



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Cyfle Cyfartal
The Committee on Equality of Opportunity**

**Dydd Mawrth, 24 Chwefror 2009
Tuesday, 24 February 2009**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

These proceedings are reported in the language in which they were spoken in the committee. In addition, an English translation of Welsh speeches is included. This is a draft version of the record. The final version will be published within five working days.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Eleanor Burnham	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Ann Jones	Llafur Labour
Nick Ramsay	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Steve Chamberlain	Pennaeth Cyflawni—Cydraddoldeb a Hawliau Dynol, Llywodraeth Cynulliad Cymru Head of Delivery—Equality and Human Rights, Welsh Assembly Government
Brian Gibbons	Aelod Cynulliad, Llafur (Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol) Assembly Member, Labour (The Minister for Social Justice and Local Government)
Natalie Price	Is-adran Cydraddoldeb a Hawliau Dynol, Llywodraeth Cynulliad Cymru Equality and Human Rights Division, Welsh Assembly Government
Danielle Boucher	Is-adran Cydraddoldeb a Hawliau Dynol, Llywodraeth Cynulliad Cymru Equality and Human Rights Division, Welsh Assembly Government

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Rita Phillips	Dirprwy Clerc Deputy Clerk
Helen Roberts	Ymgynghorydd i'r Pwyllgor Legal Adviser to the Committee
Bethan Webber	Clerc Clerk

Dechreuodd y cyfarfod am 9.35 a.m.
The meeting began at 9.35 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everyone, and welcome to the Committee on Equality of Opportunity. I remind all Members around the table, and anyone in the public gallery, to switch off mobile phones, pagers or BlackBerrys as they affect the translation and broadcasting equipment. In doing that, I remind members of the committee that you are free to speak in either Welsh or English. Interpretation can be accessed on channel 1, and

amplification of the verbatim proceedings can be accessed via channel 0.

[2] We are not expecting the fire alarm to go off or any test this morning, so if it does activate we will wait for the ushers' instructions and directions to the assembly point. However, if you want to get out ahead of me, which will be very difficult because I will be the first out, the assembly point is at the front of the building by the car park.

[3] I ask Members to make any declarations of interest under Standing Order No. 31.6. I see that there are none.

[4] There are no apologies so we are a full committee this morning.

9.36 a.m.

Craffu ar Gynllun Cydraddoldeb Sengl Llywodraeth Cynulliad Cymru Scrutiny of the Welsh Assembly Government Single Equality Scheme

[5] **Ann Jones:** I welcome the Minister for Social Justice and Local Government, Brian Gibbons, to the committee. The first item on our agenda is the scrutiny of the Assembly Government's single equality scheme.

[6] Minister, we have had your paper. Is there anything that you wanted to add to that or are you happy to go straight to questions?

[7] **The Minister for Social Justice and Local Government (Brian Gibbons):** No, we will go straight to questions, Chair. Thank you.

[8] **Ann Jones:** Thank you very much. What is the main advantage of the single equality scheme over single strand approaches?

[9] **Brian Gibbons:** I think that we know, both in theory and practice, that many people with disabilities have more than one disability and that people do not live their lives in narrow segmented streams but in a complex way, dealing with a full range of issues. We also know that, in some instances, cases brought before tribunal and so forth have been lost because the argument surrounded the strand responsible for a particular disadvantage a person was perceived to have. People who were clearly perceived to have a disadvantage were not able to prove the case because they were not able to precisely demonstrate that it was one strand rather than another that was contributing to the disadvantage. So, if you are a black woman, are you being discriminated against because you are black or because you are a woman, or if you have a disability and you are a woman, is it your disability or your gender that is contributing to it?

[10] So, the idea is to bring this together in a single coherent way, and, equally, to bring together new strands, because there was previously a three-stranded, separate approach—on race, disability and gender—and we have included a number of other strands that we feel are a source of disadvantage as well.

[11] **Ann Jones:** Thank you. You started to touch on the fact that you thought that the single equality scheme was better as regards allowing people to challenge or to receive assistance. Is there any disadvantage to having a multi-strand approach, or is there a risk that somebody may get missed out because something is not necessarily covered?

[12] **Brian Gibbons:** I think that, first of all, all of this has to take place against the background of the Human Rights Act 1998 and human rights obligations, so every citizen is entitled to protection under the human rights legislation. Everybody has that. That is the

context in which all of this operates. So, in that sense, everyone has protection.

[13] There are tensions, obviously, in the multi-stranded approach because clearly we include groups or strands such as faith or belief groups, and in some respects our social polity, faith groups or belief groups might have certain attitudes or beliefs which would not always fit easily with some of the strands. We had an issue a couple of years ago, colleagues may remember, when the Catholic Church was concerned about adoption societies and how they operated in Wales.

9.40 a.m.

[14] So, there are some tensions there, but I think that the way forward is to try to address those in a principled way within the context of the human rights framework that we have, which is the backdrop for all of this, rather than putting our heads in the sand and pretending that these conflicts do not exist.

[15] **Ann Jones:** Thank you. Joyce?

[16] **Joyce Watson:** Good morning, Minister. I read your report with interest, and while I do not disagree with a single equality scheme—in fact, I quite welcome it, and it runs along the lines of the general duty—my understanding is that in Wales there is a need perhaps for a gender duty, a specific duty rather than a general duty. Citing the example that you have just given about a black female, do you not think that if we adopted a gender duty, under the gender duty we would capture the two sides of the person being female and black because the gender duty would facilitate that?

[17] **Brian Gibbons:** Yes, I think that the previous Assembly was not happy with the gender scheme that was being put forward. I think that it was felt that it did not fully embrace all the principles that we, as an Assembly, wish to have so, consequently, we were not able to bring it forward in that way. Although for us, as an Assembly Government, we have a self-imposed gender duty scheme that we try to work against, even though it is not a statutory scheme as such.

[18] People have criticised the single strands as well because, clearly, in the six-stranded approach if you have to deliver compromise—if that is the word, and maybe not the best word—people who passionately believe in one of the strands feel that there are no grounds for compromise, that their particular area of concern is 100 per cent the issue, and having to accommodate two other equality strands is not what they got involved in the equality movement for.

[19] So, I think that in answer to your question, there are some tensions in that, but we would hope that the type of debate and dialogue we will have around the Equality Bill that is before Westminster—we have asked for powers to institute a gender duty here in Wales—will give us a scheme for ourselves, and for other public bodies in Wales, that will be fit for purpose and in line with the values that we want to promote in Wales.

[20] **Joyce Watson:** Okay. Thank you.

[21] **Eleanor Burnham:** There are issues that are obviously not covered by this single equality scheme, such as socio-economic disadvantage, location and carers' responsibilities. Can you also remind us how ageism is going to be addressed by this?

[22] **Brian Gibbons:** One of the fixed strands is an age strand. So, we do recognise that and, in terms of the work that we are doing to promote the single equality scheme within the Assembly Government, we are conscious of that and that is one of the strands that is tested in

terms of policy development and so forth.

[23] Equally, we have the older people's strategy and the Commissioner for Older People in Wales. We also have work going on to deal with violence against older people. There is also the benefit uptake scheme. So, we have a range of activities going on to promote the wellbeing of older people. But, as I said, all of this takes place in the context of the human rights legislation and the duties that are bound in that, and I think that in the consultation feedback—and Steve might be able to comment on that—there were a number of other areas that were offered as possible additional strands to the scheme. I think that the one that generated the most correspondence was whether or not there should be a strand for carers.

