

## Equality Impact Assessment

### 1. Describe and explain the impact of the proposal on people with protected characteristics as described in the Equality Act 2010.

The Welsh Government works for continuous improvement in how Wales fulfils its obligations with regard to the UN Conventions on the Rights of Disabled People and the Rights of the Child. Disabled people in Wales often continue to face high levels of poverty and discrimination as well as restricted access to education, employment, access to services, health, social care as well as access to justice. Improvement will see the wide-spread adoption across Welsh Government departments and the public, private and voluntary sectors of the Social Model of Disability and the resulting changes in policies which will lead to equality of opportunity and better outcomes for disabled people in Wales.

Many of the recommendations put forward have the potential to transform the lives of disabled people, but we expect they will take a long time to achieve. The plan is a ten year plan (2025-2035).

Within this Disabled People's Rights Plan for Wales, there are four overarching areas for action:

- Neighbourhoods and Places;
- Employment, Income and Education;
- Independent Living; and
- Justice and Supporting Environments.

These four areas cover ten main themes, aligned with the working groups of the Disability Rights Taskforce. Within each chapter, the plan sets out the positive outcomes we want to achieve for disabled people over the next ten years.

The Equality Act 2010 requires employers and service providers to make reasonable adjustments to remove disadvantages faced by disabled people. This duty ensures that disabled individuals have equal access to services, employment, and public functions. Failure to make these adjustments may be considered unlawful discrimination. As part of our duties under the Equality Act, the Welsh Government has 7 National Equality Objectives, these are:

- **National Equality Objective 1:** We will create a Wales where everyone has opportunities to prosper in line with our organisational goal to reduce poverty.
- **National Equality Objective 2:** We will create a Wales where everyone can be aware of their human rights, and where those rights are protected, promoted, and underpin all public policy.
- **National Equality Objective 3:** We will create a Wales where everyone can be aware of and has equitable access to high quality public services.

- **National Equality Objective 4:** We will create a Wales free from discrimination, victimisation, harassment, abuse, hate crime and/or bullying against all people.
- **National Equality Objective 5:** We will create a Wales where everyone from the full diversity of backgrounds can participate in public life, have their voices heard and see themselves reflected in leadership positions.
- **National Equality Objective 6:** We will create a Wales with fair and equal opportunities to gain employment and for fair and equal treatment in the workplace, including fair pay and conditions.
- **National Equality Objective 7:** We will create an environmentally sustainable Wales with the capacity to both ensure our journey to net zero is fair and to respond to the inequitable impacts of climate change.

An External Advisory Board will be set up to provide advice and support on the implementation, delivery, and impact of the Disabled People's Rights Plan.

The Welsh Government's Disability Disparity Evidence Unit has set out how to monitor the outcomes of this plan, to introduce greater transparency about progress to achieving our ambition, and to alert us at an early stage if gaps appear so we can act. We will continue to work closely with disabled people and their organisations, as well as other partners, to monitor and review our implementation and impact.

There will be a 12-week consultation for the Disabled People's Rights Plan for Wales. We will be encouraging all members of the public, in particular disabled people and stakeholders, to take part as feedback from disabled people is essential to improving the disabled people's community. The final version of the plan will be published following the consultation.

The consultation on the Disabled People's Rights Plan aims to support the Welsh Government's Programme for Government commitments, with a goal of enhancing public transport accessibility, bridging the employment gap for disabled people and their peers, celebrating diversity, connecting communities and eliminating inequality in all its forms.

The consultation on the Disabled People's Rights Plan will be made available in British Sign Language, Braille, Audio, Easy Read, Child Friendly and Welsh versions.

Welsh Ministers have a duty under the Public Sector Equality Duty ("PSED") in section 149 of the Equality Act 2010 ("the 2010 Act") to consider how their policies affect those who have a relevant protected characteristic. Disability is one of the protected characteristics. Successful implementation of the plan helps Welsh Government to deliver duties laid down in the Equality Act and within the National Equality Objectives.

**Record of Impacts by protected characteristic:**

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age (think about different age groups)	Positive	The proposed actions aim to create a positive impact on disabled people of all ages, ensuring different areas within society are also inclusive for all age ranges.	
Disability (consider the social model of disability <sup>1</sup> and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)	Positive	The plan aims to tackle the barriers experienced by disabled people in society, in Wales ensuring all actions benefit disabled people positively.	

