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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Strategic Equality Objectives 2020-2024

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Action required: Responses by 19 November 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.

This document is also available in Welsh and
Easy Read versions

Overview

The purpose of this consultation is to seek views on the proposals for the Welsh Government's 2020 – 2024 Equality Objectives.

The purpose of the Equality Objectives is to strengthen our due regard for the three aims or 'needs', as outlined in legislation, of the Public Sector Equality Duty (PSED).

The three aims are the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

How to respond

This is a written, electronic consultation. Questions are summarised in a Consultation response form at Annex A. Please use this questionnaire or the online form to provide your feedback. Responses can be emailed or posted using the contact details provided.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

The consultation documents can be accessed from the Welsh Government's website at:

<https://gov.wales/consultations>

Contact details

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The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to demonstrate the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

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For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
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CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

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Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

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Ministerial Foreword



Equality and Human Rights are central to the work of the Welsh Government and our vision for Wales. We believe in fair treatment of every person, especially those who are most marginalised. We work towards a more equal Wales, a country which ensures level access to services, tackling inequalities and seeking fairer outcomes for all our citizens.

These aims are not new, but they have never been more important than at present. The gap between the richest and the poorest in our society continues to widen, and there are many extremist voices exploiting social media to promote their agendas of intolerance and hatred for other people. Years of austerity and continuing uncertainty around Brexit also risk undermining our shared values and dividing our communities.

In this context, we must make every effort to affirm and demonstrate our commitment to equality and be vigilant to safeguard the human rights laws and international treaties which protect every one of us. We must be clear that equality of outcomes is for everyone, not just a few. We must support those groups and individuals who remain at greatest risk of discrimination and unfair treatment which in turn, leads to very unequal life outcomes. These include disabled people, ethnic minorities, refugees and asylum seekers and LGBT+ people. The challenges can be all the greater where such personal characteristics overlap and individuals suffer “double discrimination”.

It is not enough to stand still, so the Welsh Government is working actively to advance equality and human rights. Gender inequality cuts across all groups and ages and our Gender Equality Review has provided a roadmap to help us address the main issues. Similarly, poverty can result from inequality and there are also inequalities experienced by those living in poverty. This is why we are commencing Part One of the Equality Act 2010, “the socio-economic duty,” which will require certain Welsh public bodies to have due regard for socio-economic impacts when making strategic decisions. At the same time, we are commissioning research to explore the options available to us in taking forward the work of strengthening and advancing equality and human rights in Wales.

We know that it is also essential to make the best possible use of existing legislation, which is why this consultation is so important. We have a duty to renew our Strategic Equality Objectives by April 2020. This document sets out how we intend to do that, to ensure these objectives are the right ones for the next four years, which fully support our long-term equality aims and enable the Welsh Government to work closely with many other bodies to achieve those aims. In particular, we view the Equality and Human Rights Commission as a key partner and our approach is based in large part of its important report *Is Wales Fairer? 2018*.

I encourage all those with an interest in promoting equality and human rights in Wales to consider the proposals here carefully and respond to this consultation.

Jane Hutt AM

Deputy Minister and Chief Whip, with portfolio responsibility for Equalities.

Introduction

Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED) which, in summary, places a duty on public bodies to have due regard in exercising their functions to the need to:

- Eliminate discrimination, harassment, and victimisation;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The PSED was developed to harmonise the previous equality duties regarding race, disability and gender equality, and to extend across all of the protected characteristics under the Equality Act 2010.

The 9 protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation
- marriage and civil partnership (in relation to being treated differently at work).

Building on the Act itself, distinctive Welsh Regulations¹ laid a further foundation for taking equality forward in Wales and enabled better performance of the Public Sector Equality Duty. Under these Regulations, listed bodies must prepare and publish equality objectives every four years. In developing their equality objectives, authorities must involve people who represent the interests of people who share one or more of the protected characteristics and have an interest in the way that the authority carries out its functions.

The purpose of this consultation exercise is part of meeting the requirement under those duties to review our Equality Objectives and to engage with protected characteristic groups in doing so.

In taking action on the Strategic Equality Plan 2016-20, Welsh Government has been working collaboratively with partners. These partners include the members of our Strategic Equality Board and of a number of forums which support ongoing engagement with key groups, such as the Wales Race Forum, the Faith Communities Forum, the Disability Equality Forum and the Refugees & Asylum Seekers Taskforce.

In addition, seven lead agencies are funded by Welsh Government to provide support to individuals and communities across Wales in relation to gender (WEN Wales); disability (Disability Wales); race (Gypsies, Roma and Travellers supported by TGP Cymru; other ethnic minorities supported by EYST); refugees and asylum seekers (A coalition led by Welsh Refugee Council); sexual orientation and gender identity (Stonewall Cymru); (EYST) and hate crime (Victim Support Cymru). The work is also supported by the Community Cohesion Programme, which includes eight Regional Community Cohesion

¹ The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

Teams, funded by Welsh Government, embedded in local authorities and working on a regional basis.

What is this consultation about?

Under the Welsh specific equality duties, the Welsh Government must publish Equality Objectives that will help us to strengthen our performance of the PSED and ensure we are making progress in advancing equality and inclusion for all protected groups. Our Equality Objectives help us to prioritise areas of inequality requiring urgent action.

The Welsh Government's 2016-20 Equality Objectives were published in March 2016. The current Equality Objectives are supported by the Strategic Equality Plan, which captures a range of Welsh Government actions that contribute towards the fulfilment of the Equality Objectives. We must review our Equality Objectives every four years.

Where are we now?

Initial discussions and engagement events with equality organisations, experts and other key stakeholders regarding the Equality Objectives began earlier this year. We wanted to find out their views on what the priority areas of inequality are today for protected groups, which the Welsh Government should be addressing in its Equality Objectives for 2020-2024.

Participants provided us with wide-ranging views and experiences of living in Wales. They highlighted where they thought more could have been done to treat them (or the groups that their organisations represented) fairly. They also referenced barriers they have faced because they belong to one or more protected group.

