

EOC-05-01 (min)

Committee on Equality of Opportunity

MINUTES

Date: 13th June 2001

Time: 9.30 a.m

Venue: Committee Room 3, National Assembly Building

Attendance:

Members	Edwina Hart (Chair)	Gower
	Lorraine Barrett	Cardiff South and Penarth
	Eleanor Burnham	North Wales
	Ann Jones	Vale of Clwyd
	Helen Mary Jones	Llanelli
	Janet Ryder	North Wales
	Owen John Thomas	South Wales Central
	Christine Gwyther	Carmarthen West and Pembroke
	David Melding	South Wales Central
Advisers to the Committee	Kate Bennett	Equal Opportunities Commission
	Teresa Rees	Equal Opportunities Commissioner for Wales
	Will Bee	Disability Rights Commission
Officials	Peter Fullerton	Chief Statistician

Alan Jackson	Statistical Directorate
Peter Gregory	Head of Personnel Management & Business Services Group
Margaret Evans	PM
Mike Harper	Head, Public Administration, Equality and Public Appointments Division
Laurie Pavelin	Financial Accountability Division
Stephen Redmond	NHS
David Williams	OCG
Russell Keith	Committee Clerk
Olga Lewis	Deputy Committee Clerk

Apologies for absence were received from Jonathan Morgan and Mashuq Ally.

Agenda Item 1: Dr Liisa Horelli

1.1 The Chair welcomed Dr Horelli. Dr Horelli noted that Finland had a population of 5.5 million people and a history similar to that of Wales. Northern areas of the country were a designated Objective 1 area. The big difference was in the women's movement. It seemed that in Wales there was a culture of male "bread winners". That culture was absent from Finland. Finland was going along the lines of the Nordic model of welfare society. Society was based on equal access to good education, social rights and work. There was an infrastructure allowing both men and women to work. Maternity leave was available for three years; there was a network of both public and private nurseries and kindergartens. However, the wage gap still existed. To a great extent it was caused by the large public childcare sector, which mainly employed women, paying poor salaries.

1.2 During the past three years the Finnish government was developing several projects on equality and Dr Horelli was in charge of the project on methodology. It involved co-operation of 6 ministries: agriculture, education, social affairs and health, foreign affairs, labour and environment. Successful mainstreaming required political and administrative will which had to be reflected in documents, budgeting, and resources; it required capacity building in gender issues and regular monitoring.

1.3 In reply to questions by the Committee, Dr Horelli noted that whilst childcare in Finland was not free, the state contributed a significant part of its cost. The cost of childcare was based on the assessment of the individual means and only those who could not afford it got it free.

1.4 The Chair thanked Dr. Horelli for a very informative contribution.

Agenda Item 2: Chair's Report

2.1 The Chair informed the Committee that Richard Edwards had resigned and thanked him for his work in the Committee. The Chair noted that she had written to the Deputy Presiding Officer regarding the possibility of re-scheduling the dates of meetings to avoid the kind of timing problems that caused Mr Edwards to resign.

2.2 In discussion it was mentioned that AMs from North Wales found it difficult to take part in meetings on Thursday afternoon. It was also said that if it was impossible to avoid coincidence of the dates of meetings, at least the meetings of different committees should alternate so that the same committees do not always meet on the same date.

2.3 Regarding equal pay the Chair informed the Committee that Assembly officials met with Felicity Williams from the Trade Unions Congress and Kate Bennett to discuss developing a joint action plan in response to the "Just Pay" report. The Chair proposed that the Committee establish a working group which would meet on a regular basis and which would consist of one representative from each party and representatives of the TUC and EOC. The task of the group would be to develop and co-ordinate a campaign to promote equal pay in Wales. The Chair mentioned that the Cabinet was very supportive of this idea. The Chair asked the secretariat to develop terms of reference for the working group.