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<sup>1</sup> Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

Gender Reassignment (the act of transitioning and Transgender people)	No impact identified	The proposals which facilitate access to healthcare will have a positive effect on trans disabled people. Easier access to information and advice may encourage disabled trans people to be more confident in accessing Gender Identity Services.	
Pregnancy and maternity	Positive	The proposals which facilitate access to healthcare will have a positive effect on pregnant disabled women.	
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	Positive	The actions identify all disabled people in Wales regardless of their race or migrant status. The actions aim to provide accessible advocacy and information services that will be particularly beneficial to these communities.	
Religion, belief and non-belief	Positive	Actions aim to improve accessible venues and buildings which would enhance access for disabled people to places of worship.	

Sex / Gender	Positive	While the actions do not focus specifically on gender, they are intended to have a positive impact on all genders.	
Sexual orientation (Lesbian, Gay and Bisexual)	No impact	No impact identified, although easier access to information and advice may encourage disabled LGBT+ people to be more confident in accessing information and support services	
Marriage and civil partnership	No impact	The proposals do not address partnership status and it is anticipated that the policy will have a negligible impact.	
Children and young people up to the age of 18	Positive	A separate CRIA has been completed.	
Low-income households	Positive	All the actions in the plan are designed to tackle poverty and improve outcomes for people living in low-income households	

## Human Rights and UN Conventions

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
	<b>Positive</b>	A respect for fundamental human rights as well as equality is built into all Welsh Government work and the new Disabled People's Rights Plan	

## EU/EEA and Swiss Citizens' Rights

Part 2 of the EU-UK Withdrawal Agreement, along with the EEA EFTA Separation Agreement and Swiss Citizens Rights Agreement ("Citizens Rights Agreements") give EU, EEA<sup>2</sup> and Swiss citizens who were lawfully resident in the UK by 31 December 2020 certainty that their citizens' rights will be protected.

The Citizens Rights Agreements are implemented in domestic law by the European Union (Withdrawal Agreement) Act 2020 (EUWAA)<sup>3</sup>

Eligible individuals falling within scope of the Citizens Rights Agreements will have broadly the same continued entitlements to work, study and access public services and benefits, in as far as these entitlements have derived from UK membership of the EU as well as its participation in the EEA Agreement and the EU-Swiss Free Movement of Persons Agreement.

Subject to certain limited exceptions<sup>4</sup>, individuals will need to have applied for a new residence status (either pre-settled or settled status) through the EU Settlement Scheme. The deadline for making such an application expired on 30 June 2021.

**Residency** – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;

<sup>2</sup> The EEA includes the EU countries as well as Iceland, Liechtenstein and Norway.

<sup>3</sup> Sections 5 and 6 of EUWAA.

<sup>4</sup> E.g. where an individual has Irish citizenship (including dual British and Irish citizenship) or where they had indefinite leave to enter or remain in the UK)

There are no negative impacts anticipated as a result of the work of the Taskforce and forthcoming Plan. More broadly the Plan is a framework to positively strengthen and enhance the human rights of disabled people.

**Mutual recognition of professional qualifications** –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK);

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**Access to social security systems** – these include benefits, access to education, housing and access to healthcare

The recent (February 2025) UN examination of International Convention on Economic Social and Cultural rights (ICESCR) recognised that this issue was non-devolved. Welsh Government has some responsibility under Article 10 but only in relation to protection of the family and children and partial responsibility under poverty, food and housing.

There are no negative impacts anticipated as a result of the work of the Taskforce and forthcoming Plan. More broadly the Plan is a framework to positively strengthen and enhance the human rights of disabled people

**Equal treatment** – this covers non-discrimination, equal treatment and rights of workers;

Under ICESCR the equal rights of men and women are covered at Article 3. ICESCR is mainly non devolved and not incorporated. The Equal Power Equal voice programme is not affected by this IIA.

Work continues by Welsh Government to work towards the Programme for Government commitment on the incorporation of CEDAW and the UNCRDP.

There are no negative impacts anticipated as a result of the work of the Taskforce and forthcoming Plan. More broadly the Plan is a framework to positively strengthen and enhance the human rights of disabled people.

**Workers rights** - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.

There are no negative impacts anticipated as a result of the work of the Taskforce and forthcoming Plan. More broadly the Plan is a framework to positively strengthen and enhance the human rights of disabled people.