

## Consultation response

# Local Government and Housing Committee: Priorities for the Sixth Senedd

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### Consultation details

**Title of consultation:** Local Government and Housing Committee: Priorities for the Sixth Senedd

**Source of consultation:** Senedd Cymru

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## About the Commission

The Equality and Human Rights Commission ('the Commission') is Great Britain's national equality body and has been awarded an 'A' status as a National Human Rights Institution (NHRI) by the United Nations.

Our job is to help make Britain fairer. We do this by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect. We use our unique powers to challenge discrimination, promote equality of opportunity and protect human rights. We work with other organisations and individuals to achieve our aims, but are ready to take tough action against those who abuse the rights of others.

The Commission has been given powers to advise Governments and Parliaments across England, Scotland and Wales on the equality and human rights implications of legislation and policy. We can also publish information or provide advice, on any matter related to equality, diversity and human rights. We are here to offer our expert advice to support the work of the Local Government & Housing Committee to ensure equality and human rights considerations are at the heart of the Sixth Senedd.

## Consultation Questions

**What should the Committee should prioritise in the Sixth Senedd? In particular what key priority areas that should be considered during the next 12 months, including the impact of Covid and recovery from the pandemic.**

We welcome the opportunity to contribute to the Local Government & Housing Committee's consultation. The following should be priority areas in the Sixth Senedd.

### Recovery from the Pandemic

Our report 'How coronavirus has affected equality and human rights' highlights the disproportionate impact the pandemic has had on certain groups of people including older people, disabled people and ethnic minorities. Inevitably, the focus of the next 12 months and beyond will need to be on recovery and when making policy and funding decisions at Welsh Government and Local Government level, equality and human rights must be a central consideration.

Local Authorities in Wales have long faced cuts to funding and whilst spending on services has decreased, the need for services has only increased expeditiously. Many services have suffered as a result of cuts to funding including planning and economic development, libraries and recreation. The pandemic has exacerbated the issue, with individuals more reliant on services (particularly social care services) for support. These services are vital to the communities they serve and it is imperative that sufficient funding is available to local authorities to ensure they can support their communities as they recover from the pandemic.

Whilst The Welsh Government increased funding for local authorities for the period 2021-2022<sup>1</sup> and hardship funds were available during the pandemic, a commitment is needed to provide similar support in the years to come as the impact of the pandemic will continue to be felt for many years.

The Committee will need to focus on Welsh Government's ongoing response to the pandemic and ensure that when developing policy and recommendations they are complying with the Equality Act, in particular the Public Sector Equality Duty and Wales specific duties.

#### The Local Government and Elections (Wales) Act 2021

The Local Government and Elections (Wales) Act 2021 received Royal Assent in January 2021. The Act establishes a new framework for local government elections, performance and governance. Many of the provisions are now in force with some to be implemented in 2022. We welcome the provisions for reforming electoral arrangements for local government to encourage diversity and public participation. As 16 & 17 year olds and qualifying foreign nationals will be able to vote for the first time in the 2022 local government elections, the Committee should scrutinise the impact of the new legislative framework. It is also important to review representation amongst local election candidates as our 'Is Wales Fairer' report found that women remain underrepresented and that in both England and Wales there is a lack of ethnic minority and disabled magistrates.

We would advise the Committee reviews Local Authorities' progress with the new requirements contained in Part 6 of the Act, including: the duty to keep performance under review, self-assessment and the duty to consult and report on performance. The Act also establishes four Corporate Joint Committees in Wales to improve regional collaboration and who will exercise functions in relation to strategic development planning, regional transport planning, and, economic well-being. It is anticipated they will begin to exercise their functions in 2022.

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<sup>1</sup> <https://research.senedd.wales/research-articles/local-government-settlement-welsh-government-funding-for-local-services-provisionally-set-to-increase-by-3-8/>

Whilst it is hoped that the targeted regional approach will improve outcomes for people living in Wales, clarity is required about the associated costs and operational framework of the Corporate Joint Committees. As they will have significant authority it is important that their implementation is carefully scrutinised. Oversight will be required to ensure that when carrying out their functions, the Corporate Joint Committees are meeting their obligations under the Socio-economic Duty and Public Sector Equality Duty, including the Wales specific duties, and the Wellbeing of Future Generations Act.