2.4 The Chair informed the Committee that she chaired the first meeting of the newly formed Public Sector Round Table on Equality. The meeting discussed European equality initiatives, the Race Relations (Amendment) Act 2000 and the development of Codes of Practice following the Act and the Generic Equality Standard for Local Government. The Commission for Racial Equality was organising a joint conference "Beyond rhetoric - Promoting Race Equality in Public Authorities" and would be inviting the Committee as well as asking Lorraine Barrett, Peter Black, David Melding, Helen Mary Jones to lead workshop sessions.

2.5 The Chair informed the Members that on 22 May she made a statement on asylum seekers and suggested that the Committee gather evidence on treatment of asylum seekers in Wales. Apart from the Permanent Secretary's presentation on the McKenzie Report implementation, she proposed the Committee devote 11 July meeting to that issue and asked the Clerk to draw up a programme to invite the Immigration Service, NASS, the Prison Service of the Home Office, the City and County of Cardiff, and the Consortium of the Welsh Local Authorities to inform the Committee of developments in the dispersal programme. The Chair suggested that the Committee take evidence and prepare a short report for the Assembly. Although asylum was not a devolved matter, it touched on areas of Assembly responsibility, such as provision of health services, and was a matter affecting Wales. It was important that the Committee get a clearer understanding of what was happening across Wales so that it could fulfil its obligations to those seeking refuge here and the residents of Wales.

2.6 The Chair noted that the final amendments to the Committee's report on the Education recommendations of the Stephen Lawrence report had been made and circulated to members for any final corrections. The report would be tabled in Plenary as soon as it was translated and then debated on 17 July 2001. The Committee agreed at the last meeting that Helen Mary Jones would take the lead in the debate on the report.

2.7 On the same day there would also be a statement on the action plan developed following Roger McKenzie's report 'Lifting Every Voice'.

2.8 The Chair told the Committee that ACCAC had produced a consultation draft booklet on "Equal Opportunities in the school curriculum in Wales" for comment by 22 June 2001. The booklet was being circulated to Committee members for consideration. The Chair said that any comments should be given to the Committee Clerk by 21 June so that he could forward them to ACCAC.

2.9 The Chair referred to the paper outlining the Home Office guidance on polling stations and what was planned to help improve accessibility for the 2003 Assembly election. By the end of the year officials planned to have conducted a review of arrangements for the 2001 general election and ensure that local authorities conduct an audit of the accessibility of polling stations. The Chair noted that the Disability Rights Commission was doing its own Review and suggested that the Committee revisit this issue when that report was completed.

2.10 It was noted that the review conducted by the Disability Rights Commission was a voter survey and did not highlight particular polling stations but if members wished to raise particular problems with polling stations they could raise them with Clerk for forwarding to the Assembly and the WLGA.

2.11 The Chair suggested that the position of travellers be discussed at a meeting after the summer recess. She pointed out that travellers faced problems with discrimination, education, health, infant mortality, and life expectancy. She asked officials to draw a list of topics for discussion and organisations to be invited.

2.12 In discussion, it was pointed out that it was not only travellers who were affected but also Gypsies and other similar groups. Conflicting lifestyles had an impact on local communities. Different groups had different needs. It was mentioned that Cardiff Council had significant experience in those matters and should be invited.

Agenda Item 3: The National Assembly's Procurement Policy Presentation: Laurie Pavelin, Financial Accountability Division

Paper: EOC-05-01(p.1)

3.1 Laurie Pavelin updated the Committee on promotion of equality of opportunity principles through the Assembly's procurement policy. The Assembly proposed a "Voluntary Code of Practice", a document which would incorporate the Assembly's core values. Suppliers who on a voluntary basis signed up to the principles contained in the code would be able to register on the

Assembly's database. The Assembly would be entitled to refuse to deal with those suppliers who refuse to sign up. The Assembly also produced guidance for suppliers called "Winning our Business" aimed at encouraging organisations to sign up to do business with the Assembly. A procurement web page was being developed where businesses could register their interest in dealing with the Assembly. The website would be completed by October, the booklet for suppliers by the end of the summer and Voluntary Code of Practice and the code before this.

