

COMMITTEE ON EQUALITY OF OPPORTUNITY

Date: Thursday, 25 May 2000
Time: 9.30am
Venue: Committee Room 2, National Assembly Building
Title: **COMMITTEE ON EQUALITY OF OPPORTUNITY: DRAFT ANNUAL REPORT**

Purpose

1. To provide a draft of the Committee's annual report under Standing Order 14.2.

Recommendation

2. That Members agree the attached draft.

Timing

3. The Assembly's debate on equal opportunities arrangements is scheduled to take place on July 12. This means that the report needs to be agreed at today's meeting in order to allow time for amendment, translation and publication in good time for that date.

Committee Secretariat

May 2000

THE NATIONAL ASSEMBLY FOR WALES: ARRANGEMENTS TO PROMOTE EQUALITY OF OPPORTUNITY 1999-2000

Plan

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PREFACE BY THE CHAIR

[to follow]

1. BACKGROUND

1.1 This is the first annual report by the National Assembly for Wales on its equal opportunities arrangements under the terms of Section 120 of the Government of Wales Act 1998. It also incorporates the annual report by the Committee of Equality of Opportunity as required by Standing Order 14.2.

2. SUMMARY OF THE NATIONAL ASSEMBLY'S ARRANGEMENTS TO SECURE EQUALITY OF OPPORTUNITY

The Starting Point

2.1 When the Assembly was established equality was focussed in the main on staff related issues. An equal opportunities policy was in place governing the treatment of staff, and made clear that the Welsh Office was an "equal opportunities employer, but at that time there was no clear commitment or structured approach to the consideration of equality issues in the development of the Departments policies and programmes.

2.2 General awareness raising on equality issues was provided via training and seminars administered by Personnel Management Division. These helped staff to develop an understanding of the concept of equality of opportunity and the issues which can impact upon it, including personal behaviour. They also provided information about the legislation which supported equal opportunities and allowed staff the opportunity to discuss its potential application. In addition to training the then Welsh Office introduced a range of policies to help promote equality of opportunity for all staff. These included flexible working practices, part-time working, child care provision, support for disabled staff and the introduction of the Windsor Fellowship scheme to provide sponsorship of undergraduates from black or ethnic minority backgrounds and raise awareness of the Civil Service as an

employer.

Principles, policies, and priorities

2.3 The establishment of the Assembly has provided a real opportunity to move equality matters forward because of its statutory obligations to equality under sections 48 and 120 of the Government of Wales Act 1998. Apart from that obligation, the Assembly recognises its moral duty to secure equality of opportunity and that this is in accordance with its aim of being inclusive – representing and serving all the people of Wales equally. Within the Assembly there is a genuine desire and commitment to tackling discrimination and disadvantage.

The Work of the Equality Policy Unit

2.4 To take forward the equality obligations of the Assembly in a coherent and consistent manner the Equality Policy Unit was established within the Public Administration, Equality and Public Appointments Division (PEP). The Unit is a general resource for all officials in the Assembly, providing policy guidance and advice on equality issues.

2.5 The Equality Policy Unit's objectives fall into four areas:

- acting as a catalyst for, and promoter of, change;
- providing a centre of expertise and advice on best practice;
- in support of that function, maintaining a dialogue with organisations representing minority and disadvantaged groups;
- assisting and supporting the work of the Equal Opportunities Committee.

2.6 In its first year the Unit has:

- Completed the equality survey to establish baseline information about the extent to which equality of opportunity is already taken into consideration.
- provided a central resource for the rest of the Assembly, for advice and guidance on building equal opportunities into policy areas;
- kept abreast of legislation and other national equality initiatives in order to keep policy divisions informed when legislation has the potential to impact on their areas of responsibility, for example Human Rights Act; Immigration and Asylum Bill; MacPherson Report into the Murder of Stephen Lawrence;
- worked with Divisions in developing and co-ordinating priority policy areas;
- piloted and tested approaches in equal opportunities practice and shared information on best practice;
- considered implications for Wales of UK policy initiatives;
- Liaised with internal and external groups to identify specific initiatives to take forward, particularly in the areas of Race, Disability and Gender;
- Built on good relations with the Commission for Racial Equality, the Equal Opportunities Commission and Disability Wales/the Disability Rights Commission;
- Reviewed arrangements for consulting with voluntary sector equality organisations in Wales by developing effective consultation mechanisms for channelling the views of their members into the Assembly.

