2014-2020 European Regional Development Fund Programmes for Wales

Equality Impact Assessment Report

Welsh European Funding Office
April 2014

DRAFT FINAL

2014-2020 European Regional Development Fund Programmes for Wales

Equality Impact Assessment Report
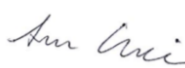
Welsh European Funding Office

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Issue and revision record

Revision	Date	Originator	Checker	Approver	Description
First Iteration					
A	21 Jan 2013	James Beard	Kerry Schofield	Paul Hammond	EIA Report Draft 1
B	31 Jan 2013	Anna Wallin	James Beard	Paul Hammond	Revised draft incorporating client comments
C	04 Feb 2013	James Beard	Anna Wallin	Paul Hammond	Final minor amendments
Second iteration					
D	16 Oct 2013	Sobrina Edwards Sarah McAuley	James Beard	Paul Hammond	EIA Report – Second Iteration – Draft 1

Content

1. Introduction and background

1.1 Background to the study

In August 2012 Old Bell 3 and its associates (including Mott MacDonald) were commissioned by the Welsh European Funding Office (WEFO – part of the Welsh Government) to undertake an ex-ante evaluation of five European Union (EU) funding Programmes for the upcoming 2014-2020 programming period:

- Separate Operational Programmes for West Wales and the Valleys and East Wales respectively relating to the:
  - European Regional Development Fund (ERDF)
  - European Social Fund (ESF)
- The Rural Development Plan (RDP)

The ex-ante evaluation process includes an Equality Impact Assessment (EIA) of the Programmes. The EIAs were commissioned to understand whether any of the Programmes – through their design or implementation – are likely to result in positive or negative impacts on people with different socio-demographic characteristics. The objective of the EIAs is to help WEFO to ensure that, upon delivery, there are equal opportunities for all eligible people to benefit from the Programmes.

This report presents the findings of the EIA of the proposed ERDF Programmes. It considers the possible impacts of the Programmes' intended priorities, themes and key interventions for the whole country, where appropriate, making a distinction between the two Welsh regions of West Wales and the Valleys (WWV); and East Wales (EW).[1] The report is accompanied by a corresponding EIA report covering the two ESF Operational Programmes for the 2014-2020 Programming period. The EIA of the RDP will follow once that document is ready for submission to the European Commission.

1.2 The European Regional Development Fund Programmes for 2014-2020 in Wales

1.2.1 The Structural Funds

The ERDF, together with the ESF, the European Agricultural Fund for Rural Development (EAFRD – the fund through which the RDP is financed) and the European Marine and Fisheries Fund (EMFF), are part of the Common Strategic Framework (CSF). The CSF was developed by the European Commission and presented to Member States in March 2012; it is intended to help Member States set the strategic direction for the 2014-2020 financial planning periods and seeks to improve coordination between, and secure the more targeted use of, the EU's Structural Funds. It aims to achieve this by focussing the national (UK) and regional (Welsh) authorities' activities on a limited set of common objectives.

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1 The two regions will be referred to in full in the main text, but the abbreviations of WWV and EW may be used in tables and figures for the purposes of space.

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In direct response to the requirements of the CSF, the Welsh Government is seeking to develop an integrated approach to the delivery of these funds for the 2014-2020 Programme periods. The figure below highlights this relationship between the CSF and the various Structural Funds for 2014-2020.