During this early engagement we also sought views on the Welsh Government's current Equality and Inclusion Funding Programme 2017-20. At that stage we were considering consulting on the successor arrangements to this programme at the same time as consulting on our next Equality Objectives. For a number of reasons, including current uncertainty about future budgets, we have decided to consult only upon the Objectives at this stage. We anticipate consulting separately on future equality funding arrangements in 2020.

In October 2018, the Equality and Human Rights Commission (EHRC) published [Is Wales Fairer?](#) – a comprehensive review of how Wales is performing on equality and human rights. The report provides valuable data and evidence that will support the efforts of all our public bodies to reduce inequality in Wales.

The EHRC looked across six themes of life ("domains"):

- education;
- health;
- living standards;
- justice and security;
- work; and
- participation

It compared outcomes for groups in areas such as pay gaps, educational attainment, and experiences of hate crime.

What's new?

We have used the analysis from our early engagement with stakeholders and the evidence contained in *Is Wales Fairer? 2018* to prepare a draft set of Equality Objectives. Our aim is to ensure our Equality Objectives for 2020-2024 will address the challenges set out in *Is Wales Fairer? 2018*. To support this, the actions relating to each objective will be arranged using the domains in that report.

This consultation document does not include all of the actions that will contribute to achieving the objectives. The focus at present is on ensuring the objectives themselves, and the long-term aims to which they will contribute, are the right ones.

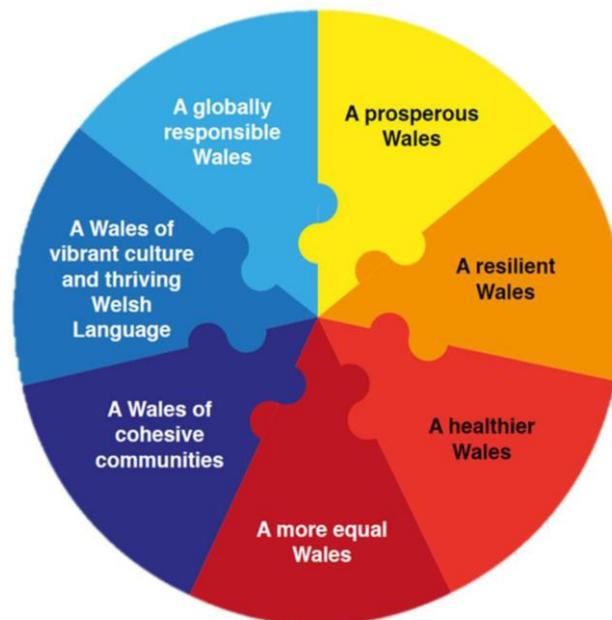
This consultation therefore asks you consider the following:

- What are the greatest barriers facing those with protected characteristics in Wales; and
- Whether the Welsh Government's draft Equality Objectives adequately capture and address those challenges.

Chapter 1: Equality now and for future generations

Creating a more equal Wales, where everyone has the opportunity to participate, reach their full potential and is able to contribute fully to the economy, will enable Wales to be more prosperous and innovative.

The [Well-being of Future Generations \(Wales\) Act 2015](#) sets out a duty to carry out sustainable development with a view to improving the economic, social, environmental and cultural well-being of Wales. It contains seven well-being goals to make Wales a prosperous, resilient, healthier, more equal and globally responsible country with cohesive communities, a vibrant culture and a thriving Welsh language. These well-being goals are indivisible from each other and explain what is meant by the well-being of Wales. The seven well-being goals are:



While our Equality Objectives will cut across all of the well-being goals, they will in particular support progress towards the following:

A more equal Wales

A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).

A Wales of cohesive communities

Attractive, viable, safe and well-connected communities.

The Act also requires public bodies to reflect the diversity of the population in applying the Sustainable Development principle. The principle is made up of five key ways of working. We must:

- look to the **long term** so that we do not compromise the ability of future generations to meet their own needs;
- take an **integrated approach** so that public bodies look at all the well-being goals in deciding on their priorities;

- **involve** a diversity of the population in the decisions that affect them;
- work with others in a **collaborative** way to find shared sustainable solutions; and
- understand the root causes of issues to **prevent** them from occurring and examining whether how we currently deploy our resources should change.

These five ways of working will guide our work in developing our Equality Objectives and the actions that will help ensure we fulfil them.

Together, the seven well-being goals and five ways of working provided by the Act are designed to support and deliver a public service that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Our approach to maximising our contribution to the well-being goals has been to identify those areas where the use of our powers and levers can make a real improvement over this government term and where concerted action across government and with our delivery partners can have the most impact.

With a focus on the long-term, taking into account the evidence and feedback we have reviewed so far (under the 'involve' principle), we have developed a set of draft, longer term aims towards which Welsh Government can make progress through our collective Equality Objectives. These may also assist the Welsh public sector to make progress through adopting some or all of the same aims if appropriate for them to do so. This will provide opportunities to advance equality together in an integrated and strategic way, wherever possible and practical to do so.

These long-term equality aims are intended to provide an aspirational vision for a more equal Wales towards which the Welsh public sector can drive progress through our 2020-2024 Equality Objectives and, crucially, beyond.

Through this approach we envisage some public sector bodies may have multiple Equality Objectives under a single long-term aim, or may not have any Objectives under another that it cannot make progress on by the nature of their functions and remit.

Our draft, long-term equality aims are listed below and in chapter 5 we have linked them to our draft Equality Objectives. We would very much welcome and appreciate your feedback regarding this approach.

Long-term equality aims for a more equal Wales and a Wales of cohesive communities

- Elimination of inequality caused by poverty.
- Strong and progressive equality and human rights protections for Wales.
- The needs and rights of people who share protected characteristics are at the forefront of the design and delivery of all public services in Wales.
- Wales is a world leader for gender equality.
- Elimination of identity-based abuse, harassment, hate-crime and bullying.
- A Wales of cohesive communities that are resilient, fair and equal.
- Everyone in Wales is able to participate in political, public and everyday life.
- The Welsh public sector leads the way as exemplar inclusive and diverse organisations and employers.