2.7 The Equality Policy Unit supports the standing committee on Equality of Opportunity. This has included providing advice and guidance on equality policy issues, responding to correspondence on equality issues, co-ordinating the Annual Report requirements and assisting in the audit / monitoring remit of the Committee.

Equality Baseline Survey

2.8 At its July 1999 meeting, the Standing Committee on Equality of Opportunity endorsed a paper which, in seeking to

commence the process of mainstreaming equality in the Assembly, recommended a four phase approach.

2.9 The first phase was for the Equality Policy Unit to undertake baseline interviews with Assembly policy divisions establishing to what extent race, gender and disability are taken into account in developing policies; what objectives and targets have an equal opportunities dimension; and what disaggregated data is available to monitor the outcomes of those policies.

The Group Directors' Meeting (Assembly senior management team) of October 1999 agreed a methodology of semi-structured interviews for the survey.

2.10 The semi-structured interviews with the 57 groups, divisions and units within the Assembly took place between October 1999 and early December 1999. The analysis and writing up of the interviews (which produced individual analysis reports for each Division) was carried out between December 1999 and March 2000.

2.11 An independent assessment of the analysis reports was completed in early April. The assessment was carried out by the equality advisers to the standing Committee on Equality of Opportunity (the Commission for Racial Equality (CRE);, the Equal Opportunities Commission (EOC); and Disability Wales) and provided for each division, a correlated and moderated ranking (from innocence to excellence) on the 5 separate criteria tested: business aims; top level commitment; monitoring; training; and consultation). The individual divisional assessments were used in arriving at a position for the Assembly as a whole. Details of this position are provided in chart form at **Annex A** of this report.

2.12 This baseline position gives an indication of the extent to which equal opportunities issues are currently being identified, addressed and monitored, and the level of knowledge of and commitment to equal opportunities issues within each of the Assembly Divisions. The assessment suggests that the Assembly has a consistently high level of awareness about equality issues, and that there is much good practice. However, this good practice is often implicit rather than explicit. It is also recognised that the rankings were drawn up on an average basis, but overall it provides a good foundation from which the Assembly as a whole can aspire to the next steps, with practical measurable actions in the coming year.

2.13 Most of the findings and conclusions are common to a number of divisions. For example, as a conclusion to the consultation findings, we are encouraging the further development of a dialogue between disadvantaged groups / communities and policy divisions, concentrating in the first place on race, disability and gender. It is for the divisions to consider whether this dialogue is best conducted at divisional level only or whether some group level contacts would help to provide a better overview. What is also clear is the need for all in the Assembly to take active responsibility for equality in their own subject areas, and to understand the need for ongoing action to imbed ('mainstream') equality into the Assembly's business and functions.

2.14 This survey in the Assembly's first year of operation is important as the Assembly will need to provide a clear lead to other organisations in Wales in mainstreaming equality into policy development. The Assembly's approach is likely to attract significant interest. There is a strong legal imperative to take equality issues forward given both the obligations to have due regard to equality in the Assembly's business and functions, under sections 48 and 120 of the Government of Wales Act, and the likely new UK legislation proposed as part of the Race Relations (Amendment) Bill, obligating all public bodies to have a duty to promote equality, starting with race equality. In addition the National Assembly Permanent Secretary has made a firm commitment to taking equality forward, and has made a public commitment to this in his programme to deliver "Better Government" in Wales, which has as one of its themes "Building equality into all our policies and practices". With the assistance of initiatives such as Better Government, if the Assembly can explicitly build equality considerations into the way that it develops and implements policy, thus making it an integral part of our business planning and monitoring (mainstreaming), the Assembly shall have a system which is both easier for all Divisions (no bolt-on equal opportunities plans) and more effective in terms of actually promoting equality of opportunity and inclusiveness.