[24] I was not quite convinced at the time that the case had been made because many of the issues for carers could be more effectively dealt with through social policy rather than by establishing a rights-based approach, which is obviously at the heart of the single equality scheme. Clearly, there are people out there who think that the strands, even though we have gone from three to seven now, could be extended even further. I do not know whether the groups that were anxious or other interest groups felt they should have been included in the consultation. Can you remember, Steve?

[25] **Mr Chamberlain:** I cannot recall anything particular on that. I think that one of the things to come out of it was that the single equality scheme was never intended to capture everything that the Welsh Assembly Government has developed, but that there would be high-level priorities in the departmental action plans. So, even though it may not appear in a departmental action plan, it would still be going forward in these other areas. So, it really is providing a framework whereby we can mainstream equality throughout the policy development process.

[26] **Eleanor Burnham:** There are obviously many challenges in incorporating the human rights angle into the single equality scheme, and I would like to ask a question specifically this morning on a very topical issue. It is all very well having all this on paper and in theory, but we have an issue today about Conwy having apparently taken a decision—which we all sympathise with because of the credit crunch—to cut community transport. Minister, how are we going to ensure that this theory is put into practice? You are talking about vulnerable people who are possibly going to be without community transport, and some of those people are carers. That is the point; we have to make sure. How are you going to challenge local authorities and so on to take these issues very seriously?

[27] **Brian Gibbons:** I would not be able to comment on an individual case at this time.

[28] **Eleanor Burnham:** No, I realise that, but I thought that I would fit it into the framework.

[29] **Brian Gibbons:** The very fact that organisations have specific duties—and we will probably be coming on to the Minister's report on disability later on—behoves any public body in Wales to have a process in place to test its policy to make sure that it does not unduly discriminate against any particular sector within society. If that duty did not exist, then the policy could be implemented without any testing of it against the needs of various groups. As I say, I do not know the specifics of this so I hesitate to make any judgment about it, but any public body, if there is a statutory duty, has to test its policies against that duty to make sure that it does not discriminate against particular elements in society.

[30] **Eleanor Burnham:** Particularly those who are socially and economically disadvantaged and the very vulnerable.

[31] **Brian Gibbons:** Absolutely, yes.

[32] **Eleanor Burnham:** So, how do you see the challenge of incorporating the human rights angle into the SES?

[33] **Brian Gibbons:** The question that you are asking answers itself to a certain extent. I think that, in the past, people had a very legalistic and formalistic view about equalities, human rights and so forth, and a lot of it was based on establishing legal rights that were enforceable in the courts. Now, for us as a One Wales Government, that is certainly part of the deal but, equally, we recognise that probably the greatest inequalities in many respects are down to social and economic disadvantage. We have to have policies that will tackle social and economic disadvantage if we are to have a fair and equal society. Policies such as benefit uptake schemes, child poverty schemes, promoting benefit uptake for older people or getting people into work, are all there to tackle social and economic disadvantage. You can have all the legal rights that you want, but if you do not have the social and economic power to enforce them then it is all very theoretical. Social and economic justice has to be, and is, the top priority for us.

[34] **Eleanor Burnham:** On the potential for tension, for instance, between the implementation of a single equality scheme, perhaps with people who identify with different equality strands or between equality of opportunity and human rights—an example might be the balance between the freedom of speech and preventing offence—what kind of way forward do you believe you will be taking as the Welsh Assembly Government?

9.50 a.m.

[35] **Brian Gibbons:** Clearly, we do not want people to be discriminated against in how they use public services. So, while people have their own faith and religious beliefs, within the public domain, in terms of access to public policies and so forth, it would not be acceptable for those beliefs to prevent people having their entitlements and so forth. So, within the public domain the test is the common good, as determined by debate and dialogue, and that would be the basis on which we would proceed.

[36] **Ann Jones:** Janet, do you have a supplementary question?

[37] **Janet Ryder:** Just to follow on from that, does that extend to freedom of speech? There have been a number of instances lately, to do with this body and with Westminster, where people have used the ability to have their voice heard when many others in society have considered that to be incitement to violence, incitement to community unrest, or just offensive. Where do you draw the line and how do you measure this within your scheme?

[38] **Brian Gibbons:** Ultimately, I guess that it is a case for the courts because if, as you say, people use freedom of speech to incite violence or racial hatred and so forth, the law says that that can constitute a criminal offence and that will be tested in the courts.

[39] **Janet Ryder:** Would you allow it to go forward under this single equality scheme, giving equality of opportunity?

[40] **Brian Gibbons:** No, if it is against the law then—

[41] **Janet Ryder:** Then you would support the—

[42] **Brian Gibbons:** To be fair, I do not think that the single equality scheme will provide anyone with immunity from the law. The single equality scheme operates within the laws of the land, and certain abuses of free speech are illegal in this country, and rightly so, in my view. Nothing in this scheme will change that. People, in exercising freedom of speech, can

be offensive and hurtful to others, and can present points of view that are abhorrent to others. However, provided that that is done within the framework of the law, that is part of living in a democratic and pluralistic society. We are not obliged to agree with it, and if we do not like it we can campaign against it or whatever.

[43] **Ann Jones:** Nick, you have the next question.

[44] **Nick Ramsay:** Which number is it?

[45] **Ann Jones:** It is question 6, on monitoring outcomes.

[46] **Nick Ramsay:** Minister, on monitoring outcomes, what techniques will the Assembly Government be using to analyse the allocation of resources to different groups of people and, secondly, the impact of resource allocation on outcomes for different groups of people?

[47] **Brian Gibbons:** I will probably have to let Steve give you a little bit of the technical stuff on that, but you will be aware that we are due to launch the single equality scheme in the next week or so. One of the first commitments is that it will be subject to six-monthly review, so the launch of the single equality scheme will be road-tested in the reality of everyday life for us in the Assembly Government. We are committed to six-monthly reviews in the early stages to make sure that it is fit for purpose. In doing that, engagement with representatives of the affected sectors is important. It is also important that we engage with the equality champions and equality leads that we, as an Assembly Government, have established. Equally, through the rejigging of the framework by which resource is allocated within the Assembly Government, we will, hopefully, in time, be able to get a better feel for resource allocation with regard to, for example, gender budgeting, spending on children and so forth. We will be able to do that on a routine basis.

[48] The other thing that we are doing is that we are working with the UK Government and the Equality and Human Rights Commission to develop sets of indicators that will be useful in measuring progress on equality. There is a lot of information out there, but it is not in a form that is readily accessible. It is floating out there in various forms, and we need to be able to capture that from the equality point of view, as well as to work with the Office of National Statistics, and our own statistics directorate here in Wales, to devise data sets in Wales that will be able to measure performance in a more quantifiable way. I do not know whether there is anything you want to add to that, Steve.

[49] **Mr Chamberlain:** I have only one small thing to add. Obviously any of the policies or strategies developed by the Assembly Government will be subject to an evaluation, usually at the end, to see whether the outcome has been positive, but, in support of the single equality scheme, we have been revising the inclusive policy-making process. One of the revisions that we have included in that is that there will be a formal review stage, so once policies are being implemented there will be a formal means to capture any emerging differential impacts that have not been identified at the outset in the policy development stage, which can then be fed back into the policy-development process. We think that that is probably a useful addition to the process, and we are in the process of road testing that at the moment, with the hope that the final guidance will be issued in about April or May.

[50] **Nick Ramsay:** The Minister has told us before, at various meetings, how difficult it is to monitor the budget as a whole in terms of the equality spend and has stressed that again. I think that the funds allocated directly are £883,000, is that right?

