

A Sustainable Wales, Better choices for a better future

Consultation on proposals for a Sustainable Development Bill

White Paper Equality Impact Assessment (Part 1)

Equality Impact Assessment (EIA) – Part 1

1. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

The White Paper *A Sustainable Wales – Better choices for a better future* sets out the Welsh Government's proposals to bring forward legislation to make sustainable development the central organising principle of the Welsh Government and public service organisations in Wales; and to create an independent sustainable development body for Wales. These proposals are to meet the commitment set out in the *Programme for Government*.

Engagement on the Sustainable Development Bill has included:

- December 2011 – A consultation event at the Millennium Stadium to engage early with stakeholders and inform them about the development of the Sustainable Development Bill.
- May 2012 – The Sustainable Development Bill Consultation Paper was published inviting responses from the public and a range of stakeholders on the proposals for the Bill.
- June – July 2012 – Consultation events were held across Wales to seek the views of stakeholders on the proposals in the consultation paper.

The Welsh Government also established the Sustainable Development Bill Reference Group to provide input into the development of the Bill. This is made up of a range of stakeholders including those organisations that would be directly affected by the proposed duty. The Government also engaged with children and young people through an event organised by Funky Dragon in July 2012.

The Welsh Government has set up governance arrangements for internal consultation and engagement on the development of the Sustainable Development Bill which include key policy officials from across all portfolios.

2. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

Under the Government of Wales Act 2006 the Welsh Ministers have a legal duty to publish a scheme setting out how they would promote sustainable development. The latest scheme, *One Wales: One Planet* was published in 2009 where the Ministers committed to making sustainable development the central organising principle of the Welsh Government and of the public sector in Wales. The Scheme sets out the Welsh Government's definition of sustainable development, which includes social justice and equality of opportunity.

The Welsh Government is required to carry out an assessment of how effective the proposals set out in the sustainable development scheme have been in promoting sustainable development. There have been three effectiveness reviews since devolution which have provided evidence on how organisations can embed sustainable development as their central organising principle:

- *How Effectively has the National Assembly for Wales Promoted Sustainable Development?* Report to the Welsh Assembly Government, CAG (2003)
- *Sustainable development effectiveness report*, Flynn, Marsden, Netherwood & Pitts (2008)
- *Effectiveness review of the Sustainable Development Scheme*, PwC (2011)

The latest report highlighted a number of issues and identified a series of recommendations on how the Welsh Government and the wider public sector could further embed sustainable development as the central organising principle. In addition the Auditor General for Wales submitted a report to the National Assembly for Wales in 2010 - *Sustainable development and business decision making in the Welsh Assembly Government*. The Sustainable Development Commission also published a report *Governing for the Future* (2011) which provided further evidence of how organisations, and in particular government can mainstream sustainable development.

Further evidence has been drawn from the consultation with stakeholders including the written responses to the Sustainable Development Bill Consultation Paper. The responses of particular relevance to equalities issues were received from:

- Equality and Human Rights Commission in Wales;
- Cardiff and Vale Parents Federation
- Leonard Cheshire Disability
- Participation Cymru
- Wales Progressive Co-operators
- National Federation of Women's Institutes-Wales
- Chwarae Teg
- Church in Wales
- Evidence presented by children at events organised by Funky Dragon

The policy team also received an internal presentation on Deaf Equality.

There were no specific questions about equalities in the consultation paper as it sought views on general proposals to inform the White Paper. Nevertheless, the summary and analysis of the consultation responses revealed that there were a number of respondents who considered equality as a core component of sustainable development. It would be expected that these issues would be considered by the organisations which would be subject to the new duty. The new SD Body will be created by statute and thus will be subject to the Equality duties.

The Welsh Government will continue to consider evidence in relation to the impact of sustainable development on equality strands.