Highlights/Best Practice

2.15 In seeking to mainstream equality in the Assembly, a positive start has been made not just because we are statutorily required to do so, nor because of moral obligations, but because it makes good business sense to utilise to the full the talents and potential of all.

2.16 A practical outcome from the work to date relates to what has already been achieved through the undertaking of the equality survey. The result of the semi-structured interviews conducted has been significant in the raising of equality awareness within each of the divisions interviewed. It is difficult to quantify and measure this in terms of precise effect or impact but one measure that can be gauged is the ongoing and ever increasing call on the Equality Policy Unit by divisions for guidance and advice on equality matters.

2.17 A positive fact that needs to be recognised is the good practice that already exists (often not highlighted) in a number of areas and divisions within the Assembly, together with a willingness to take equality forward. Amongst the examples of note are:

- i. the practical actions from some senior managers with particular regard to the survey which demonstrates top level commitment demonstrated by the holding of seminars for Heads of Division, by way of introduction of the baseline survey;
- ii. the work on the monitoring of impacts via performance indicators, that is taking place in Health, which will seek to identify for example the level of service being provided to the ethnic minority community;
- iii. the work taking place on the basis of developing ethnic monitoring in schools, being undertaken by the Education Division;
- iv. the early consultation processes being undertaken by Housing Division, which has produced a specific report addressing the needs and aspirations of the ethnic minority community.

These positive steps augur well for the future but the baseline will now need to be augmented by practical actions if the Assembly is to achieve excellence in equality.

Better Wales.com

2.18 The promotion of a culture in which diversity is valued and equality of opportunity is a reality is one of the three major themes and values at the heart of the Better Wales.Com document, launched in May 2000. The document sets out the long term vision for a better Wales: a tolerant society in which the needs of all social groups are addressed and everyone is given an opportunity to play a full part.

2.19 A number of policies and initiatives are being introduced between now and March 2003 to help achieve the aims of 'Better Wales'. Examples of the policies and initiatives which will contribute to promoting equality of opportunity include; a childcare strategy has been introduced to provide care and development opportunities for children which will, in turn, allow the primary carer to return to work if they wish; people from groups traditionally under-represented on the boards of our public bodies are being encouraged to put themselves forward for appointment; Student Access Funds are being made more accessible to help individuals who would otherwise be excluded from higher education; initiatives to help raise the attainment levels of pupils whose first language is not English or Welsh; ensuring that the schools curriculum reflects the diversity of our communities and tackles sex and race stereotyping; plans to promote equality of opportunity as a requirement of the European Structural Funds; an Information Age Strategy to help open up opportunities for those with physical or sensory impairments.

2.20 These are just some of the initiatives that will be put in place over the next 3 years. The Equal Opportunities Committee will be working closely with the Subject Committees and with officials to consider what further actions can be taken to help make equality of opportunity a reality. The Assembly will publish a detailed report on its progress each year and this will be widely available so that the people of Wales can judge our progress.

Key Indicators of Equality

2.21 The Baseline Survey described above provides a basis by which the Assembly will be able to monitor and measure its progress on equality issues, and in the following year report both on the actions taken and progress made. To achieve this the Equality Policy Unit will, in conjunction with the individual Assembly divisions, review the progress made by each division using the 5 separate criteria tested in the survey (business aims; top level commitment; monitoring; training; and consultation). The qualitative measurements in this year's baseline position will be updated in the light of this review, and a report produced specifying the revised position, together with the evidence which has led to the assessment. The ultimate aim is for the Assembly

to move to a position of excellence in its approach to equality.

Summary

2.22 In this first year a positive start has been made to mainstreaming equality, which is a hugely complex and sensitive task but also an exciting challenge, which if taken forward positively will bring real rewards to all the people of Wales. Following the Baseline Survey, we now have the basis for making the sort of practical progress necessary.

2.23 The survey findings by their very nature are to a certain extent subjective. This should not however take away from the validity or objective of the exercise which was to find a starting point and then for the Assembly to move forward from that point. It is recognised that each group/division may well identify different priorities: as they know their business objectives in much more detail, and indeed will be able to come up with far more precise proposals. The important thing is to identify priorities - based, wherever possible, on the views of those representing disadvantaged groups or communities - and a commitment to delivering whatever action and targets identified. It may be that Divisions/Groups will identify a need for advice or practical support from the Equality Policy Unit to pursue a particular action point.