Figure 1.1:   2014-2020 Common Strategic Framework

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                    ┌─────────────────┐
                    │     Common      │
                    │   Strategic     │
                    │   Framework     │
                    │      (CSF)      │
                    └─────────────────┘
                             │
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│ European │  │European Social│  │   European   │  │European Marine│
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│   Fund   │  │              │  │    Rural     │  │              │
│  (ERDF)  │  │              │  │ Development  │  │              │
│          │  │              │  │   (EAFRD)    │  │              │
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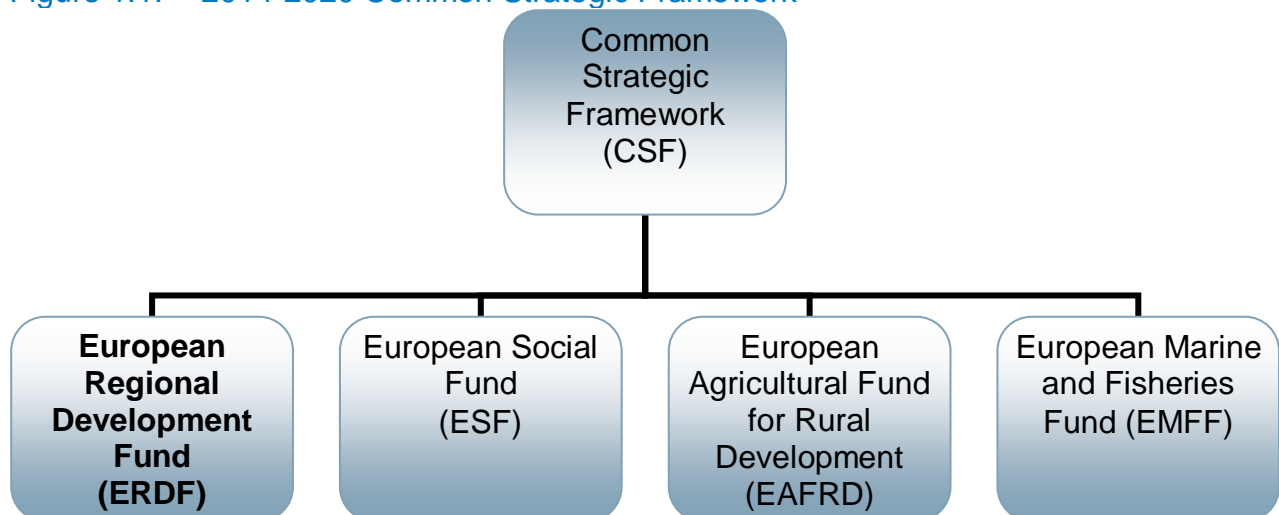
1.2.2 The European Regional Development Fund

The ERDF provides funding to different schemes to improve their economic competitiveness. It has four key aims; to support innovation and the knowledge-based economy; to stimulate enterprise and support successful businesses; to ensure sustainable development, production and consumption; and to build sustainable communities. In Wales, the ERDF has five Priorities Axes for the 2014-2020 period in each of the Operational Programmes. These are:

- Priority Axis 1: Research and Innovation;
- Priority Axis 2: SME Competitiveness;
- Priority Axis 3: Renewable Energy and Energy Efficiency; and
- Priority Axis 4: Connectivity and Sustainable Urban Development (West Wales and the Valleys) /Connectivity (East Wales); and
- Priority Axis 5: Technical Assistance.

Priority Axes 1 to 4 are outlined in more detail below and are the main subject matter for this EIA.

Priority Axis 5 is focussed on the management and administration of the Programme as a whole, focusing on the following Specific Objectives:
1. To ensure the efficient and effective management of the 2014-2020 Programme
2. To enhance the integration and the complementarity of the investments with other funds with wider Commission-led and Sector-based programmes.

On this basis, Priority Axis 5 will not be included within the remainder of this report.

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1.2.3 ERDF Priority Axes under the 2014-2020 Programmes

1.2.3.1 Research and Innovation

The aim of this Priority is to support and promote research and innovation. This will help to address the productivity gap, by focusing on opportunities to build on Wales' research excellence in growth sectors and attract researchers and businesses to Wales.

Table 1.1: Priority Axis 1: Research and innovation

Thematic Objective 1: Strengthening research, technological development and innovation
Investment Priority 1 of Priority Axis 1:
(1a) enhancing research and innovation infrastructure (R&I) and capacities to develop R&I excellence and promoting centres of competence, in particular those of European interest

Specific Objective 1 (WWV and EW): To increase the success of Welsh research institutions in attracting competitive and private research funding	**Actions under Specific Objective 1:** • Building research capacity, with a focus on centres of excellence, supporting cluster development, applied research and investment in technology and technology transfer. • Capacity building directly linked to improving access to competitive research funding • Investing in specialised research infrastructure linked to world class research and inward investment potential (WWV only).