[51] **Brian Gibbons:** That is the promoting equalities fund and that is important because that money goes to individual organisations working in the equalities area, such as Stonewall and the All Wales Minority Ethnic Association. That is an important funding stream but,

equally, Communities First, for example—to deal with Eleanor’s point—is about tackling social and economic disadvantage in communities and, for example, we would regard that as being part of the equality stream, tackling child poverty and so forth. So, the promoting equalities fund is important, but that is just some of the spend.

[52] **Nick Ramsay:** I appreciate what you are saying with respect to that, but with regard to that specific pot of money, are you confident that that is sufficient to meet the financial demand? It does not come across in your report.

[53] **Brian Gibbons:** If anybody wanted to write a cheque for a couple of hundred thousand pounds more, I would not say ‘no’. However, I think that we all realise the organisations that we are supporting—the people around this table will all be familiar with them—are important players in promoting equalities here. I am sure that they would say that they could do with more, and I would not disagree with them—we can all do with more money—but I think that the work that they are doing in terms of the return that we are getting for our spend is reasonable. We should also say that we are reviewing the promoting equalities fund and we will be repositioning it more in the context of equalities and human rights. So, there is a rejigging of that. I do not know precisely when the details of the rejigging will be in the public domain, but the key players in the sector are aware of that and they have been active participants in that. Indeed, we have rolled over the promoting equalities fund money at least one or two years.

[54] **Mr Chamberlain:** We had a rollover year this year as a transitional arrangement, and we were out to consultation with the organisations and individuals up until the end of last year, and we are going through those consultation responses now. Clearly, there seems to be an appetite that we link it more to the ‘One Wales’ commitments and ensure that it is linked more to human rights, as the Minister said.

10.00 a.m.

[55] What we are going to be developing on the back of that is a strategic criterion against which we will measure bids. However, so as not to destabilise those organisations with which we have built up a productive working relationship over the last number of years while the promoting equality fund has been in place, we have extended the transitional year for a further year so that they can carry on that good work. So, we will be running the two processes in parallel for the first year, moving probably to a full what we think will be called an equality and human rights fund in 2010-11.

[56] **Ann Jones:** Janet Ryder has the next set of questions, 7 to 10.

[57] **Janet Ryder:** Minister, I would like to ask you about the priorities in the action plan. Most of the outcomes included in the departmental action plan focus on the implementation of processes that aim to improve equality of opportunity for different groups. One states that, by April 2011, the aim is to increase the numbers of people from under-represented groups accessing mainstream business support by 3 per cent, to include women and lone parents, ethnic minorities, older people, younger people, disabled people and Welsh speakers.

[58] Instead of focusing on the process, you could have looked at something that would measure the outcome of that. You could have looked at the increase in the number of people from those groups who are accessing those services. Could you explain why you decided to focus on the processes as a priority, rather than the equality outcomes?

[59] **Brian Gibbons:** I am not sure that I would agree with you. I would have anticipated a question that was almost the opposite of that, that what we were proposing was too many high-level outcomes and not enough easily quantifiable measures of output to indicate how

we were going to get to the outcome. If you look at the plans, and at the size of the abbreviated version, every department has a telephone-directory-size document. In a document of that size there will always be an argument—or a fairly significant overlap—between what is an output and what is an outcome. I think that that is a perennial argument whenever we talk about these matters.

[60] Looking at the size of these plans, and the detail in them, I am not sure that that is a fair criticism. If that is a general comment about the plans, I think that it is unfair.

[61] **Janet Ryder:** It is a question, Minister, as to why you have come to that—

[62] **Brian Gibbons:** I do not think it is an accurate generalisation.

[63] **Janet Ryder:** If this process, as you say, is so complex—

[64] **Brian Gibbons:** It is not complex; it is detailed.

[65] **Janet Ryder:** If it is so detailed, how are you going to ensure that you monitor that those things are being implemented? How are you going to see? One way of measuring that the processes that you are setting in place here, quite rightly, are being put in place and being acted upon is to see some outcome from them. You have decided to look at deadlines for putting the processes in place. How are you going to monitor that? Will you be looking at the outcomes, and at what stage will you be doing so?

[66] **Brian Gibbons:** First of all, all departments in the Assembly Government are responsible for their own equality duties, and the action plan that flows from this has come from the various departments. All of those departments have equality champions and they link to Steve's department through the equality links. So, all of these departments look at the work that they are doing and they approve it against equality criteria. So, the action plans are the distillation of that, in terms of policy development. Those departments in the first instance are responsible for monitoring their own performance against their own equality targets, but Steve's department is the backdrop against which all of this evaluation takes place. The primary locus of responsibility rests with those departments.

[67] To be totally bureaucratic about it, the top board—I cannot remember its title; it is the strategic direction and policy board with the Permanent Secretary sitting on it, with department heads and so on—equally takes a keen interest in this equality work, to ensure that the whole Assembly Government, not just us as politicians but the whole civil-service side of the Assembly Government, is fully committed to the equalities agenda. The strategic board places great importance on making sure that that happens, led by the Permanent Secretary herself.

[68] On the last point, there are issues in terms of getting the data sets and the indicators together; that is true. The challenge, as I have said already, is that, in some instances, we are working with the UK Government and the Office for National Statistics and our own statistical directorates, to come up with data sets that will help to inform this process. Separately, we are also working with the Equality and Human Rights Commission to develop indicator sets that will give us a better feel for what is going on in this area. I think that it would be fair to say that, in those activities with the ONS and the EHRC, it is very much a work in progress. I think that I said to Joyce or Eleanor that there is a lot of data out there if you could only capture it effectively; again, that is a challenge for us, for example, in the information that comes into education or economic development and transport. The information is potentially there, but you need mechanisms of collecting it and reformatting it in a way that is consistent with measuring equalities performance.

[69] We think that this is important and should be core business. I guess, probably, that there are people writing for papers such as the *Daily Mail* who would regard this as a load of nonsense and ask why we are wasting taxpayers' money on this type of activity and so forth, but we regard it as important and we are committed to processing it.

[70] **Janet Ryder:** I do not think that anybody faults the Government on its intention to create an equal society, which is the basis of all of this work. You have said yourself that it is a very complex piece of work to undertake, and it is a very complex area to see whether what you are doing is having an outcome.

[71] **Brian Gibbons:** Yes.

[72] **Janet Ryder:** You must, Minister, as you have been reading through all these papers, have set yourself a timescale for what point in the future you might need to sit down to review, having done all of this, what impact is it having.

[73] **Brian Gibbons:** There is a six-monthly review, but I cannot remember whether it is two or three years.

[74] **Mr Chamberlain:** It is a three-year scheme.

[75] **Brian Gibbons:** Yes, there is a three-year stock take of how far the single equality scheme has taken us. The work that I have mentioned about data collections, and so forth, will hopefully go into the melting pot to evaluate what we are doing. Indeed, the Minister's report on disability and equality is the type of work that needs to be done. However, this is only the first report. Before December last year there was nothing comparable—we were at ground zero. So, we are on a journey and there will probably be stops and starts and deviations and so on, but I think that the broad approach that we are trying to take is the right one. It is not going to be simple—I accept that—but one of the challenges will be to have that information available.

10.10 a.m.

[76] Sometimes it is hard. What is all this talk of equality about? If you go down to the pub or join a supermarket queue, some things are obvious, but the more that you get into equalities issues, the more difficult that it can become to explain just where you are coming from in terms of promoting equality of opportunity. It is difficult to explain it, and it is even more difficult to capture the information to demonstrate that you are making a difference, but we are committed to trying to do that.

[77] **Ann Jones:** Do you want to move on?

[78] **Janet Ryder:** Moving on, the other crucial point for its implementation is going to be interaction and inter-working between Ministers. As you have said this morning, in answer to a number of questions, this is a cross-portfolio issue. How important will joint working across ministerial portfolios actually be to the success of this?