2.24 Mainstreaming equality is not a small task, as it is fundamentally about changing the values, beliefs and attitudes of individuals and, as a consequence, the culture of an organisation. This, it is suggested, can be achieved by practical actions. This first Assembly equality survey to assess the current Assembly position is but a start, from which the practical actions will need to follow.

2.25 Training and awareness raising are key actions in this early stage of development. This is an area that needs to be looked at as a matter of urgency as it is considered unlikely that conventional training methods will achieve the changes in values and beliefs that the Assembly needs to mainstream equality. This will be a priority task for the Equality Policy Unit in the coming year to assist in devising innovative approaches to raising equality awareness.

2.26 The fact that the Assembly is an inclusive corporate body means, amongst other things, that equality is not the responsibility of any one person, unit, branch, division or Group. It is the responsibility of all: both individually and collectively. It is important that in the coming year this is fully taken on board and understood by all and that equality becomes second nature to all in the Assembly in their day to day work.

3. THE COMMITTEE ON EQUALITY OF OPPORTUNITY

The establishment of the Committee

3.1 The remit of the Committee on Equality of Opportunity is to make sure that the Assembly has effective arrangements to promote the principle of equality of opportunity for all people in the exercise of its functions and the conduct of its business. The importance of equal opportunities to the National Assembly can be gauged by the fact that it is one of only two standing committees with a remit spanning the whole of the Assembly's functions.

3.2 The Committee's detailed terms of reference are set out in Standing Order 14 (**Annex B**). A list of the Committee's membership is at **Annex C**. The first meeting was held on 22 July 1999.

3.3 The Committee has a strong interest in seeing that a **dialogue** with groups representing minority and disadvantaged interests takes place at all levels in the Assembly. In order to help to achieve this, members agreed at the first meeting that three organisations - the Equal Opportunities Commission, the Commission for Racial Equality and Disability Wales /the proposed Disability Rights Commission - should receive a standing invitation to attend meetings of the Committee as advisers in accordance with Standing Order 14.4.

3.4 Standing Order 14 requires the committee to have particular regard to the need for the Assembly to avoid discrimination on grounds of **gender, race or disability**. Members agreed that the committee should start out with a clear focus on these three areas, although they noted the need to have regard to other sources of discrimination and social exclusion including age, religious

beliefs and sexual orientation.

A brief summary of its activities to date

3.5 The Committee's priority has been to develop an initial action programme with activities across all subject areas, designed to promote equality of opportunity in Wales. Their approach involves a clearly defined role for all parts of the Assembly in taking the agenda forward, with the Equal Opportunities Committee monitoring progress on implementing the action programme in each area.

3.6 A four-stage **work programme** was agreed in order to integrate equality into the work of all parts of the Assembly:-

- a baseline audit to establish to what extent race, gender and disability are taken into account in current policy (including personnel); what objectives and targets exist that have an equal opportunities dimension; and what disaggregated data is available.
- each Assembly Secretary will receive from the relevant policy divisions a report on equal opportunities briefly setting out the baseline position and proposed priorities for action.
- the Committee on Equality of Opportunity will also consider the baseline analysis, the reports. It will offer comment and advice on the proposed actions, objectives and targets based on the overall picture and the priorities identified by outside organisations.
- Assembly Secretaries will approve firm action plans for their area of responsibility. These will together comprise the Assembly's first annual report and programme of action on equal opportunities. The Committee on Equality of Opportunity will review this report before submitting it to the Assembly for debate.

Although progress with the completion of the baseline audit has been slower than hoped, the results have been illuminating and thorough; and provide a firm platform for further action throughout the next year.

3.7 The Permanent Secretary assured members that the level of staffing in the Equality Policy Unit would be sufficient to enable them to carry out the substantial work programme. The Committee would have a very important role in overseeing the Unit's operational plan and agreeing its content.