Continuity and Change.

The draft, long-term equality aims cover similar areas to those in the Welsh Government's current Equality Objectives. As a result of our early stakeholder feedback and also through evidence highlighted in the document '*Is Wales Fairer? 2018*', we recognise the challenges raised and that many of them are long-standing and inter-generational.

Nevertheless, the approach proposed for our next Strategic Equality Plan 2020-24 does represent significant change in how we intend to address these issues.

Our expectation is that, well-defined, SMART Equality Objectives underpinned by targeted supporting actions will enable us to make real progress towards longer-term aims, breaking down entrenched inequality and making Wales fairer overall.

Chapter 2: The equality landscape

Since the publication of our current Equality Objectives in 2016, there have been significant national and global developments that are continuing to impact on the lives of Welsh citizens. This chapter summarises the main issues and provides an update on how the Welsh Government has responded to them.

Strengthening and Advancing Equality and Human Rights in Wales in the context of Brexit.

The UK's exit from the European Union continues to bring immense uncertainty, not least in relation to equality and human rights. The decades of EU membership have produced a legacy of benefits covering many aspects of daily life in Wales, for example employment and environmental rights and health and safety regulations.

The Welsh Government is committed to safeguarding these benefits in Wales and we will vigorously oppose any attempt to cut corners and create worse conditions as we leave the EU. In particular, we will monitor closely the impact of withdrawal from the EU Charter of Fundamental Rights.

In response to calls from many stakeholders for Welsh Government to take action to safeguard equality and human rights, particularly in the context of Brexit, several strands of work are being taken forward:

- Commencing the socio-economic duty in Part One of the Equality Act 2010, to require certain Welsh public bodies to consider the impact of their strategic decisions on the poorest people and groups.
- Reviewing the Welsh Specific Duties (currently set out under the 2011 Regulations) under the Public Sector Equality Duty (PSED), to ensure they are up to date, proportionate and effective.
- Working closely with the Equality and Human Rights Commission (EHRC) in Wales to review PSED monitoring and reporting arrangements, so that equality data and reports from Welsh public bodies are easy to find and understand.
- Commissioning research on wider options to strengthen and advance equality and human rights in Wales, which, among other things, will consider the possible incorporation of UN conventions into Welsh law and whether there may be a need for fresh legislation, such as a Human Rights Bill for Wales. This research is expected to report by the end of 2020.

All of these strands of work are being overseen by a Ministerial Steering Group which brings together a range of key stakeholders to monitor and advise on progress.

Austerity and Welfare Reform

The UK Government's welfare reform policies put in place since 2010 have had a disproportionate effect on the most vulnerable. We have seen increased reliance on food banks and an increase in homelessness, loneliness and isolation. The Equality and Human Rights Commission has undertaken research on the cumulative impact of the

UK Government's tax and welfare reforms. In 2018, it reported a disproportionately negative impact on the incomes of several protected groups, including disabled people, certain ethnic groups, and women, and particularly negative impacts on intersectional groups who experience multiple disadvantages (for example, lone parents with disabled children). It also highlighted that austerity is impacting on mounting inequality in a variety of ways.

The powerful report by the UN Special Rapporteur for Extreme Poverty and Human Rights, Professor Philip Alston, particularly highlighted the effects and impacts that the UK Government's changes are having. To quote Professor Alston "It thus seems patently unjust and contrary to British values that so many people are living in poverty".....Benefits reductions since 2010 have saved money for the government, but undermined the capacity of beneficiaries to escape from the grip of poverty."

The Welsh Government's decision to commence the socio-economic duty is important in this context. It makes clear the close relationship between poverty and other aspects on inequality and the need to ensure that any action to support disadvantaged people takes account of socio-economic issues as well as other factors.

Action on Disability – The Right to Independent Living

Austerity and Welfare Reform have impacted especially severely on disabled people. This too has been highlighted by recent UN reports which have been sharply critical of the UK Government's policies. This has strongly influenced the work which has been undertaken over the past two years to update the Welsh Government's Framework for Action on Disability which was first published in 2013. The new version, entitled 'Action on Disability: the Right to Independent Living', will be published in early autumn 2019, following consultation at the end of last year.

Like its predecessor, the new framework is based on the Social Model of Disability. The Social Model of Disability recognises that disabled people are disabled not by their impairments² but by barriers in society. Barriers which can be removed, and where removing them enables disabled people to fulfil their potential and live the lives they choose. The Welsh Government is committed to embedding the Social Model of Disability in our work and the framework is accompanied by an action plan which will be kept up to date to show how we will remove the barriers which disable people with impairments.

Our commitment to the Social Model of Disability extends beyond action on Disability – The Right to Independent Living. By adopting an approach based on barrier removal – and working with disabled people to identify solutions – we can create better policy and better services for everyone. The Welsh Government is committed to making this cultural shift but acknowledges that work will be required over time to ensure that all aspects of our work are brought fully in line with the Social Model of Disability.

² Impairments are characteristics of a person. They may or may not be lifelong and they may or may not arise from illness or injury. They may affect a person's appearance and/or the way they function or communicate and/or they may cause a range of difficulties including pain and fatigue.

Gender Equality Review

The Gender Equality Review (GER) began with a rapid review phase between March 2018 and July 2018. This resulted in a Phase 1 report of 31 recommendations, which have formed the basis for the next phase of work. Two of the key recommendations from the Phase 1 report were that Phase 2 must develop a vision and shared language for gender equality in Wales and that it must define what a feminist Welsh Government looks like, including a vision and principles for policy and decision making, and the role of government in changing culture through public engagement, education and all its activities.

The vision and principles

<https://gov.wales/sites/default/files/publications/2019-03/190204-cabinet-gender-equality-review-update-18-19-27.pdf>

The vision:

A gender equal Wales means an equal sharing of power, resources and influence for all women, men and non-binary people. This is a vision where the government aims to create the conditions for equality of outcome for all.