[79] **Brian Gibbons:** I think that this is, again, one of the reasons why we have a number of Cabinet committees trying to progress key policy areas, rather than individual Ministers trying to progress them. They are run on a collaborative basis through Cabinet committees. One reason why we do that is to capture duties that do not easily fit in individual portfolios, such as equalities issues.

[80] Again, the work is located in my portfolio, but the work that Steven's department does, in terms of working across all departments to influence what they are doing, is

important. There are also internal changes taking place within the civil service in the Assembly Government to make our own civil service more fit for purpose, to be able to capture the thematic strands across Government policy. There is a fair amount of work going on to make sure that, quite apart from the duties of individual departments—the free-standing duty, if you like—everybody has signed up and everybody has a heads-up in terms of trying to progress this agenda.

[81] **Janet Ryder:** It is located in your department. Do we assume, therefore, that you are going to be taking the lead on it in Cabinet? Could you explain a little more about what that will mean? If you look at something like child poverty, dealing with it will be achieved through a number of different Ministers' portfolios. Whose job will it be to make sure that something like that, which is a cross-cutting issue—as all of these issues are—is actually driven home and is acted upon?

[82] **Brian Gibbons:** If we take that as an example, there is a Cabinet committee on children and young people, and one of its consistent agenda items is child poverty and what we are doing to tackle child poverty. The development of the child wellbeing monitor, for example, which was published last autumn—again, a bit like this document—is probably the first attempt by any administration that I am aware of to measure, in a quantifiable way, the wellbeing of children. That came back to the Cabinet committee. Equally, we have the expert group on child poverty, chaired by Huw Lewis, which has important experts and academics sitting on it. The group looks at what we are doing on child poverty and it has produced two reports concentrating on education. We have the four nations child poverty forum, in which our officials meet with officials from Westminster, Scotland and Northern Ireland, to create that unified sense of purpose. So, I think that that is a good example.

[83] Whereas I have ministerial lead for child poverty, the agenda is, in fact, being driven forward by many different strands, but all converging in the Cabinet committee on children and young people to bring it all together. Indeed, on child poverty, I have also established what we call an implementation group, in which senior Assembly Government officials, plus some non-devolved bodies such as the Department for Work and Pensions, come along to discuss issues in relation to what should be going on in Wales to drive the child poverty agenda.

[84] That is the way in which we work and it does not fit tidily within any portfolio, as such. We have a whole range of ad hoc and sometimes more systematic procedures in place to address the issue.

[85] **Eleanor Burnham:** How much pressure are you able to put on the Department for Work and Pensions? We all realise that many equality issues in our society are to do with Government fiscal policies, taxes or whatever. Are you making headway, do you think? Might we appear or be perceived to be leading the way?

[86] **Brian Gibbons:** I think so, yes. People will know that there is welfare reform legislation going through Westminster at the moment, and we have made representations on five or six aspects of that particular piece of legislation. Whether it is down to our influence or not I do not know, but I would say that a substantial amount of the points that we have already raised with Westminster have been taken on board. Other people may be making them as well, so we cannot claim sole credit.

[87] On child poverty, to go back to it, we were the first administration to suggest that there should be a statutory duty to tackle child poverty. It is very interesting that Westminster has decided to go down the same route as us; indeed, if you look at its consultation paper on child poverty, you would not need to be a textual analyst of any great skill to see the similarities in the approach that it is taking in terms of the statutory duties and the approach

that we originally developed here in Wales.

[88] **Ann Jones:** We will move on. Nick, you have questions 11 and 12, on inclusive policy making.

[89] **Nick Ramsay:** Thank you, Chair. The single equality scheme presents the inclusive policy-making method of impact assessment as the key way that officials can ensure that equality considerations are mainstreamed. How are staff trained to employ that inclusive policy-making method?

[90] **Brian Gibbons:** Clearly, there are the formal tools that are part of the inclusive policy-making process—I think that we are on the first revision of the second version of that methodology, which I think started about two years ago, in 2007. We have had an initial proofing mechanism to see that all our policies are consistent in terms of equality. We have revised that already in the light of experience and are just beginning to roll out the revised model in practice.

[91] Equally, individual staff members have received training and so forth, in terms of how to use the tool and in general awareness raising in terms of equalities. I think that it is important. It may not be directly in line but, as a big employer, within the Assembly Government—we are very keen that our employment profile should reflect Wales as a country—we have many equalities networks among the employees themselves. They meet on a network basis and, again, they are a resource that we can tap into even though the networks would not be part of the official civil service structure as such. These networks have their own expertise that can be drawn on, on a needs basis. Are you able to say a bit more on the training and the skills that people need to implement the tools and general awareness?

[92] **Mr Chamberlain:** As the Minister said, we initially launched the inclusive policy making in 2007 and there was an initial tranche of training with some of the equalities champions that we have based in each of the departments, linking in with departmental leads within my own division. To develop that network and to spread the word out there, just to raise awareness that this new model existed, we did the initial training and then it was evaluated.

10.20 a.m.

[93] We realised that there were some areas for improvement. We are in the process of doing that now; we have just introduced the interim revised guidance in support of the single equality scheme. We are going to be conducting some initial workshop training over two days for about 45 officials, and what we have been able to do—because there is a greater appetite across the Assembly Government now to use this process—is to identify people who are taking their strategies through the policy gateway that is currently in use to make sure that they are joined up. That is the trigger point for a number of the equality impact assessments that are undertaken.

[94] So, we have been able to identify officials who are going through that process and ask them along to the initial training so that they can help us to refine it and tell us what they think of it. Then, hopefully, as I said earlier, we will be able to get the final guidance published by April or the beginning of May. However, we do not want that to be the end of the story. We want to ensure that that, in itself, is a process that is under continuous improvement. We are quite keen to work with officials across the Welsh Assembly Government, take back the learning and improve the model. So, in the same way as the single equality scheme is subject to six-monthly reviews, inclusive policy making will also be subject to periodical reviews, probably every six months, so that we can find out if we have any gaps emerging.

[95] The most important thing that we are trying to get across with IPM is to move away from a tick box mentality of, 'Here is a screening tool. I ticked the box. I have referenced it to the evidence'. We are trying to make it more of an organic process.

[96] **Nick Ramsay:** Are you succeeding in that?

[97] **Mr Chamberlain:** I think that we are. When I started, a little over a year ago, we only had seven policies that had gone through IPM, as it was then. I think that the forward look is looking at about 40 policies, strategies and action plans over the next 12 months, and what is nice is that people are contacting us to ask us how they use it to best effect. So, people are hearing about it; the message is getting out there, and there is a keenness to use it. People are starting to think about the needs of the users of the strategies and the services that they are going to be delivering. I think that that is a particular ground shift that there has been over the last 12 months that I have been able to witness. The important thing is not to frighten policy officials by making it a tick-box exercise, but by saying, 'This can help you improve what you are doing'. It does not have to be done at a particular point; people can always bring new learning back into it and improve their policies or practices. So, there is a lot of appetite for it.

[98] The other thing that I would say, just to follow on from that, is that there is a capacity issue where we use IPM to the best effect. A lot of people who are doing quite operational tactical work within the Assembly Government are also keen to use IPM to improve that piece of work. So, it is not only strategic documents that are going through the policy gateway where we have an appetite to use IPM, and I think that is encouraging.

[99] **Nick Ramsay:** You have clearly found that the methods apply better in some departments than in others.