3.2 The Committee discussed how the Assembly was going to ensure compliance with the Voluntary Code. It was suggested that spot checking may be effective, with those failing to comply not being granted future contracts. Mr Pavelin noted that for all major contracts those tendering were required to state policies and other related issues and therefore it was possible to get the information prior to contracting. The Assembly considered equality of opportunity as a factor for evaluating tenders. Also, before any major contract was awarded, the Assembly checks the Accounts and the Annual Report of the company. Kate Bennett said that the Voluntary Code of practice was an exciting way forward and noted that prior to 1988 a number of London authorities were setting up systems to promote equality through procurement and their experience should be taken on board.

3.3 The Chair said that the work on the Voluntary Code of Practice was an exciting opportunity for all the Assembly. She noted that if there were any comments/suggestions in that respect they should be forwarded before the end of June. She also invited a further report on progress in the autumn.

Agenda Item 4: Equal Opportunities Commission's Equal Pay Taskforce Report

Presentation: Teresa Rees, Equal Opportunities Commissioner for Wales

Paper: EOC-05-01(p.2)

4.1 The Chair welcomed Equal Opportunities Commissioner for Wales Teresa Rees and invited her to make her presentation. In October 1999 the Equal Opportunities Commission set up an Equal Pay Task Force to take evidence and make recommendations on how to close the gender gap in pay. The reason for setting up the Task Force was that the pay gap still existed despite legislation to remove it being passed 30 years ago. Britain had one of the widest gender pay gaps in Europe. Three main factors contributed to this:

- Discrimination in pay;
- Occupational segregation and
- Unequal impact of women's family responsibilities.

4.2 The Task Force's report focused on pay discrimination, which amounted to up to 50% of the pay gap in Great Britain. It did not have to be so high, as, for example, in the Netherlands it was 7%. The consequences of the pay gap were far reaching, the major being women and children living in poverty, social exclusion, inability to build up individual pensions (which meant poverty later

in life), and unavailability for investment in training.

4.3 The gender pay gap was a complicated issue. It was not simply about men and women doing the same work for different pay. As Lisa Horelli mentioned, the problem had more to do with the culture of "bread winners - home makers". Women tended to take career breaks when they had children. When they returned to work, they tended to be taken at lower grades. It was calculated that in Great Britain women lost 50% of their life earnings as a result of career breaks (in France the corresponding figure was only 1%). Discriminatory grading was displayed, for example, in payment that secretaries and technicians got for their job: women tended to be secretaries and even though their work was very high-tech and complicated, their salaries were much lower than those of technicians, who tended to be male. The Equal Pay Task Force proposed a multi-levered approach to addressing the problem, focusing on:

- Raising awareness and understanding of what the pay gap meant
- Reforming and modernising the equal pay legislation
- Capacity building to ensure that employers and trade unions know how to implement equal pay
- Enhancing transparency and developing accountability for delivering pay equality
- Amending social, economic and labour market policies to compliment equal pay measures.

4.4 The Task Force recommended that employers carry out regular equal pay reviews. Conduct of pay reviews was very beneficial both for the employees and for the employers as it increased their competitiveness and made them "employers of choice". Pay reviews should be seen as performance indicators. Grants should be dependent on the commitment to pay reviews. In Wales, the Welsh Development Agency had a particular role in that respect as the authority responsible for grants. The Assembly conducted its Equal Pay Audit and thus served as an example for everybody. The goal of the Task Force was to eliminate the pay gap entirely within the next 8 years. Unequal pay was not only unjust, it was also unlawful.

4.5 The Chair thanked Prof Rees for her presentation. She noted that for local government partnerships and ASPBs pay reviews could be performance indicators and that statutory pay reviews would ensure uniformity of procedure.