The agreed principles for a feminist Welsh Government are:

- Is committed to equality of outcome for all women, men and non-binary people and actively works to drive cultural and structural change
- Pro-actively works to advance equality and remove the barriers against all women's participation in the economy, public and social life
- Puts a gender perspective at the heart of decision-making, resource and budget allocation
- Takes an intersectional approach³ to all of its work and ensures diversity of representation, participation and voice
- Is people-focused and collaborative, ensuring that all communities are meaningfully engaged in its work
- Is open, transparent and accountable and welcomes scrutiny through a gender lens
- Makes use of policy development and analysis tools to embed gender equality into all of its work and actively monitors progress towards equality using a robust evidence base
- Leads by example and supports other public bodies to take action to deliver equality.

Phase 2 of the Review, conducted by Chwarae Teg, to be published in the Autumn, has concluded with the production of the main report 'Deeds not Words' and an accompanying 'Roadmap' for achieving gender equality in Wales based on the agreed

³ *understanding the way in which characteristics, such as gender, race or class, can interact and produce unique and often multiple experiences and*

vision and principles. The recommendations are wide-ranging and relate to the Welsh Government's role as both an employer and policy maker to help us achieve our ambition of becoming a feminist government.

Given the wide-ranging and long-term nature of the recommendations, Welsh Government will establish an Implementation Board to ensure there is strategic leadership and that gender equality advances taking account of the intersectional needs of women. The Implementation Board will include relevant representatives from across Wales and will ensure there is a wider perspective including consideration of work being commissioned in relation to strengthening and advancing equality and human rights in Wales.

Community Cohesion and Hate Crime

Since the EU Referendum in June 2016 there has been increasing concern about the extent of community divisions. These have been accompanied by a consistent rise in hate crimes and incidents. The Welsh Government has utilised the European Transition Fund to develop a suite of projects which aim to improve community cohesion, prevent hate crimes and enhance support offered to hate crime victims.

This includes the expanded Community Cohesion Programme, which extends the network of Community Cohesion Coordinators from 8 to approximately 24 officers working in local government on cohesion issues across Wales.

The Welsh Government has sought to reassure EU Citizens that their presence in Wales is valued and sought also to support them to stay and thrive through the EU Citizens' Rights Project and the Immigration Advice Service. The Citizens' Rights Project supports those from the EU to access advice about Settled Status and general social welfare issues, as well as specialist exploitation in the workplace advice, through Citizens' Advice Cymru. The Immigration Advice Service offers legal advice for EU Citizens who may have more complex circumstances to ensure they can access the information they need to successfully apply for Settlement Status.

Support for the National Hate Crime Report and Support Centre, operated by Victim Support Cymru, has been enhanced to ensure it has capacity to respond to the support needs required through the anticipated increased level of hate crimes as the UK withdraws from the European Union.

The Welsh Government is also developing grant schemes which will support organisations working with minority ethnic and minority faith communities to prevent and mitigate hate crime.

Nation of Sanctuary Plan for Refugees and Asylum Seekers

Since 2016, Wales has played a full part in the Syrian Resettlement Programme and other refugee resettlement schemes. The Welsh Government has taken an active role in seeking to improve support for refugees and asylum seekers who arrive in Wales. The National Assembly for Wales' Equality, Local Government and Communities Committee undertook an Inquiry in 2017 and published 'I used to be someone', which included 18 recommendations for the Welsh Government.

The Welsh Government's Nation of Sanctuary plan was co-produced with people seeking sanctuary and third sector organisations representing them, together with key

public sector stakeholders. The Plan sets out the Welsh Government's commitments to improve support to refugee and asylum seeker members of the community for the rest of this Assembly term.

Enabling Gypsies, Roma and Travellers

In 2011, the Welsh Government published the UK's first strategy to improve equality for Gypsy and Traveller communities – Travelling to a Better Future. In 2018, this original strategy was replaced by an updated plan – Enabling Gypsies, Roma and Travellers – which also incorporated support for the Roma community.

Both plans have provided strategic direction to improve access to culturally-appropriate accommodation for Gypsies and Travellers across Wales. The Enabling Gypsies, Roma and Travellers Plan also focuses on improving health, education, employment and other outcomes. The Plan also included a commitment to ensure Roma citizens understand their rights as the UK withdraws from the European Union.

The Welsh Language

Although language is not a protected characteristic under the Equality Act 2010 and the protection of the Welsh language is taken forward under separate legislation (the Welsh Language (Wales) Measure 2011 and related Standards), it has long been recognised that the equality and Welsh language policy agendas complement and inform each other and is further supported through the Goal within the Wellbeing of Future Generations Act – A Wales of vibrant culture and thriving Welsh language. Our intention is to sustain and reinforce that principle through our new Strategic Equality Objectives and ensure they serve to promote and protect the Welsh language.

Strategy for an Ageing Society

Welsh Government has a long history of working with and for older people. We published our first Strategy for Older People in 2003 which aimed to tackle discrimination, promote positive images of ageing and provide a strong voice for older people. The Strategy recognised that governments can take a lead in driving a cultural shift towards a society that values and celebrates its older citizens. That is why, in 2008, we established the world's first Older People's Commissioner to be an independent voice and champion for older people across Wales.

The world's population is living longer. In Wales, the central demographic projects that in 20 years 1 in 4 of the population will be over 65. Over the past year, we have been working with a range of stakeholders including older people, to co-produce a new Strategy for an Ageing Society. The Strategy adopts a rights based approach that promotes equality, social justice and empowerment across a range of policy areas. By demonstrating how we, as national government, will take action to address barriers to ageing well, we will undertake a programme of change involving a range of statutory and non statutory partners and individuals.

Chapter 3: Feedback from initial engagement

Engagement events

We held initial, informal discussions with equality stakeholders across Wales to develop our initial thinking for the refreshed Equality Objectives. These discussions in turn informed engagement events held in March 2019 in Cardiff, Newtown, and Colwyn Bay.