3.8 Appropriate **training in equal opportunities** for all Members and officials was also felt to be a priority, especially for those who would be involved in public appointments. Members endorsed proposals for promoting equality awareness amongst AMs, and to ensure that equality training was a pre-requisite for all those who were involved in public appointments. These included a basic questionnaire about Assembly Members' availability and their past experience and knowledge of equality issues so that training could be targeted effectively.

3.9 The MacPherson Report on the murder of **Stephen Lawrence** had serious implications for all providers of public services and was not just about an isolated racial incident in London. The Report made 70 recommendations under 13 main headings with implications for organisations from the Assembly down to small employers. One of the main areas to address was education. Encouraging young people to embrace equality of opportunity was crucial.

The Committee invited the Secretary for Education and Children, Rosemary Butler, supported by ACCAC and Estyn, to outline how the Report's recommendations about education were being implemented in Wales.

In the light of this discussion, officials have been asked to draw up an action plan for taking forward the relevant recommendations in consultation with a working party of volunteers from the Committee.

3.10 A number of other issues were also considered by the Committee :

- the Committee took a keen interest in the plans for the new Assembly building. The Finance Secretary agreed to keep Members in touch with developments on the new Assembly building and access arrangements.
- an overview of performance on equality issues within the Welsh NHS
- Section 107 of the Government of Wales Act 1998 prevents the Assembly from acting in a way which is incompatible with the Human Rights Act 1998. Although the Human Rights Act is the overall responsibility of the Home Office, the Assembly has an important role to play in assuring its implementation in Wales. Convention rights have implications for many of the Assembly's functions and the Committee was the natural forum to oversee progress.
- the Leadership Challenge which invites those in positions of influence, at the very top of companies and institutions (including the National Assembly), to take a lead in promoting racial equality.
- The Global Cultural Diversity Congress 2000 which was expected to be held in Cardiff between 20 and 22 March 2000. The purpose of the Congress would have been to stimulate international debate about practical solutions to diversity and racial equality.
- the Pay Gap between men and women. This remains a particular problem in Wales 30 years after the Equal Pay Act came into force.
- the UK's contribution to the United Nation's Beijing Plus Five conference in New York in June, 2000. The event will focus on the UN's Platform for Action on Women. Members were keen to ensure that the UK's involvement took into account the distinctive nature of women's issues in Wales.
- the work of the Disability Rights Commission which went live on 25 April 2000. The DRC's aim was to achieve 'a society where all disabled people can participate fully as equal citizens'.

Forward look

3.11 The mainstreaming strategy will continue to be the Committee's main priority in the coming year and the Committee will need to closely monitor progress on implementing the action programme in each area.

3.12 The Committee will need to continue to demonstrate leadership and there would be an increasing emphasis on Committee members' role in promoting consideration of equality in their subject and other Assembly committees. The Committee will also be scrutinising the equality policies of Assembly sponsored public bodies.

3.13 However, it is also essential to ensure that responsibility for equal opportunities does not just lie on this Committee's shoulders. Equal opportunities is a corporate responsibility and a core theme which must influence policy. Applying the principle of equality of opportunity will need to become second nature to everyone in their day to day work. It should be regarded as a necessary part of a professional approach.

3.14 This means that the Committee will need to redouble its efforts to raise awareness and deepen understanding throughout the National Assembly. Every part of the Assembly needs to develop a dialogue with those representing disadvantaged groups and to frame its policies on the basis of the advice and guidance they provide.

Annual Review

3.15 A number of topics will be reviewed on an annual basis by the Committee.

3.16 The Committee has put in place a strategy designed to ensure that the right framework is in place to support the Assembly, Assembly Secretaries and every committee in promoting equality of opportunity. Now that that framework is being established, it needs to ensure that it provides clear priorities and targets by which the Assembly's achievements can be measured. The

Committee will be returning to the targets set out in Better Wales.com (paragraph 2.18 above) and the key measures of equality identified in paragraph 2.21 above in order to judge progress.

3.17 The First Secretary has also invited the Committee to monitor the implementation of the recommendations of the Disability Rights Task Force (DRTF).