4.6 In discussion, the following points were raised:

- it had been reported in the press that in 1 out of 3 households in Great Britain women earned more than men. Teresa Rees replied that statistical data available did not support this. The inequality in pay carried through a number of professions, for example, tennis players, pop music groups, and actors.
- A question was asked regarding the effect of pay audits on small companies. Teresa Rees replied that many small companies were single sex anyway, but in any case the reviews envisaged a two-staged approach, where the company was first audited to identify if it had a problem at all, and if it did not, the matter stopped there.
- A generation of women in Britain who took career breaks in the past were now receiving very low pensions. It was suggested that more Committees should be involved in addressing this

(e.g. Health).

- When a woman took a career break she lost on pension contributions and promotions. That could be changed. Swedish experience found that men who took parental leaves were considered to have gained "multi task skills" on their return to work and were valued more as employees.
- The problem of pay gap included modern apprenticeships, where apprentice hairdressers (usually, women) were paid less than apprentice engineers (usually, men).
- Also it was noted that younger people of both sexes aged 16-17 earning much less than 18-19 year olds for the same job: supermarkets tended to employ younger people and pay them less than they would have to pay to older employees.

4.7 The Chair said that both the presentation and the discussion were very productive. The Chair was going to speak to the relevant Ministers so that the highlighted problems could be discussed in other Committees.

4.8 The Chair invited Margaret Evans to talk about the National Assembly for Wales Equal Pay Audit 2001. Mrs Evans said that it was the second audit conducted by the Assembly. This year's audit examined the pay of black, ethnic minority and disabled staff and analysed the skills based pay allowances, providing a basis for future comparison. Mrs Evans thanked all three equality bodies that helped with the audit. She said that a pay gap still existed in the Assembly. In Bands A, B and C average basic pay for women was higher than that for men, but this crossed over at Band D. At certain grades there was a predominance of men. The Assembly's pay system was inherited from the Welsh Office and the National Assembly data reflected the problems that traditionally existed in the Civil Service. At the moment the National Assembly was conducting negotiations with Trade Unions on a fundamental reform of the pay system. The issues discussed included quicker progression rates and shortening pay bands.

4.9 In discussion, the following issues were raised:

- it was noted that the pay gap in favour of women at certain grades may stem from the length of time that women stayed in the lower grades.
- At lower grades, very few people identified themselves as disabled: at Band A there were less than 3% of disabled, while at Band "F" there were 7%. This might have indicated a concern of junior personnel about identifying themselves as disabled.
- Average salaries of disabled personnel were higher than those of their able-bodied counterparts, but that might have shown that disabled workers stayed longer in their respective grades.
- The establishment of an assessment centre system in Northern Ireland resulted in more women and Catholics being promoted.

4.10 The Committee also noted that while negotiations with Trade Unions could not be discussed in any detail at this stage, the Committee would like to be informed about their outcome and any resulting action plan.

Agenda Item 5: Data available within the National Assembly

Presentation: Peter Fullerton, Chief Statistician

Paper: EOC-05-01(p.3)

5.1 In January the Committee proposed that the Statistical Directorate should prepare a paper on the availability of data on equal opportunities. Alan Jackson presented the paper to the Committee.

5.2 Alan Jackson said that Statistical Directorate was in the process of preparing a Statistical bulletin examining data sources and associated research. He noted that the Assembly's strategic plan defined three major themes to influence the way it would develop its policies, budget and programmes, including equality of opportunity. This theme included inequalities in the fields of gender, race, disability, religion, age, health. The Bulletin would cover those areas.

5.3 The Chair thanked Mr Fullerton and Mr Jackson for their presentation. In discussion, the following was mentioned:

- It was noted that data on inequalities in health was problematic. It was noted that disability was generally a more useful category.
- Sexual orientation was another difficult area and it was not mentioned in the paper, although such data could be of interest.
- The Statistical Directorate and the Office of National Statistics worked co-operatively in accordance with the Statistics Concordat.

5.4 The Chair invited the Statistical Directorate to meet with the equality agencies to prepare a joint paper on how data sources could be developed, reporting back in the autumn on the progress in their work.