### Housing

The importance of housing is recognised in the International Covenant on Economic, Social and Cultural Rights (ICESCR), which includes ‘the right of everyone to an adequate standard of living for himself and his family, including adequate housing’.

During the pandemic The Welsh Government introduced a suite of measures to protect rough sleepers, tenants and homeowners. In April 2020 the Welsh Government issued guidance to local authorities that rough sleepers should be accommodated. This led to thousands of rough sleepers being placed into temporary accommodation by Local Authorities. At the end of May 2021 there were over 6,000<sup>2</sup> people in temporary accommodation in Wales. Temporary accommodation is expensive, scarce and unsuitable for individuals on a long term basis. Poor quality, temporary accommodation exacerbates inequalities and limits opportunities, which is why it should be used for the shortest possible time whilst long term solutions are found. Without appropriate housing it is much harder to access employment, education, or leisure and recreational opportunities. The supply of affordable housing needs to be increased and homes need to be designed to reflect the needs of individuals.

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<sup>2</sup> <https://gov.wales/homelessness-accommodation-provision-and-rough-sleeping-may-2021>

Our 'Is Wales Fairer' 2018 report found that there is a severe shortage of wheelchair accessible accommodation. Our 2018 inquiry 'Housing and Disabled People Wales's Hidden Crisis'<sup>3</sup> highlighted the impact of inaccessible housing and the challenges that finding appropriate housing has on disabled people's right to independent living. Our inquiry found that disabled people often have to wait several years to find appropriate accommodation. With an ageing population and the number of disabled people increasing, the demand for accessible and adaptable homes is going to significantly increase in the coming years. We made a number of recommendations to the Welsh Government and Local Authorities targeted at increasing the supply of accessible housing and improving existing accommodation for disabled people.

The provision of long term, affordable housing is vital and whilst the Welsh Government has committed to building more affordable homes further, urgent, action is required. This is increasingly important as loss of employment has already led to many people falling into rent or mortgage arrears and the ending of the furlough scheme will inevitably exacerbate this. Whilst there were protections from eviction for tenants and homeowners during the pandemic, those safeguards have now been removed and many will be at risk of homelessness.

The Committee may wish to explore how the Welsh Government and Local Authorities are responding to the housing crisis and the extent to which they have made progress in response to the recommendations contained in our Inquiry.

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<sup>3</sup> <https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-wales-hidden-crisis.pdf>

# Other sources of evidence the Committee may wish to consider

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## Human Rights Tracker

Our [human rights tracker](#) is one of the world's first online tools for monitoring human rights compliance. It is a searchable online tool to track how well the Welsh and UK Governments are putting its human rights duties into practice and contains all of the most recent recommendations made to the UK by the UN treaty bodies and the Universal Periodic Review (UPR). We want the human rights tracker to raise awareness of the UK's human rights duties, to help you monitor how well they are being put into practice, and to support you in holding government to account.

You can use the tracker to:

- Review the progress the Welsh & UK governments have made towards fulfilling their international human rights obligations.
- Search by [UK](#) and [Wales](#) so you can see which government is responsible for implementing the recommendations.
- Find out what the UN has said about a particular human rights issue (such as education, living standards or work) or population group (such as disabled people or children) in the UK.
- Find dedicated pages on each of the UN human rights treaties the UK has agreed to follow, and on the UPR process.

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## Is Wales Fairer?

[Is Wales Fairer?](#) 2018 is the most comprehensive review of how Wales is performing on equality and human rights across all areas of life, including; education, work, living standards, health, justice and security and participation in society.

This is the Welsh supplement to our report on equality and human rights progress in England, Scotland and Wales, [Is Britain Fairer?](#)

We have also recently produced a follow-up “[How Coronavirus has affected equality and human rights](#)” report which summarises evidence to help us understand the effects of the coronavirus (COVID-19) pandemic on different groups in society.

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## **Housing and Disabled People Wales’s hidden crisis**

[Our Inquiry](#), published in 2018, highlighted the impact of inaccessible housing and the challenges that finding appropriate housing has on disabled people’s right to independent living.

We made a number of recommendations to The Welsh Government and Local Authorities to improve the situation for disabled people living in Wales.



