

THE APPROACH TO EQUAL OPPORTUNITIES

PAPER BY THE CHAIR OF THE COMMITTEE ON EQUALITY OF OPPORTUNITY

SUMMARY

This paper seeks the Committee's endorsement of the way in which equal opportunities will be taken forward in the Assembly. The approach involves

- an initial focus on disability, race and gender
- a clearly defined role for all parts of the Assembly in taking the agenda forward
- a four-stage work programme starting with a baseline audit and
- a consistent core message.

INTRODUCTION

1 The Equal Opportunities Committee has a clear and important remit under Standing Order 14 to "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". As one of its first tasks, it needs to consider the adequacy of the Assembly's plans for taking equality forward. This paper presents, for the Committee's consideration, the approach which the Assembly Cabinet has recently endorsed, covering focus; roles and responsibilities; priorities; work programme; and timetable.

2 Relevant extracts from the Act, Standing Orders and (for background) the National Assembly Advisory Group recommendations are attached at Annex 1.

FOCUS

3 It is important that the focus of the Committee and of the Assembly's work on equality of opportunity is agreed from the outset.

4 The focus to date has been on gender, race and disability, but there are other aspects, such as age discrimination and sexual orientation, which are rising up the agenda. There is also the possibility, given the phrase "equality of opportunity for all people" in the Act, that a whole range of issues will be raised.

5 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. It is on this basis that I propose the committee should start out with a clear focus on these three areas. It must also be prepared to listen and respond sensitively to representations about other forms of inequality; but it needs to target its efforts, as does the Assembly as a whole.

ROLES AND RESPONSIBILITIES

6 There is a definite wish to make equal opportunities the concern of the whole Assembly and every committee rather than leaving it with the Equal Opportunities Committee. This is a very important message.

7 At the same time, we need to be clear about how each part of the Assembly will contribute, so that a definite dynamic is established:

The Chair of the Equal Opportunities Committee will champion equal opportunities, provide leadership on the issue and be vigilant that it is being properly addressed across the board. However it is equally important that the public and Assembly Members hear a consistent message on this subject from the First Secretary and all Assembly Secretaries. I would also invite members of the Equal Opportunities Committee to endorse the themes of corporate and individual responsibility, increased awareness and genuine dialogue leading to clear priorities and targets for action.

Assembly Secretaries, as the executive, will also need:

- to take equality of opportunity factors into account in every policy decision. This mainstreaming approach is fundamental and the Assembly has already endorsed it through the approval of the guidance on "schemes" and the inclusion of equal opportunities in the checklist for all policy proposals
- to determine objectives and targets relating to equality of opportunity in the areas for which they are responsible. This point will be reached when the work programme is further advanced (see below)
- to monitor progress against the targets set.

The Equal Opportunities Committee as a whole will need:

- to ensure that a proper framework is in place to support the delivery of the Assembly's duty on equal opportunities. For example, it will wish to consider arrangements for channelling the views of people from ethnic minorities, women and people with

disabilities into the Assembly; the guidance and training available to all parts of the Assembly on mainstreaming; and a structured plan of action

- to audit – ie to check that agreed actions have been undertaken and to assess the results
- to listen to the views of representative organisations and to gain a deeper understanding of the issues
- to agree the content of the Assembly's annual report on equality of opportunity
- to discuss the annual reports of the three main equality organisations and report its conclusions to the Assembly

Subject committees will also wish to

- contribute to debate and discussion of equal opportunities
- examine the extent to which the executive is taking equal opportunities into account
- consider equal opportunities aspects of the budget priorities.

Members of the equal opportunities committee will have a role in seeing that this happens on committees of which they are members.

Regional committees will be able to reach out to people from ethnic minorities, women and people with disabilities in different parts of Wales and enable them to put their views directly to the Assembly and to raise issues which are of particular concern to them.

The full Assembly will debate equal opportunities at least once a year.

In terms of partnership working, equal opportunities will also need to be on the agenda for discussion with local government, the voluntary sector and business and trade unions.

WORK PROGRAMME AND TIMETABLE

8 The work programme will be integrated into the work of all parts of the Assembly. It has four proposed stages, to be completed within less than a year:

Stage 1

Baseline interviews with policy divisions will be an important starting point. They will 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.

Stage 2

Each Assembly Secretary will, over a period of time as the baseline analysis becomes available, receive from the relevant policy divisions a report on equal opportunities and present it to the relevant subject committee (as part of the series of reports to subject committees). The report will briefly set out the baseline position and proposed priorities for action. The action might include addressing information gaps; improved arrangements for involving minority ethnic organisations, disability groups and women in discussion of policy issues; and specific areas where objectives and targets for redressing imbalance can be set. In the case of personnel and other central functions, the report will be to the Finance Secretary, who (with the First Secretary's agreement) will report direct to the equal opportunities committee.

Stage 3

The Committee on Equality of Opportunity will also consider the baseline analysis, the reports and the subsequent subject committee discussions. 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.

Stage 4

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.

9 The timing of the annual report – which the Act says must relate to each financial year – will be a challenge in this first year. A good objective would be to issue the report for the first anniversary of the Assembly, on 1 July 2000.

CONCLUSION

10 The Committee on Equality of Opportunity is invited to consider and endorse the approach above - ie:

- Focus on disability, race, gender
- A clear role for all parts of the Assembly
- A core message about corporate and individual responsibility, increased awareness and genuine dialogue leading to clear priorities and targets for action.

ANNEX 1

REFERENCES IN NATIONAL ASSEMBLY ADVISORY GROUP REPORT, GOVERNMENT OF WALES ACT 1998 AND STANDING ORDERS

Extract from National Assembly Advisory Group recommendations

- a standing equal opportunities programme committee to be established - with a remit including the three strands of gender, race and disability as a minimum

Recommendations not for standing orders

5.13 We recommend that standing programme committees should be few in number; the equal opportunities standing programme committee should develop an initial action programme lasting three or four years, with activities across all subject areas, designed to promote equality of opportunity in Wales; the equal opportunities standing programme committee periodically monitors progress on implementing the action programme in each area; the equal opportunities standing programme committee would be responsible for the annual report on the effectiveness of Assembly's arrangements for promoting equality of opportunity required by section 120 of the Government of Wales Act;

7.30we would expect the Assembly, as a minimum, to consult the Equal Opportunities Commission, the Commission for Racial Equality and the proposed Disability Rights Commission before formalising its equal opportunities arrangements

EXTRACT FROM GOVERNMENT OF WALES ACT 1998

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.

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.

REFERENCES IN STANDING ORDERS

6.5 Time shall be made available in each 12 month period for the following categories of Assembly business:

- o debate on the annual report on the equal opportunity arrangements

6.6. The Assembly shall ensure that time is made available for consideration either in plenary meeting or in committee of the reports of the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission.

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

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