Agenda Item 6: NHS Appointments Policy

Presentation: Stephen Redmond, Human Resources Director, NHS Wales

Paper: EOC-05-01(p.4)

6.1 The Minister for Health and Social Services had delegated responsibility for making public appointments to NHS bodies in Wales. The Assembly's policy for the appointment of chairs and non-executive directors to the boards of health authorities and NHS Trusts was the first to include equality of opportunity. The policy would be reviewed in 12 months' time in order to see how it worked. In attracting candidates, the following ways were considered:

- Self-nomination;
- Nominations from AMs, MPs, MEPs and other bodies
- Applicants recorded on database

6.2 Existing members of NHS boards seeking re-appointment would have to submit a fresh application if their previous application was more than 2 years old. Vacancies would be advertised. The following measures were proposed to encourage interest:

- Open days;
- Shadowing opportunities;
- Mentoring;
- Regular review process
- Up-dating seminars
- Development workshops

6.3 Many of the suggestions in Wendy Morgan's report on public appointments were taken on board. Open days would be conducted for people who want to become non-executive directors. An extensive training programme would be offered to existing chairs. However, under represented groups in health care were still an issue for the NHS Wales. There were reforms going on in the NHS at the moment and that might affect the way the appointments were conducted. A consultation paper would be issued early in July.

6.4 The Chair thanked Mr Redmond for his presentation and invited comments. Will Bee expressed concerns that disabled people still would not see themselves candidates for public appointments. Relations between the disabled and health service professionals were set in a very particular form, with disabled people in a supplicant position. New approaches needed to be taken to overcome these barriers, such as pools of people (such as school governing bodies) being established to provide suitable candidates.

6.5 Mike Harper pointed out that NHS appointments were qualitatively different from appointments in other public areas. They required a more uniform approach than ASPBs. It was noted that the reference to the Official Secrets Act in the policy may not be appropriate but that data protection legislation may be more relevant.

6.67 The Chair suggested that if members had further comments they should be sent to the Clerk for forwarding to the Minister.

Agenda Item 7: Annual Report on the Assembly's Arrangements to Promote Equality of Opportunity

Paper: EOC-05-01(p.5)

7.1 The Chair invited the Committee to discuss the final draft of its annual report. It was noted that the present format of the report was helpful. However, it would be interesting to know what the situation with equality of opportunity was in different divisions. The Committee requested a short report from each division in the Autumn on what objectives were set and an appraisal of what results were achieved in respect of equality of opportunity. The Committee could then raise with the

responsible Minister if it identified areas of concern.

7.2 Points raised regarding the report included:

- In Appendix A1 it seemed that the gender and sexuality were confused, with issues of sexuality under the heading "gender".
- In the preface on page 2 in the first paragraph the words "cross-party support" should be replaced with "all-party support".
- The work done around the Stephen Lawrence report and the outcome were mentioned, but the process was not described. (It was a hard and challenging process and took some time to reach a consensus). Within the Assembly there was a political will and an increasing administrative will for equality of opportunity, but we needed to acknowledge that it was not always an easy work to do.
- The paragraph on "Culture and Sport" on page 27 was considered too short considering its importance. Comments were also made regarding the relative inadequacy of funding for baseball and boxing clubs.

7.3 The Chair invited Will Bee to comment on the Assembly’s response to the Disability Rights Task Force Report. Mr Bee said that the response did not do the Assembly justice as it did not detail much of the work the Assembly was doing. He noted that the Task Force Report set out minimum standards for action and would be updated in the autumn. The Chair noted that the updated report should come before the Committee as an agenda item at its October meeting.

Agenda Item 8: Minutes of the previous meeting

Paper: EOC-04-01(min)

8.1 The Committee agreed the minutes of the last meeting with an amendment reflecting that that the days of the meetings were a problem to many members.

Papers to note

Access to polling stations	EOC-05-01(p.6)
Information on pay audits for staff of the National Assembly for Wales	EOC-05-01(p.7)
Assembly Equality Training	EOC-05-01(p.8)
Assembly response to the Disability Rights Task Force Report	EOC-05-01(p.9)