The events were open to all and attended by around 60 stakeholders in total, mainly from the public and third sectors. We provided attendees with an overview of the current political landscape and undertook round table discussions on a series of questions, covering both the approach to the refreshed Equality Objectives and arrangements to follow the Welsh Government's current (2017-20) Equality and Inclusion funding programme.

We asked whether there were any areas of inequality that were not addressed by the current Equality Objectives. The responses in general confirmed the issues covered by the current Equality Objectives were still pertinent, but that the objectives needed updating to reflect changes to society since they were developed in 2016.

The following key points were made:

- Stakeholders asked why human rights did not feature in the current Equality Objectives and suggested that this should be addressed when they were refreshed.
- The provision of accessible services, including health, mental health, social care, education and transport needed to feature more strongly. Transport in particular was felt to be a significant omission from the current Strategic Equality Plan.

Stakeholders also provided feedback on what should be addressed as a priority based on the emerging trends, issues and evidence available.

Discussion points included:

- Growing levels of poverty as a result of welfare reform and austerity measures were seen as having had a particularly disproportionate effect on those least able to bear it, including a detrimental impact on their human rights. There was general consensus that a commitment to address the causes of poverty and mitigate the impacts of poverty should be prioritise in the refreshed Equality Objectives.
- The effects of Brexit were mentioned as a priority, notably the fear that equality and human rights legislation could be undermined as a consequence. Many attendees agreed work is needed to protect the rights of people in Wales. Spikes in hate crimes since the referendum reflected the need for reinforced emphasis on community cohesion and more preventative work on harassment and abuse
- The current work of the Welsh Government to strengthen and advance equality and human rights in Wales was widely welcomed, as long as effective approaches are found, be that enhanced application of existing legislation or new equality and human rights legislation. The planned commencement in Wales of Part One of the Equality Act – the socio-economic duty – was seen as a very positive lever for change.

- Feedback suggested the Regional Community Cohesion Coordinators could provide more consistent support across all of the Equality Objectives in future. Closer alignment with other support structures for equality and inclusion was encouraged.
- Stakeholders reflected on the lack of representation of diverse groups of people participating in public life and engaging politically. The Welsh Government should lead the way for Welsh public services as a whole, and its aim to be an exemplar employer should be expanded to becoming an exemplar equality organisation more broadly.

We asked stakeholders for their views on what should be considered when developing the new Equality and Inclusion funding programme.

The feedback included the following key points:

- The current budget allocation is insufficient to tackle the challenges and the perceived ever widening gap in inequalities across Wales, especially so if the Welsh Government is intending to use the evidence, findings and recommendations in '*Is Wales Fairer? 2018*' as the basis for the refreshed Equality Objectives and Strategic Equality Plan actions.
- Stakeholders suggested better use could be made of the wider Welsh Government departmental budgets/ contributions to deliver equality projects, especially if funding was linked to the delivery of the Equality Objectives.
- Application processes could be simplified, both for the Welsh Government and applicant, including making processes proportionate to the amount of funding available. Stakeholders said time to develop proposals was key to ensuring success, especially where collaborative bids were desirable.
- Stakeholders in North Wales reported a sense of disparity in funding levels between regions. Stakeholders called for an increased presence of funded organisations in North Wales and a better regional spread of funds.
- Funding from the Equality and Inclusion Funding Programme is currently over three years. The majority of stakeholders felt strongly that this was insufficient time to develop work, establish the necessary relationships and trust - both with collaborative partners and with the communities being supported - and deliver activity effectively before funding ended. A longer time-span of at least five years was suggested, as was a continuation of funding for current projects that were delivering successfully and whose services are likely to be needed in future years.
- Joined up working and collaboration on and across projects was seen by many as essential. During the next funding period, the work of the Regional Community Cohesion Teams was seen as a key influence for achieving this, with facilitation and collaboration from Welsh Government.

Chapter 4: What the equality evidence tells us

Equality Impact Assessment

Under the Welsh specific equality duties, the Welsh Government must assess the impact of our policies and decisions using a thorough analysis of equality evidence and engagement with communities, individuals and experts. This helps us to understand how our policies might affect people with protected characteristics, and whether appropriate action is required to eliminate or minimise any negative impacts where possible.

Our Equality Impact Assessment for the refreshed Equality Objectives will include the feedback from our early engagement and this consultation exercise, as well as the valuable equality evidence available from recent research, inquiries and statistical releases.

Some of the overarching sources of equality evidence that we will be referring to as part of our analysis for the Equality Impact Assessment include:

- *Is Wales Fairer?*⁴ (EHRC, 2018)
- *Rapid Review of Gender Equality Phase One*⁵, and Phase Two report and roadmap when published in the early Autumn (Chwarae Teg, 2018)
- *Review of the Evidence of Inequality in Wales* (Welsh Government, not published at time of consultation)
- *Well-being of Wales 2017-18*⁶ (Welsh Government, 2018)

The evidence available provides us with information on a wide range of issues affecting people who share protected characteristics that we need to consider when developing our refreshed Equality Objectives. We have highlighted some of them below:

Sex

Women encounter inequality in many areas, which only intensifies if they are also part of another protected group. Women from BAME communities, LGBT, and elderly or disabled women often face multiple disadvantage which makes it more difficult to reach their full potential. Phase Two of the Gender Equality Review has provided us with a suite of recommendations for achieving gender equality in Wales and our Equality Objectives will be key drivers in accomplishing this aim.

Disability

Disabled people have been disproportionately affected by welfare reform and austerity. This was highlighted by the UN's examination of the UK's implementation of the Convention on the Rights of Disabled People (UNCPRD) in 2016/17 and the issues have been reinforced by the process of developing our new framework: *Action on Disability, the Right to Independent Living*.