[100] **Mr Chamberlain:** It would be fair to say that the evidence base for the various equality groups in each of the portfolio areas is variable, but we are working to improve that. We are looking to improve the evidence base to support IPM. We are doing more signposting to other evidence that people can use. The training that we have specifically tailored this time round is to train people to do some high-level research and to use tools available to them; we point them in the direction of our researchers where the evidence base is and share that notable practice around. We also share learning from strategies where differential impacts have been identified.

[101] What we have realised is that that cannot be left to departmental champions on their own. We have to expand it to have more of a practitioners network of people who are engaged with the process who can then spread the knowledge further across the Welsh Assembly Government. All of that is happening in parallel. We think that there will be a huge improvement in the way that inclusive policy making is adopted and consistently applied across the Assembly Government. We have undertaken to do an independent evaluation of the new process in about a year's time, when we will have more evidence, to see how it is actually working.

[102] **Brian Gibbons:** As I understand it, Chair, there are cases in which officials would accept that there are gaps in their knowledge and understanding, and that we go outside the Welsh Assembly Government to third sector operations or voluntary sector groups to ask them to come in to work with us to make sure that these policies, from their particular perspective, are fit for purpose. So, it is not entirely an inward navel-gazing exercise. It is an open-door policy where others, who might have a more critical view, can help us.

[103] **Ann Jones:** Thank you. We are running out of time, but I have allowed it to go on because I think that it is important. However, I want to scrutinise this report and the ninth

report as well, so Members and the Minister should bear that in mind with these final questions. We might finish by 11.00 a.m.. Joyce.

[104] **Joyce Watson:** Your last answer follows on nicely to my questions, which are around involvement of the public and the Assembly Government staff in the development and the monitoring of the SES. What were the main challenges in involving the public in the development of the SES, and how were they addressed during that consultation process? How were any competing priorities and concerns expressed by the public handled, and how will they be involved in the monitoring of future development of the SES?

[105] **Brian Gibbons:** Again, Steve will be able to give a bit more on the detail but, from discussions with officials, I know of their commitment to engage with external organisations, in terms of going out and meeting individual groups, holding focus groups, conferences and so forth—I think that the list of the consultations that took place may even be in some of the documents somewhere. We do produce lots of documents, send them out and ask people to respond as consultees.

[106] I think that it would be fair to say that, in this particular exercise, officials and people working on this strategy were actively going out, not just, as I say, to get feedback, but working with the key stakeholders to try to put a shape to what this policy meant for Wales. I think that the people involved in that were involved in a fairly creative piece of public participation and policy formation. I think that the document is definitely stronger and better for that.

[107] Those links obviously still exist and they will be part of the review mechanism. Again, all Ministers have bilateral meetings with third sector organisations, which will include issues in relation to equality. So, there will be that face-to-face interaction with the political leaders as well as more background work that Steve and his officials will be doing to monitor that. I do not know if you can say any more as to how these outside organisations were involved in the process.

[108] **Mr Chamberlain:** Yes, I think that we were quite fortunate in a way. We actively sought engagement from a number of, certainly, the equality groups that we have built up a dialogue with through our relationship with the promoting equality fund. Again, there was an appetite in that people wanted to help us to have an effective equality scheme. I think that that was one thing that came out very early on, when we had a community engagement officer seconded in to help us develop an effective programme. People wanted to see what the action plans were going to look like, as well as the top-level scheme, and that is why we did not only the engagement and the development of the action plans and the high-level outcomes, but also then went on to a public consultation, including the action plans as well.

[109] Just on that element alone, 18 equality groups were happy to organise focus groups for us with their networks, and about 25 focus groups took part in those events in the three months of the public consultation. There were 1,400 citizen panel questionnaires returned and more than 400 people took part in the focus groups. I think that we received something in the region of 120 written responses. One of them was almost 100 pages long in itself on our single equality scheme.

10.30 a.m.

[110] So, there was a lot of appetite for it. More organisations are going to a single equality scheme, so it was a bit of a learning curve for the equality organisations as well as to how to make it better. So, there was that appetite and it is probably the better for it.

[111] The other thing that we were able to do is host a forum whereby we brought policy

officials from across the Assembly Government departments together with the equality groups, and had that dialogue going on throughout its development.

10.35 a.m.

**Craffu ar Adroddiad Gweinidogion Cymru: Gweithredu'r Ddyletswydd
Cydraddoldeb i Bobl Anabl ac Adroddiad Blynyddol Llywodraeth Cynulliad
Cymru 2007-08**

**Scrutiny of Welsh Minister's Report on the implementation of the Disability
Equality Duty and Welsh Assembly Government Annual Report 2007-08**

[112] **Ann Jones:** We will move on to the disability equality report, which we have mentioned several times already. This will be a test of equality opportunity for us now, as we have 15 minutes to discuss both reports: the disability equality report and the ninth annual report on equality. We have sets of questions here. Joyce, do you want to start with the first question, on the disability equality report?

[113] **Joyce Watson:** Okay. I will go straight to the question. Why was the decision made not to identify the public authorities that opted not to respond to the survey? The survey is included in that report.

[114] **Brian Gibbons:** Well, in all truth, I am not aware that there was a conscious decision to do that per se. In general, we as an Assembly Government do not take a 'name and shame' approach to public service improvement. That is borne out in things such as league tables and SAT tests and so forth; it is just not generally a thing that we do. Occasionally, it is necessary to name and shame, but, in broad terms, that is not an approach that we take.

[115] **Joyce Watson:** Was any work undertaken to find out why some public authorities did not respond to the survey, particularly the 43 per cent of further and higher education institutions that did not respond?

[116] **Brian Gibbons:** I suppose that the glass can be half full or half empty. If you have a postal survey that has a 75 to 80 per cent response rate, then I would ask how the hell you did it. If you look at postal surveys and online surveys, if you break out of the 30 and 40 per cent range, then you feel pretty good. So, my initial response would be to ask how you got a 75 or 80 per cent response. The fact that there was a 75 to 80 per cent response rate for the survey, which was the first of its type, is pretty impressive.

[117] The point you make is a quite good and interesting point. I think that all local authorities responded, from memory. Virtually all health bodies responded, and most of the quangos—let us call them that—responded. The semi-autonomous institutions, the HEIs and the further education institutions, which are more semi-detached from formal Government, as you say, had a less positive response rate.

[118] In terms of the performance, I think that, equally, it is probably interesting—you may have a question about this later on—that the further you are from Assembly Government control in some respects, the more variable the performance probably is. For the future, you will have seen the recommendations that are included at the end of the report, and clearly the whole point of the recommendations, apart from anything else, is to make sure that, where the response rate was not as good as it should be, we will get a better response from those sectors. I do not know whether there is anything very specific that we can add.

[119] **Ann Jones:** We will leave that and look at your next report and measure whether your recommendations have made any difference. I will move on very quickly. In the survey,

provision of staff training on disability equality was used as a tool by almost all organisations in response to the Disability Discrimination Act 2005. What evidence is available to assess the effectiveness of staff training used as a tool to eliminate unlawful discrimination against disabled people?

[120] **Brian Gibbons:** For us as an Assembly Government it is, in many respects, very difficult for us to go out and measure the compliance of these organisations against what they are reporting. We are very much dependent on the internal governance of those organisations to underpin what they are reporting. I do not know whether there is anything you can add to that, Steve.

[121] **Mr Chamberlain:** I think so. I think that, again, it is not something that is taken in isolation. This was very much a questionnaire-based survey and it was a very good response rate, given the fact that there was no compulsion for public authorities to respond, but I think that the work that is going on with the performance indicators that the Minister has already mentioned will give that qualitative side to the quantitative research that has been done already. So, this very much was a benchmark; it is not about setting targets. It is about putting the flesh on the bones, almost, and telling the story of how this, which is reflected in the Welsh Minister's report, is being implemented and I think that that is something that we have learned for the next Welsh Minister's report.