Investment Priority 2 of Priority Axis 1:
(1b) promoting business investment in innovation and research, and developing links and synergies between enterprises, R&D centres and higher education , in particular product and service development, technology transfer, social innovation, eco-innovation, public service applications, demand stimulation, networking, clusters and open innovation through smart specialisation and supporting technological and applied research, pilot lines, early product validation actions, advanced manufacturing capabilities and first production, in particular in Key Enabling Technologies and diffusion of general purpose technologies

Specific Objective 2 (WWV and EW): To increase the level of innovation undertaken across all sectors of the Welsh economy, in particular within Welsh SMEs, leading to a growth in productivity	**Actions under Specific Objectives 2-3:** • Support businesses to undertake innovation and improve innovation supply chains between businesses and with academia • Piloting initiatives to test innovative products, processes or services • Develop low cost hubs or clusters for innovative businesses and sectors • Development and launch of innovative uses and adaptions for

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Specific Objective 3 (WWV and EW): To increase the successful translation of research and innovation processes into viable commercial products, processes and services, in particular through improved technology transfer from HEIs.	existing technology, processes or services into new markets • Commercialisation, protection and exploitation of research • Investment in advance manufacturing and production capabilities

Thematic Objective 4: Supporting the shift towards a low-carbon economy in all sectors

Investment Priority 4 of Priority Axis 3:
(4f) promoting research in, innovation in and adoption of low-carbon technologies".

Specific Objective 4 (WWV and EW): To increase the success of Welsh research institutions in attracting competitive and private research funding (related to low carbon research and innovation)	
Specific Objective 5 (WWV and EW): To increase the successful translation of low Carbon research and innovation processes, into new and improved commercial products, processes and services, in particular through improved technology transfer from HEIs.	**Actions under Specific Objectives 4-5:** • Capacity building and cluster development for priority research areas relating to low-carbon technologies attracting private investment and competitive research funding • Research, development and innovation relating to proof-of-concept for emerging and transition renewable energy and energy efficiency technologies • Research and demonstration in key Smart Specialisation and priority areas (e.g. advanced powertrain and battery research for electric and hydrogen vehicles) • Development and implementation of low carbon strategies supporting the territorial demonstration of benefits (economic benefits for areas)

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1.2.3.2 SME Competitiveness

This Priority aims to promote increased economic growth and to support the creation of sustainable employment through developing sustainable businesses throughout Wales. It also aims to remove those barriers which prevent business growth and reaching their full potential.

Table 1.2: Priority Axis 2: SME Competitiveness

Thematic Objective 3: Enhancing the competitiveness of SMEs

Investment Priority 1 of Priority Axis 2:

(3a) promoting entrepreneurship, in particular by facilitating the economic exploitation of new ideas and fostering the creation of new firms, including through business incubators

Specific Objective 1 (WWV and EW): To increase the amount of finance available to SMEs for both business start-up and for business expansion	**Actions under Specific Objectives 1-2:** • Access to debt, equity and mezzanine finance • Micro-finance investment vehicle • Tailored repayable business finance schemes • Advice and mentoring for start-ups • Pre-start entrepreneurship activity • Customised delivery of support for social enterprise creation where there are evidenced gaps in mainstream provision
Specific Objective 2 (WWV and EW): To increase the number of SME start-ups through the provision of information, advice and guidance and support for entrepreneurship.	

Investment Priority 2 of Priority Axis 2:

(3d) supporting the capacity of SMEs to engage in growth in regional, national and international markets, and in innovation processes

Specific Objective 3 (WWV and EW): To increase SME productivity and through the provision of advice and guidance, in particular through encouraging ICT exploitation.	**Actions under Specific Objectives 3-4:** • Information and advice for businesses • Tailored support for economically important and growth businesses • Capacity building to support Welsh businesses to access procurement opportunities • Support for the internalisation of businesses and increasing exports
Specific Objective 4 (WWV and EW): To increase the growth of those SMEs with growth potential, in particular through accessing new markets (both domestic and international).	