⁴ Equality and Human Rights Committee (2018). *Is Wales Fairer?* URL <https://www.equalityhumanrights.com/en/publication-download/wales-fairer-2018>

⁵ Chwarae Teg (2018). *Rapid Review of Gender Equality Phase One*. URL <https://www.cteg.org.uk/wp-content/uploads/2018/07/final-Rapid-Review-of-Gender-Equality-Phase-One.pdf>

⁶ Welsh Government (2018). *Well-being of Wales Report 2017-18*. URL <https://gov.wales/sites/default/files/statistics-and-research/2019-01/well-being-wales-2017-18.pdf>

Race

Recent spikes in hate crime have affected BAME people disproportionately, since 74% of hate crimes and incidents are motivated by racial or religious prejudice. Recent meetings of the Wales Race Forum and our All Wales BAME Engagement Programme have starkly highlighted racism in our communities, including schools and workplaces, and the need for concerted action to promote racial equality.

Refugees and Asylum Seekers

In 2017, the National Assembly for Wales Equality, Local Government and Communities (ELGC) committee published its inquiry on refugees and asylum seekers⁷ during the world's largest refugee crisis since the Second World War. Refugees and asylum seekers often arrive in Wales following traumatic experiences in their countries of origin and on their journeys to the UK. We want to ensure that these individuals are supported to rebuild their lives and make a full contribution to Welsh society. In January 2019 the Welsh Government launched the Nation of Sanctuary Plan⁸, which captures a range of actions to address the recommendations of the ELGC committee and additional issues identified through consultation to improve the lives of people seeking sanctuary in Wales.

Sexual orientation/ gender reassignment (Lesbian, Gay, Bisexual, Transgender - LGBT)

The Stonewall Cymru 2018 *Work Report*⁹ has revealed troubling discrimination in Wales's workplaces, with a third of LGBT respondents who were employed in Wales (34%) reporting that they hid or disguised that they are LGBT at work in the last year because they were afraid of discrimination. Its 2017 *School Report*¹⁰ showed that while some LGBT young people in Wales are accepted, for many bullying, discrimination and exclusion are part of their day-to-day lives.

Age

(Older People)

We are an ageing society, with just over 800,000 people aged over 60 estimated to live in Wales in 2018, equating to just over 25% of the total population. This figure is expected to increase and the number of people over the age of 85 is expected to grow significantly in the years ahead. There are increasing levels of poverty amongst older people and the gap in healthy life expectancy at birth between the least and most deprived areas of Wales vary by as much as 18 years for women and men (applicable to the period 2015 to 2017)¹¹. In response to this changing demographic, we are

⁷ ELGC Committee (2017) I used to be someone. URL <https://www.assembly.wales/laid%20documents/cr-ld11012/cr-ld11012-e.pdf>

⁸ Welsh Government Nation of Sanctuary Plan. URL <https://gov.wales/refugee-and-asylum-seeker-plan-nation-sanctuary>

⁹ Stonewall Cymru (2018) Work Report. URL <https://www.stonewallcymru.org.uk/our-work/stonewall-research/lgbt-wales-%E2%80%93-work-report>

¹⁰ Stonewall Cymru (2017) School Report. URL <https://www.stonewallcymru.org.uk/school-report-cymru-2017>

¹¹ ONS (2019) Health state life expectancies by national deprivation deciles, England and Wales: 2015 to 2017 URL <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthinequalities/bulletins/h>

working with partners to co-produce a Strategy for an Ageing Society. The Older People's Commissioner for Wales is also working to address these inequalities experienced by individuals and communities throughout Wales.

(Children and Young People)

In 2019, the Children's Commissioner published *A Charter for Change: Protecting Welsh children from the impact of poverty*¹². It found that children and young people living in poverty in Wales miss out on their most basic human rights of having their food, shelter and health needs met. The costs of attending and participating in school leads to an inequality of opportunity for children and young people living in poverty. These children and young people also feel socially isolated because of a lack of opportunities available to them in their local communities.

Pregnancy and maternity

The EHRC has undertaken research into pregnancy and maternity in the work place¹³. It found the majority of employers felt it was in their interests to support pregnant women and those on maternity leave and they agreed that statutory rights relating to pregnancy and maternity are reasonable and easy to implement. In contrast, around one in nine mothers (11%), reported they were either dismissed or made compulsorily redundant in comparison to others in their workplace who were not treated in this way. It was reported some were treated so poorly they felt they had to leave their job. One in five mothers said they had experienced harassment or negative comments related to pregnancy or flexible working from their employer and /or colleagues and 10% of mothers said their employer discouraged them from attending antenatal appointments.

Religion/ belief

In 2016, the EHRC published *Religion or Belief: Is the Law Working?*¹⁴ The research found the Equality Act and the Human Rights Act provide sufficient protection for individuals with and without a religion or belief, religion or belief organisations and other groups protected by the Equality Act. Nevertheless, there were opportunities identified for improvement. For example, to address concerns that employers, employees, service providers and service users are often unclear about their rights and obligations. They are unsure how to request or respond to a request related to an individual's religion or belief, or how to manage diverse workplaces or diverse service user groups.

ealthstatelifeexpectanciesbyindexofmultipledeprivationimd/2015to2017#life-expectancy-and-healthy-life-expectancy-in-wales-by-the-welsh-index-of-multiple-deprivation-2014-wimd14-2015-to-2017

¹² Children's Commissioner for Wales (2019) *A Charter for Change: Protecting Welsh children from the impact of poverty* URL <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/A-Charter-for-Change-Protecting-Welsh-Children-from-the-Impact-of-Poverty.pdf>

¹³ EHRC (2018) *Pregnancy and maternity discrimination research findings*. URL <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

¹⁴ EHRC (2016) *Religion or Belief: Is the Law Working?* URL <https://www.equalityhumanrights.com/sites/default/files/religion-or-belief-report-december-2016.pdf>

Chapter 5: Welsh Government Draft Equality Objectives

Approach

We intend that the Welsh Government's Strategic Equality Plan for 2020-2024 will have **three main elements**:

- A. **Long-term Aims.** These will relate to equality in Wales as a whole and may be shared by other organisations, including Welsh public bodies. These aims are likely to remain relevant beyond the period covered by the plan. These aims are offered as a model which other organisations may wish to adopt, either wholly or in part, in order to support shared action to advance equality and human rights in Wales.
- B. For each of the long-term aims, a single, measureable, Welsh Government **Equality Objective for 2020-2024.** These objectives relate more closely than the long-term aims to the role and powers of the Welsh Government. The focus will be on what we intend to achieve within the lifetime of the new plan.
- C. Underpinning each of the Welsh Government Equality Objectives, a number of **Actions** linked to the domains within *Is Wales Fairer? 2018*

Our proposed Equality Objectives can be found below. These include each Objective's link to the long-term equality aims.