[122] **Ann Jones:** Thank you. We will move on to the next set of questions, from Eleanor.

[123] **Eleanor Burnham:** I will be as brief as possible. I notice, unless I am mistaken, that in annex 2, page 31 of the report—and I am sure you can clarify this briefly—that the number of responses from Assembly Government-sponsored bodies seemed to be very low. It was only six.

[124] **Brian Gibbons:** That is the point I made earlier on. The further you are from being under the thumb, if you like, the more problematic it is.

[125] **Eleanor Burnham:** Can you provide some examples of activities undertaken by public authorities in order to involve disabled people in the development of your disability equality schemes, or theirs? How is the efficacy of these activities evaluated? Was any assessment made of the attempts made by public authorities to involve disabled people from different backgrounds and circumstances, and you can list them: BME communities, disabled people, people of different ages, people with different impairments, conditions, or even gay disabled people, and so on?

[126] **Brian Gibbons:** As Steve has said, this was a postal survey or online survey, so that is the strength and the weakness of it. Clearly, we were not checking or looking over people's shoulders to see what they put in the boxes was a load of nonsense or whatever. We have no reason to assume that and, equally, as I think that I have said in response to the previous question, clearly it is up to the governance arrangements and these various bodies' own statutory equality duties to make sure that they are dealing with these issues. If you look through the report you will see that to varying extents the different organisations are trying to do that. I do not know how many boxes there are, but if you go through these tables—it is impossible to memorise them—you will see that there are various parts of this survey that will give you an answer to a number of those questions. Clearly, it is impossible for me to remember any of the permutations of hundreds of fields of returns.

[127] **Ann Jones:** We move on to the next couple of questions. Nick, you have questions 7 and 8 on the recommendations, and Janet has question 9 and 10.

[128] **Nick Ramsay:** Minister, when will the advisory group referred to in recommendation

I be set up, and who do you expect to take part in the group?

[129] **Brian Gibbons:** It is in the process of being set up. It will include people representing the Assembly Government. I may chair that group, but, equally, we would want to bring in groups from the outside, such as disability organisations, to work with us to inform the advisory group.

10.40 a.m.

[130] **Nick Ramsay:** Recommendation 4 states that the Assembly Government should explore how disabled people can be actively involved in future programmes of policy and research to gain a factual assessment of the effectiveness of the schemes. Can you explain to us the thinking behind that recommendation? Are there any current examples of a public authority that involves disabled people in the evaluation of equality schemes?

[131] **Brian Gibbons:** The rationale is precisely what Eleanor was commenting on. In this exercise there is no independent weather check of what is put into the report, so the thinking behind recommendation 4 would be to produce some triangulation for what has been reported back. Again, you will need to interrogate the report itself, but, from reading through the report, you will see that a number of organisations do precisely that. They engage with their own staff as a resource in informing policy, but also actively go out and seek the views of people with a disability to inform how well they are doing. It is not a consistent practice, that is for sure, but I think that the report gives enough evidence to show that it is not an isolated practice either.

[132] **Janet Ryder:** Minister, in recommendation 7 you say that public authorities

[133] ‘should reflect on this report and how it can be used to develop/instigate further progress in promoting disability equality, whilst making sure that the systems are in place to deliver the legal duties.’

[134] What can you do to encourage public authorities to reflect on the findings and recommendations in your report? How will the results of that recommendation, that reflection, be evaluated? How will you evaluate it? Finally, in areas served by public authorities that have implemented the social model of disability, what effect has that had on disabled people?

[135] **Brian Gibbons:** I do not know whether Steve might disagree with me, but I think that the development of the social model of disability is at a fairly early stage. I think that we all have understood the principles, or the thinking that is behind the social model, for quite a number of years; I do not think it has been clearly articulated. Implementing the social model of disability does involve a mindset change, and we are in that transition period at the minute. I hope I am not being unduly critical, but I think that in the past this sort of work would have been very much formulaic, box ticking and so forth, whereas I think that the social model of disability demands a much more participative and creative way of working with people who have a disability.

[136] Steve may be able to give you a little bit more, but I think that the very fact that this report is published, that we are discussing it, and that individual authorities can benchmark their performance against other organisations, is part of the learning exercise and, indeed, if you look at the proposed local government Measure, one of the requirements in that is the use of benchmarking information to drive service improvement and also functions.

[137] Before this report was published, I think that the public bodies really would not have any benchmarking at all by which to judge their performance, so the very fact that this is

available, that we are discussing it, that it is within the context of, for example, local government improvement agenda and so forth, all of that provides context for just a general greater emphasis being put on these issues. I do not know whether there is anything you can add to that, Steve.

[138] **Mr Chamberlain:** It will be the advisory group that follows through on these recommendations because some of them we are not being prescriptive about. The group will be convened in the next few months, hopefully, and then we can start to develop what we are going to do to address some of the issues that have been brought forward in this report. What I would say is that I think that we have a good tradition in Wales of working with the disability access groups on various projects, certainly, and that might provide the blueprint for the way that we proceed with this. The example that immediately springs to mind is the work that has been done on accessible venues. The database of accessible venues has been put together and then we work with our colleagues in the Department for Economy and Transport, Disability Wales, and the access groups that then go around and validate the information that has been provided, but not in a prescriptive way or damning way saying, 'You have not done this'. It is about encouraging conference venues to improve access, and I think that has been a positive experience and may provide a blueprint.

[139] **Janet Ryder:** Chair, if I can try to make a link into the last committee, when we were taking evidence on adaptations and the need to encourage a register of housing that had been adapted and the kind of adaptations that had been done in those houses so that when people presented needing an adapted house the authorities, or the housing associations, know where to house those people, would that be the kind of thing that authorities could extend this into?

[140] **Brian Gibbons:** I guess so. I know that when we brought in equipment in the community, aids to allow people to live at home, one of the things we included in that scheme was a database of where the equipment was, what the equipment was and so forth because prior to that the informer just was not available. We all know stories of going into people's houses and tripping over the Zimmer frame or the old chairlift for five years because nobody has got around to removing it. That is the sort of proactive thinking that is needed and obviously IT makes that much easier, whereas paper records would have been cumbersome. I think that there is less and less excuse, with IT, not to have a database with that sort of information.

[141] **Ann Jones:** Well, we have done the disability equality report in 15 minutes, but I do not think we have done it justice. Once again, I think that we should place on record the fact that this is the first report of its kind and, therefore, you should be congratulated on it. There is a wealth of information in it that I am sure this committee will use throughout the year.

[142] We will move on to your ninth annual report on equality. I suppose that if the disability report is the baby, this must be either grandma or granddad. Minister, how did you decide what information you would include in this report, and how did you decide to set it out? I notice that we asked for a forward look as Assembly Members and we have it, but we do not seem to have any outcomes that have resulted from actions taken to promote equality. So, while having a forward look, we do not really know how we have got on.

[143] **Brian Gibbons:** That is an excellent point, if I may say so, Chair. I struggle with this myself because lots of reports are really mind-numbing. There are big, long lists of activities that run to 50 or 60 pages. You struggle through to the end and you ask, 'What is the big picture?' You spend hours getting to the end and you can see the trees but you cannot see the forest.

[144] So, I have been trying to see whether it is possible to produce a report that focuses more on the big picture, with the consequence that the trees may not be as apparent. There are

two approaches: either you pile all the detail in and tell the reader to make sense of it, or alternatively, you can try to give a few headline thematic messages and say, ‘If you want to get further information, if you want to look underneath this, then this is where you get that further information’. I cannot pretend that any of these reports are perfect in any regard, really, and if colleagues have some help or information or guidance for you as users of these reports, I would be very pleased to seriously consider anything that you may say.