Rolling scrutiny of ASPBs

3.18 The Committee's leadership role in equality matters will include urging other organisations in Wales, including Assembly Sponsored Public Bodies, to observe equality policies. The Committee also intends to scrutinise equality policies and practices within selected Assembly Sponsored Public Bodies (ASPBs) and Health Authorities. All ASPBs are subject to five-yearly Financial Management and Performance Reviews which can also be used to examine equality. It will also be appropriate to consider equality when Subject Committees and Assembly Secretaries examine ASPB's Corporate Plans.

Topics for in-depth reports

3.19 The Assembly needs to show leadership in Wales in tackling the underlying issue of institutionalised racism in the light of the **Stephen Lawrence** Inquiry. The Committee has established a steering-group and a small working party of appropriate officials and external bodies to take forward the education and other recommendations of the Stephen Lawrence Inquiry report. The Committee will expect to consider recommendations on:

- practical and appropriate actions necessary for the effective implementation of the Stephen Lawrence inquiry report in Wales;
- how the National Assembly for Wales and other organisations should fulfil their responsibilities and obligations under the report;
- mechanisms to inform, advise and raise public awareness of the issues and recommendations contained in the report;
- identifying and disseminating best practice effectively and positively combating racism in all its forms

3.20 The Committee will also be working to widen the pool of people applying for **public appointments**. A working group has been established to advise on a programme of action designed to achieve applications for public appointments which are broadly representative of the Welsh population, and which enable appointments to be made so that public bodies better reflect the communities they serve. The Committee will expect to consider recommendations designed to:

- attract applicants for public appointments in Wales from women, ethnic minorities and disabled people, in numbers representative of each of those groups in society.
- encourage applications for public appointments from a broader cross-section of the community.
- ensure that the selection process gives proper and fair consideration to applicants with ability but without experience considered necessary for an appointment.
- provide training for potential applicants to enable them to be better fitted for appointments.
- Overcome the barriers to accepting an appointment faced by many (e.g. time off work, child care etc.).

ANNEX A

EQUALITY AUDIT - INDIVIDUAL DIVISIONAL ASSESSMENTS

COMMITTEE ON EQUALITY OF OPPORTUNITY - TERMS OF REFERENCE

Extract from Government of Wales Act 1998

Section 48

1. The Assembly shall make appropriate arrangements with a view to securing that its business is conducted with due regard to the principle that there should be equality of opportunity for all people.

Section 120

1. the Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people
2. After each financial year the Assembly shall publish a report containing:
 - a) A statement of the arrangements made in pursuance of subsection (1) which had effect during that financial year; and
 - b) A statement of how effective those arrangements were in promoting equality of opportunity.

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STANDING ORDER 14 - COMMITTEE ON EQUALITY OF OPPORTUNITY

Title and Terms of Reference

14.1. There shall be a Committee on Equality of Opportunity, which shall audit the Assembly's arrangements for promoting in the exercise of its functions and the conduct of its business the principle that there should be equality of opportunity for all people. The Committee shall also have particular regard to the need for the Assembly to avoid discrimination against any person on grounds of race, sex or disability.

14.2. The Committee shall submit an annual report to the Assembly on those arrangements and their effectiveness. It shall also review and report to the Assembly its conclusions on the Annual Reports submitted to the Assembly by public bodies concerned with the promotion of equal opportunities.

Membership

14.3 The Assembly shall elect an Assembly Secretary to chair the Committee, together with other Members elected so far as practicable to reflect the balance of political groups in the Assembly and having regard to the desirability of each subject committee being represented on the Committee. Members who are not members of the Committee may attend its meetings when these are in public. Any such Members who have specific constituency or regional interests to pursue in relation to the work of the Committee may in advance of any meeting seek the chair's permission to make representations to the Committee at that meeting; but they may not vote. Members may also write to the Chair requesting that their observations on any aspect of the Committee's work be tabled for consideration by the Committee at its next meeting; and the chair shall arrange for such tabling to take place.

14.4 Without prejudice to paragraph 8.14, the Committee shall, from time to time, appoint such advisers as it requires to enable the views of minority or disadvantaged groups to be put before it.

Reports

5. The Committee may report to the Assembly from time to time in addition to submitting its annual report.

ANNEX C

MEMBERSHIP OF COMMITTEE ON EQUALITY OF OPPORTUNITY