In developing our aims, objectives and actions, we will take care to ensure people with protected characteristics, as defined by the Equality Act 2010, are supported. Our actions will be specific to protected groups where the evidence tells us that targeted action is required.

We recognise many people have experience of overlapping protected characteristics. Examples including disabled children; older LGBT people; Muslim women. A person is rarely defined by a single characteristic. We are therefore developing Equality Objectives that are "intersectional", i.e. ones that seek to eliminate discrimination and which promote equality of opportunity and foster good relations in the most inclusive ways possible. Similarly, the aims and objectives themselves are cross-cutting and interdependent.

We will explore links between current and emerging Welsh Government policy development and delivery and ensure key policies, for example the proposed Economic Action Plan, are linked. In this way we will maximise the potential for cross-portfolio delivery and ensure the emerging Strategic Equality Action Plan 2020-2024 takes advantage of natural synergies where these occur.

As mentioned earlier in this document, due to the varying nature of the functions and remit of public sector bodies, we envisage that some may have multiple Equality Objectives under a single long-term aim and may not have any Objectives under another that it cannot make progress on due to the nature of these functions and remits.

Welsh Government Draft Equality Objectives

Long-term Aim 1 - Elimination of inequality caused by poverty.

WG Equality Objective 1:

By 2024, we will improve outcomes for those most at risk of living in low income households, particularly those with protected characteristics, by mitigating the impact of poverty, improving opportunities and reducing the inequalities experienced by those living in poverty. *[Measured through a range of data, including that relating to HBAI (Households with below average income)]*

Long-term Aim 2 - Strong and progressive equality and human rights protections for everyone in Wales

WG Equality Objective 2: By 2024, we will complete investigations into ways the Welsh Government can ensure an integrated equality and human rights framework which promotes equality of outcome and opportunity and can help eliminate discrimination for all groups of people with one or more protected characteristic *[Measured through the work of the Advancing and Strengthening Equality and Human Rights Steering Group.]*

Long-term Aim 3 - The needs and rights of people who share protected characteristics are at the forefront of the design and delivery of all public services in Wales.

WG Equality Objective 3: In order to work towards fostering equality of opportunity and outcomes for all in Wales we will continue to ensure the Welsh Government has implemented the Public Sector Equality Duty (PSED) and Welsh specific equality duties in all we do and work to encourage other Public Sector organisations to follow our example. By adopting an approach based on removing barriers which prevent people fulfilling their potential (including, for example, equality of pay, or following the example of the Social Model of Disability), we will create better policy and better services for everyone. *[Measured through improved PSED reporting arrangements and changes to Welsh specific regulations.]*

Long-term Aim 4 - Wales is a world leader for gender equality. A gender equal Wales means an equal sharing of power, resources and influence for all women, men and non-binary people.

WG Equality Objective 4: We will begin to deliver the vision and principles of the Gender Equality Review. *[Measured through the development of the Report and Roadmap for embedding feminist principles across Welsh Government.]*

Long-term Aim 5 - Elimination of identity-based abuse, harassment, hate crime and bullying.

WG Equality Objective 5: By 2024, we will ensure victims who experience abuse, harassment, hate crime or bullying as a result of having one or more protected characteristics have access to advice and support to live without fear or abuse. *[Measured by monitoring of hate crime reporting, services delivered by Victim Support, School-based counsellors, monitoring of bullying reports, National Survey responses about fear of crime / victimisation]*

Long-term Aim 6 - A Wales of cohesive communities that are resilient, fair and equal.

WG Equality Objective 6: By 2024, we will develop a monitoring framework to measure progress towards community cohesion and foster good relations between all groups, building on our existing policies and interventions. *[Measured by increased metrics in the Well-being of Future Generations National Indicators and the Home Office Indicators of Integration].*

Long-term Aim 7 - Everyone in Wales is able to participate in political, public and everyday life.

WG Equality Objective 7: By 2024, we will increase the diversity of decision-makers in public life and public appointments, exploring areas where further action is needed to ensure greater balance of diversity among decision-makers and identify and investigate mechanisms to redress inequality. *[Measured through the % of individuals from protected groups securing decision making roles within public and political roles.]*

Long-term Aim 8 - The Welsh public sector leads the way as exemplar inclusive and diverse organisations and employers.

WG Equality Objective 8: By 2024 the Welsh Government will be an exemplar employer, increasing diversity, removing barriers and supporting staff from all backgrounds to reach their potential, creating equality of opportunity for all. *[Measured through employment and recruitment diversity data and the Annual Equality Report.]*

Linking Objectives to Action

For each of the objectives above, a small number (approx. 6-8) of key actions will be identified to demonstrate how the objective will be achieved in the period 2020-2024. These actions will be arranged in relation to the 6 domains of *Is Wales Fairer? 2018*.

These domains are:

1. Education
2. Work
3. Living standards
4. Health
5. Justice and Personal Security
6. Participation

The actions under each objective will relate to more than one of these domains. For each action, an explanation will be provided to show how it will contribute to fulfilling the respective objective and how it will be measured.

This consultation does not include the actions that will be included in the new Strategic Equality Plan. These will be developed during and following the consultation through engagement across Welsh Government and with stakeholders. The example below is provided to illustrate the intended approach.