[145] **Ann Jones:** That is fine. That is an honest answer. Thank you for that. We will move on then to the next set of questions. Eleanor, you have questions 2, 3, 4, and 5.

10.50 a.m.

[146] **Eleanor Burnham:** Before I do so, I would like to commend you on your brevity. This is a personal view, but I always believe that visuals can be very helpful—I think that a picture speaks a thousand words. Apart from that, I commend you on your brevity because I thoroughly agree with you, particularly when you are chasing up and down on the train with thousands of these that you are supposed to read.

[147] I am very pleased about the inclusive policy-making tool, which is obviously helping mainstream consideration of equality duties throughout the Government, but I was a bit concerned about what Steve Chamberlain said earlier about the fact that it is not mandatory throughout the Government—this was when we were asking about staff training—and that there is an appetite for it. We need a bit more of an appetite. We need perhaps a little bit more encouragement, and personally I believe that this should come at the front end of any policy delivery and not as an add-on.

[148] Very briefly, about databases, one of the issues that we remember very well as from the North Wales Regional Committee was the lack of accessible venues throughout north Wales. Surely this should be top of your data list, because I think that there was only one—Llandudno Junction comes to mind. That is just *en passant*. It was quite breathtaking to think that nobody in the local authorities was doing anything. I am not criticising any particular authority, but I thought that was a very big issue, because if that is the only accessible venue for people with all kinds of disabilities in north Wales that is a very poor show. So, I suggest that that should perhaps be looked at in haste.

[149] When it comes to the inclusive policy-making tool, can you provide an example of a policy that was changed as a result of the inclusive policymaking process? When and where will the results of the full impact assessments be published?

[150] **Brian Gibbons:** First of all, just to deal with your first point, I think that the point that Steve was making was that there is a backlog of policy and strategy that has not been through the inclusive policymaking process, simply because the tool did not exist and a lot of policy has come into being. So, self-evidently it could not go through the system, but currently and for the future that is not the case; virtually all policy is screened. All major policy, particularly strategy, is subject to the full impact assessment and policies that are screened that are possibly problematic are subject to further assessment. So, hopefully, that provides you with the assurance that you are looking for in that regard.

[151] At my level it is very difficult to respond to your question on drafting, and I will have to ask Steve to answer. The officials are obviously beavering away on drafts one to 10. Thankfully, I only see the penultimate and ultimate drafts. So, I would not particularly be involved in what has happened with drafts one to four. Occasionally, in the penultimate or the final drafts, something can crop up about which you wonder, ‘What is all that about?’ but I do not know whether you can think of examples in area policy development, Steve.

[152] **Mr Chamberlain:** There are a number of examples where, as a policy has gone through the policy gateway, and then the decision is taken at the screening stage for the inclusive policy making whether or not it is going to go on to a detailed assessment, there are some gaps in the evidence and we are working to address that. However, generally, I think that there has been a shift in thinking. Previously, people did not necessarily think that the work that they were working on had an equality angle to it, and now there is a greater realisation that it does impinge on everything that we do as a Government and that is starting to come through in the drafting of the document at its earlier stage. One really good example would be the work that has been done by our housing colleagues on the development of strategies in that area, where equality groups were brought in right at the developmental stage of the policies. When a policy gets through to the policy gateway and IPM processes it is almost like the job has been done because there has been that early engagement. There are others that have not been so good, where we have been able to point out that this is not good practice or that perhaps they might want to speak to this group or that group, and they have then gone away and there has been a very much improved version that has finally gone out to consultation. So, I think that we are starting to see improvements.

[153] Going back to your other point about when we are hoping to publish those, once we have the guidance and we have launched that we will be putting the screening assessment, the detailed assessment, and any review periods that have been agreed, on the equality and diversity part of the Assembly Government website. Again, the detailed report is not going to be a tick-box exercise, as was previously the case with IPM. It will tell the story of what has been done to engage with equality groups and what changes have been made as a result of the detailed assessment.

[154] **Eleanor Burnham:** Just very briefly, what has been learned as a result of piloting and independent review of the inclusive policymaking method? Are the results of this evaluation work publicly available? How was the promoting equalities fund used to enhance dialogue between under-represented groups and the Assembly Government in 2007-08?

[155] **Brian Gibbons:** I do not know whether it is in the public domain or not, but there is a revision of the initial tool. As Steve has said already, we are working with mark 1.5 of the tool as part of going to mark 2. Perhaps, Chair, it would be easiest if I sent you a letter on that. I do not know how widespread the word is in relation to the fine-tuning of this tool, but perhaps we could send you a one-page a letter and then if people wanted more detail then we could give you that. I do not want to swamp you with information.

[156] **Ann Jones:** No, that would be good. Thank you.

[157] **Joyce Watson:** The Assembly Government's previous annual report on equality, covering 2006-07, included information about the development of gender budgeting techniques, and I have asked you many questions about these. What progress was made in 2007-08 in the development of gender budgeting techniques?

[158] **Brian Gibbons:** The mechanisms by which the Assembly Government as a whole collects and brings together our information are probably not fit for purpose, so the whole system—not specifically gender budgeting—is being overhauled and put together again. So, for the type of questions that you raise in relation to gender budgeting, children's budgeting and so forth, it will be easier to get access to that information. I think that Eleanor mentioned the promoting equalities fund separately. I think that Steve said that, from separate work that has been done, we know that around £12.5 million has gone to women's organisations working in this area. I do not know whether you can say anything more on that, Steve.

[159] **Mr Chamberlain:** No, other than that, when we find out a piece of work on that we are constantly adding to the picture in terms of certain grants that we are aware of and moneys

going to certain equality groups. That is not quite what you are asking about in terms of gender budgeting and children's budgeting, but how much money has been paid to a particular equality group is a question that keeps being raised and we do not have a full handle on that at the moment. It is an increasing picture, however, because, again, if you are mainstreaming the spend of the Assembly Government into policy development, it is very difficult to track, as has been said many times before.

[160] **Brian Gibbons:** It might be useful, Chair, because I know that nearly every time that I appear before the committee this issue comes up, for me to give you a paper on that—it is not strictly within my portfolio, but maybe I could do that with the Minister for Finance and Public Service Delivery or even elsewhere in the system—so that you get a better picture of where we are with developing systems in that regard.

[161] **Joyce Watson:** What concerns me here is if you want to deliver something, and you want to see a commitment, you track the money. That is what I always say. If we are not tracking the spend and the outcome of the spend then how do we know that our commitment has been followed through? There are many examples, but if we say that we want to engage more young women, as opposed to young men, in sport, we need to look at and track where that money is being spent. It is fairly obvious that commitment has an outturn, and the outturn in many cases to deliver services is spend. That is really what gender budgeting is about, trying to burrow down and reveal our commitment. So, I would welcome some further work on that. I am, as you have probably gathered, quite passionate about gender budgeting and I was one of the original proponents of it way back when. So, I look forward to a paper on it. Thank you.

11.00 a.m.

[162] **Brian Gibbons:** It is probably not a debate for here. I certainly think that your point about making sure that the money is there is important, but we cannot assume that because the money is there the outcomes have been delivered. I think that this is probably an issue for us as an Assembly Government and the way in which we have done business. I think that Janet made a point way back that we can get bogged down in the process, but we need to be looking at the outputs and the outcomes. Otherwise, we can throw all the money we want at the problem to no avail. Let us be honest: we are moving into an era in the next half decade or decade in which service improvement will not be driven by our ability to throw money at it. That much is certain. We have to come up with new ways of delivering. So, yes, resource is clearly needed, and it may be a prerequisite to delivery but it certainly is not the end of the story by any means.