3 . IMPACT

Do you think this policy / decision / practice will have a positive or negative impact on people

3.1 Because of their age?

Age	Positive	Negative	None	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens, regardless of age. Hence it is intended that there will be a positive impact on young people, people aged between 18-50 and older people (50+).
People 18- 50	✓			
Older people (50+)	✓			

3.2 Because they are disabled?

Impairment	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Visual impairment	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on people with disabilities.
Hearing impairment	✓			
Physically disabled	✓			
Learning disability	✓			
Mental health problem	✓			

Other impairments issues	✓			
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3.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Male	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on both men and women.
Female	✓			

3.4 Because they are transgender?

Transgender	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on people who are transgendered.

3.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Marriage	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on people who are married or in civil partnership,
Civil Partnership	✓			

3.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Pregnancy	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on people who are pregnant or in the period after birth.
Maternity (the period after birth)	✓			

3.7 Because of their race?

Race	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens, regardless of race.
National Origin (e.g.	✓			

Welsh, English)				Hence it is intended that there will be a positive impact on ethnic minority people, as there will be a positive impact on people of other origin.
Asylum Seeker and Refugees	✓			
Gypsies and Travellers	✓			
Migrants	✓			
Others	✓			

3.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)	✓			The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens, regardless of their religion and belief. Hence it is intended that there will be a positive impact on different religious groups, as well as on people of other belief and non-belief.
Belief e.g. Humanists	✓			
Non-belief	✓			

3.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Gay men	✓			The SD Bill will strengthen the decision-making framework for sustainable

Lesbians	✓			development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens, regardless of their sexual orientation. Hence it is intended that there will be a positive impact on gay men as well as on lesbians and bi-sexual people.
Bi-sexual	✓			

3.10 Do you think that this policy will have a positive or negative impact on people's human rights and freedoms?

Human Rights	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions				The SD Bill will strengthen the decision-making framework for sustainable development in Wales to ensure consideration of the economic, social and environmental wellbeing of all Welsh citizens. Hence it is intended that there will be a positive impact on people's human rights and freedoms. Further, the policy is consistent with the the <i>Convention for the Protection of Human Rights and Fundamental Freedoms and The Charter of Fundamental Rights of the European Union</i> .

4. Building on the evidence you have gathered, can you identify (a) any potential opportunities to advance / promote equality and (b) whether there is a positive or negative impact on fostering good relations?

a) The Bill will strengthen the strategic decision-making framework for sustainable development in Wales by placing a duty on selected public service organisations to make sustainable development their central organising principle. It is proposed that these organisations consider social, economic, environmental and long-term wellbeing when making strategic decisions.

Equality and inclusion are fundamental to the principle of sustainable development as reflected in the Welsh Government's definition of sustainable development. The Welsh Government's proposals to strengthen the governance framework for sustainable development in Wales therefore goes hand-in-hand with delivering its Strategic Equality Plan.

Engagement and involvement is a core component of sustainable development. Further consultation on the Bill will allow the impact of decisions on citizens including those with protected characteristics under the Equality Act 2010 to be identified. This will in turn inform the development of the Bill and any associated guidance and implementation.

b) Integration and cross-boundary working is at the heart of the approach proposed in the White Paper. This will help ensure that equality is a core part of considering the economic, social, environmental and long-term wellbeing.

5. Is a full Equality Impact Assessment required?

Not at this stage in the development of the Bill.

The Equality Impact Assessment (Part 1) has found that the policy may have a positive impact on all the protected characteristics by providing a stronger governance framework for sustainable development in Wales. It is proposed that a new duty will be placed on selected organisations to consider the implications for economic, social, environmental and long-term wellbeing within their strategic decision making processes. This approach will complement existing duties and commitments to equalities. At this strategic level the new duty will not have a direct link with specific equality strands and, therefore, at this stage a full Equality Impact Assessment is not required. This will be reviewed at regular stages in the development of the Sustainable Development Bill.

The White Paper will be subject to a 13 week consultation and opportunities to secure the input from people representing the equality strands will be identified.