The final Plan will also not include all of the Welsh Government’s activity relevant to each objective; the focus will be on key exemplar activity linked to the *Is Wales Fairer?* domains. The expectation is that a wide range of other activity and wider policy development with Welsh Government will also contribute to fulfilling the Strategic Equality Objectives during the lifetime of the plan, some of which will be captured in Welsh Government’s Annual Equality Reports

EXAMPLE: OBJECTIVE 1

<p>Long-term Aim 1 - Elimination of inequality caused by poverty</p> <p>Welsh Government Equality Objective 1</p> <p>By 2024 we will narrow the gap between the opportunities and outcomes for those with protected characteristics, taking into account the multiple disadvantages which can be experienced due to differing socio-economic circumstances, in comparison to those without those characteristics</p> <p>EHRC Priority Domain: Work</p> <p><u>Action</u></p> <p>We will support those furthest from the labour market, who face complex barriers to employment increased as a result of having a protected characteristic, in our most deprived communities through our ‘Communities for Work’ programme. At the same time we will continue to support local business growth and development to create opportunities through our Business Wales programme.</p>	
<p><u>Contribution to Equality Objective/ long-term equality aim</u></p> <p>Offering intensive mentoring and support, training and work experience opportunities will enable people to secure sustainable employment as a route out of poverty.</p>	<p><u>Measures</u></p> <p>National well-being indicator 16: % of people in employment, who are on permanent contracts (or on temporary contracts and not seeking permanent employment) and who earn more than 2/3 of the UK median wage.</p>

Chapter 6: Future Arrangements for the Equality and Inclusion Funding Programme

The current Equality and Inclusion Programme is due to conclude on 31 March 2020. The programme supports the Equality Objectives 2016-20 and protected characteristics in the Equality Act 2010. It consists of an Equality Grant for representative organisations and Inclusion Projects for three specific areas of work.

Funding has been awarded to lead agencies to support this work as follows:

- Gender Equality – Women’s Equality Network (WEN) Wales
- Race – EYST
- Gender Re-assignment and Sexual Orientation (LGBT) – Stonewall Cymru
- Disability – Disability Wales
- Gypsy, Roma and Traveller Advice and Advocacy Service – TGP Cymru
- Support Services for Refugees and Asylum Seekers– Consortium led by the Welsh Refugee Council, partnered with EYST, TGP Cymru, BAWSO, City of Sanctuary, Displaced People in Action and Asylum Justice.
- All Wales Hate Crime Report and Support Centre – Victim Support Cymru

We have published a programme summary document which provides details of the services that will be delivered under the programme and relevant contact details –

<http://gov.wales/docs/dsjlg/publications/equality/170908-eandi-programme-info-en.pdf>

<http://gov.wales/docs/dsjlg/publications/equality/170908-eandi-programme-info-cy.pdf>

During the informal engagement events held in March 2019, we sought views on this programme. At that stage we were considering consulting on the successor funding arrangements at the same time as consulting on our next Equality Objectives. For a number of reasons, including current uncertainty about future budgets, we have decided to consult only the Objectives at this stage. We anticipate consulting separately on future equality funding arrangements in 2020. The main reasons for this are as follows:

- Continuing uncertainty around Brexit and the impact this could have on aspects of equality in Wales, which should be considered, where reasonably possible, in the development of the next funding programme;
- Due to the impending UK Government Comprehensive Spending Review, Welsh Government budgets are not yet set beyond the current financial year, so any new funding arrangements would be unlikely to extend beyond March 2021, whereas we recognise that longer term funding arrangements are desirable;
- The need to consider the final reports of the Gender Equality Review, which have just been published, and any next steps which are likely to impact on future funding arrangements; and
- Feedback received from stakeholders relating to the need for reasonable time to develop proposals, especially where consortium bids and partnership working are desirable. To comply with the Welsh Government’s Code of Practice on Funding the Third Sector, arrangements for 2020-21 should be confirmed by 31st December 2019, which does not allow sufficient time for consultation and application processes to be completed.

For these reasons, it is now proposed to discuss with each of the current lead agencies for the current Equality and Inclusion Funding Programme what arrangements should be made for 2020-21, with a view to confirming the position in each case by December 2019. In some cases this may mean extending the existing funding arrangements, subject to agreement on appropriate objectives and outcomes for the additional year. In other cases, it may be that alternative transitional funding arrangements may need to be put in place.

Welsh Government has already extended the Hate Crime Report and Support Centre contract by one year until 31 March 2021.

It is intended that Equality and Inclusion Funding Programme projects which are extended, will continue until 31 March 2021. This will allow Welsh Government sufficient time to develop fresh proposals which takes into consideration the new equality objectives, once agreed, together with the other issues set out above.

In the development of the new funding programme to commence on 1 April 2021, Welsh Government intends to undertake further engagement with equality stakeholders. It is also intended the application process for the new funding programme will allow organisations sufficient time to fully develop proposals.

Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Question 1: Do you agree with the proposed draft Equality Objectives in Chapter 5?

Question 2: Do you think there are any areas of inequality that are not addressed by draft Equality Objectives and that are of particular importance to you?

Question 3: Are there any emerging trends / issues / evidence regarding inequality in Wales that you feel should be addressed as a priority?

Question 4: What are your thoughts regarding the approach of developing Equality Objectives that contribute to longer term, aspirational aims?

Question 5: Do you agree with the intended approach to develop a small number of key actions under each Objective, linked to the 6 domains in *Is Wales Fairer? 2018*, as exemplars to demonstrate how the objectives will be achieved?

Question 6: Do you agree with the intention to continue to align Equality and Inclusion funding with the Strategic Equality Objectives?

Question 7: We would like to know your views on the effects that the proposed Strategic Equality Objectives would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How might we build momentum and increase any positive impact of these effects, or where you think there might be negative effects, what can we do to mitigate them?

Question 8: Please also explain how you believe the proposed Strategic Equality Objectives could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 9: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: