characteristic under the Equality Act 2010 but the protection and promotion of the language is a statutory requirement through the Welsh Language (Wales) Measure 2011 and related Standards.

The Welsh Government's ambition and objectives around the Welsh language are outlined in its strategy 'Cymraeg 2050: A million Welsh speakers'. The draft Equality Objectives do not explicitly reference the Welsh language (nor each of the protected characteristics separately), but 'Cymraeg 2050's objectives should be referenced in the final Strategic Equality Plan.

It will be necessary to consider how the Objectives and, crucially, any planned actions will impact on the Welsh Language or protected characteristics through an Impact Assessment in due course.

**Question 8: Please also explain how you believe the proposed Strategic Equality Objectives could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

- See response to question 7.