[163] **Ann Jones:** Let us move on then, as we are fast running out of time. We will try to get through this set of questions. Nick is next, with questions on equalities evidence bases and procurement.

[164] **Nick Ramsay:** When will the equalities evidence guides be published?

[165] **Brian Gibbons:** Is there a definitive date? I do not think so.

[166] **Ms Boucher:** It is 10 March.

[167] **Mr Chamberlain:** Yes, 10 March.

[168] **Brian Gibbons:** There we go: 10 March. I do not know how that will appear in the Record of Proceedings. [*Laughter.*]

[169] **Nick Ramsay:** There was a voice from above. Can you or your colleagues give some

examples of how Assembly Government departments have pursued equality of opportunity through the procurement process? I should point out that we have moved on to another section now, which is procurement.

[170] **Janet Ryder:** May I just tag onto the end of this? May I just clarify whether that means the procurement of goods only, or does it include services as well?

[171] **Nick Ramsay:** Hold on. Shall I ask that question first?

[172] **Janet Ryder:** Well, you have just asked about the procurement process, have you not?

[173] **Nick Ramsay:** Yes.

[174] **Janet Ryder:** I just wanted to ask the Minister to clarify whether it is goods only, or goods and services.

[175] **Brian Gibbons:** It is goods and services. Working with Value Wales, we are getting much better at using procurement and at just Welsh sourcing. We have gone from a third to a half, give or take, over recent years, but the use of procurement as a lever for social policy is recognised. Value Wales is doing a good job of contributing to that progress. We are working with Value Wales, which is more aware of this agenda, and it is trying to drive that forward with statutory bodies and others who disseminate funds.

[176] However, if Andrew Davies were here in his role as Minister for public service delivery, he would point out that pitifully few high-level procurement officers work in public services in Wales, and even the people who are classified as procurement officers are often fairly low down in the hierarchy and so are not really in a position to lever the outcomes that we want. However, we are aware of that. We are encouraging procurement agencies to be much smarter at this and not just to look at the bottom line totally. There are other specifications that should be included in the procurement process.

[177] **Ann Jones:** Perhaps we will write to Andrew Davies and ask him that question, to see whether we can get a response from him. You are right: the particularly small number of procurement officers is quite worrying, really. Minister, are you all right to run for another 10 minutes so that we can finish the questions? If not, we can just submit them to you in writing.

[178] **Brian Gibbons:** Yes, I think so.

[179] **Ann Jones:** Fine, thank you. Joyce is next.

[180] **Joyce Watson:** This is just a very simple question. When and where will the findings of the three reviews referred to in the statement of effectiveness section of the report be published?

[181] **Brian Gibbons:** Sorry, what?

[182] **Ann Jones:** The three reviews of the decision to move to a single equality scheme, consultation with partners in the third sector, and review of the inclusive policymaking process. Do you want to come back to us on that?

[183] **Brian Gibbons:** We have already said that some of the inclusive policy review has been taken on board. The consultation with partners in relation to the third sector has more or less finished, and we are considering the transition towards a more human rights and equalities-based funding scheme. The single equalities scheme is due to be published in the

next week.

[184] **Joyce Watson:** I know that this was touched on earlier, but could you give examples of key outcomes that indicate that the work undertaken in the previous year resulted in some improved circumstances for the target groups, such as women, black and minority ethnic communities, disabled people, and lesbian, gay, bisexual and transgender people?

[185] **Brian Gibbons:** This report here is one example, and there are human resources reports from the Welsh Assembly Government to show the progress that we are making in reflecting diversity. I do not know whether the committee wants to see some of those HR reports, which show how the profile of the staff that we employ reflects the Welsh population.

[186] **Ann Jones:** I think that we are just about to come on to that, as part of promoting equality of human rights.

[187] **Janet Ryder:** I am really looking at the pay gaps and equal pay. The former Permanent Secretary appeared before the committee in December 2007 to explain that the reported increase in the pay gap between male and female employees from 3.8 per cent to 11 per cent had occurred as a result of the mergers that took place in 2006. Can you tell me what the current pay gap is? The former Permanent Secretary also acknowledged that men were paid on average 6.5 per cent more than women in pay band E. Can you tell me what the current disparity within that pay band is? I understand that a new grading settlement has recently been agreed, the intention of which is to bring that disparity down to 2.6 per cent. Will you be monitoring that and, if so, when can we see whether that is having an impact?

[188] **Brian Gibbons:** This is the Permanent Secretary's area, and I have not seen any updated figures. I know of the figures that you mention, but I am not sure that I have seen an update. I have certainly seen the profiling of Government employees—where people come from and how that reflects Welsh society—but I do not remember seeing figures on incomes and pay. We would have to approach the Permanent Secretary and see where we are on that.

[189] **Ann Jones:** Okay.

[190] **Eleanor Burnham:** Can we prod the Permanent Secretary perhaps to ask when we will not have any disparity between males and females in the Welsh Assembly Government workforce?

11.10 a.m.

[191] **Brian Gibbons:** No, hold on. In fairness, until the mergers took place, the gap was getting very narrow for the Welsh Assembly Government as an employer. When the mergers took place, Janet is right that the figures suddenly ballooned again, presumably because of the unequal work practices that existed in the quangos. Whatever people think about the mergers of the quangos, in the equalities report and—

[192] **Janet Ryder:** With all due respect, if the gap was not too bad before the merger but it increased post merger, that could indicate something about the way in which appointments were made.

[193] **Brian Gibbons:** I do not think that that would be an accurate interpretation.

[194] **Ann Jones:** I think that we need to see an updated statement.

[195] **Brian Gibbons:** We were importing a problem from the quangos, and, now that they are in-house, it will be extremely disappointing if the disparities that they brought in with

them still exist to any significant extent.

[196] **Ann Jones:** I am sure that we will pay attention to the latest update that we get, and we may write to you again on that one. Let us move on to the last question, Joyce, on public appointments.

[197] **Joyce Watson:** Your report demonstrates quite clearly that work has been done, including training courses being developed to help candidates to get through the appointments process and much more besides, it says. However, given that we are limited to time that is all that I will say on that. Have you any idea of the outcome of all the actions taken to promote equality of opportunity through the public appointments process? In other words, is there evidence to suggest that public appointments are becoming more representative?

[198] **Brian Gibbons:** In fairness, we would have to say that a breakthrough has not occurred when it comes to those from black and ethnic minority communities, refugees, asylum seekers, migrant workers, Gypsies and Travellers. The causes for that are probably deep-rooted, and it is not the sort of initiative that brings about a breakthrough in one or two years' time. There has not been a step change, as I understand it, but that is no reason not to continue with this work. We have not done enough in the past, and the message is really that we have to continue along this line, certainly for the next few years, and try to do more to achieve that breakthrough.

[199] **Ann Jones:** Thank you very much. Thank you, Minister, for coming this morning and for staying longer than planned to answer our questions on the scrutiny of the three reports. Equality is the bread-and-butter work of this committee, and I know that we all want to work towards securing a totally inclusive society. I also know that that is at the heart of your policies, Minister. Thank you again for coming today.

[200] I also thank Members for staying later than planned, as I know that we all have diary pressures. Our next meeting is on 10 March, when we will carry on with our work on the committee's report on home maintenance and adaptation services. By then, we hope to be able to move on to look at our next inquiry as well. Thank you very much. I declare the meeting closed.

*Daeth y cyfarfod i ben am 11.14 a.m.
The meeting ended at 11.14 a.m.*