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Thematic Objective 1: Strengthening research, technological development and innovation	
Investment Priority 3 of Priority Axis 2:	
(1b) promoting business investment in innovation and research, and developing links and synergies between enterprises, R&D centres and higher education, in particular product and service development, technology transfer, social innovation, eco-innovation, public service applications, demand stimulation, networking, clusters and open innovation through smart specialisation and supporting technological and applied research, pilot lines, early product validation actions, advanced manufacturing capabilities and first production, in particular in Key Enabling Technologies and diffusion of general purpose technologies	
Specific Objective 5 (WWV and EW): To address market failures in the availability of finance, in particular risk capital, for Welsh SMEs to undertake innovation and commercialise R&D.	**Actions under Specific Objective 5:** • Access to debt, equity and mezzanine finance • Tailored business finance schemes

1.2.3.3 Renewable Energy and Energy Efficiency

The aim of this Priority is to address climate change and to promote the sustainable development of a low-carbon economy, in addition to sustainable employment and energy efficient technology. Improving energy efficiency in homes and workplaces is also important, in addition to developing sustainable markets and supply chains. Wales has a wealth of natural resources and these need to be managed effectively and sustainably.

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Table 1.3: Priority Axis 3: Renewable Energy and Energy Efficiency

Thematic Objective 4: Supporting the shift towards a low-carbon economy in all sectors	
Investment Priority 1 of priority axis 3:	
(4a) promoting the production and distribution of energy derived from renewable sources	
Specific Objective 1 (WWV only): Increase the number of wave and tidal energy devices being tested in Welsh waters and off the Welsh coast, including multi-device array deployments, thereby establishing Wales as a centre for marine energy production **Specific Objective 2 (WWV) Specific Objective 1 (EW):** To increase the number of small scale renewable energy schemes established.	**Actions under Specific Objectives 1-2:** • Investment will be focused on developing the emerging marine energy sector in Wales and developing small scale or community scale renewable energy schemes. **Marine Energy actions (covered by West Wales and the Valleys only) include:** • Innovation and R&D with commercial potential including prototypes, demonstrators and pre-commercial devices • Increasing capability to test marine energy devices off the Welsh coast via targeted investment and preparatory work to remove barriers • Support to remove barriers and help part-finance test and demonstration devices and arrays. **Small scale/community scale energy scheme actions include:** • Capacity development for local groups • Advice and guidance on setting up small scale renewable energy generation schemes • Support for collaborative working with developers on community supported schemes • Investment tailored to address barriers to accessing finance for small and community schemes supporting a low carbon transition • Development and implementation of low carbon strategies supporting the demonstration of benefits for a specific geographical area.
Investment Priority 2 of priority axis 3:	
(4c) supporting energy efficiency, smart energy management and renewable energy use in public infrastructures, including in public buildings, and in the housing sector".	
Specific Objective 3 (WWV) **Specific Objective 2 (EW):** Increase the energy efficiency of the existing Welsh housing stock,	**Actions under Specific Objective 2/3:** • Energy conservation and efficiency measures in existing housing. Consideration should be given to achieving multiple benefits, appropriate targeting to

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particularly in areas of fuel poverty	achieve that, and opportunities to utilise Financial Instruments (e.g. JESSICA).
	• Energy efficiency advice and measures to encourage behavioural change
	• Capacity building for SMEs to compete for contracts (e.g. as consortiums) to install energy efficiency measures.
	• The provision of green infrastructure such as the construction of "green" roofs and "green" walls and other appropriate actions to reduce energy use and for smarter energy management (WWV only)

1.2.3.4 Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

This Priority aims to promote strategic investments in infrastructure, providing businesses with the environment they need in which to operate, expand and improve. The development of infrastructure is also directly linked to the provision of advanced ICT and internet provision, which is essential for business development. The two different headings correspond with the relevant Priority titles for each area of Wales – Connectivity and Sustainable Urban Development relates to West Wales and the Valleys, and Connectivity relates to East Wales.

Table 1.4: Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Thematic Objective 7: Promoting sustainable transport and removing bottlenecks in key network infrastructures	
Investment Priority 1 of Priority Axis 4:	
(7a) supporting a multimodal Single European Transport Area by investing in the Trans-European Transport Network (TEN-T) network (WWV only)	
Specific Objective 1 (WWV only): To address issues of peripherality and improve private investment in local areas through improvements to the functioning of the Trans-European Transport Network (TEN-T).	**Actions covering Specific Objective 1**: • Targeted investment in the core or comprehensive TEN-T road and rail network.
Investment Priority 2 of Priority Axis 4 (WWV) and Investment Priority 1 of Priority Axis 4 (EW):	
(7b) enhancing regional mobility through connecting secondary and tertiary nodes to TEN-T infrastructure, including multimodal nodes	

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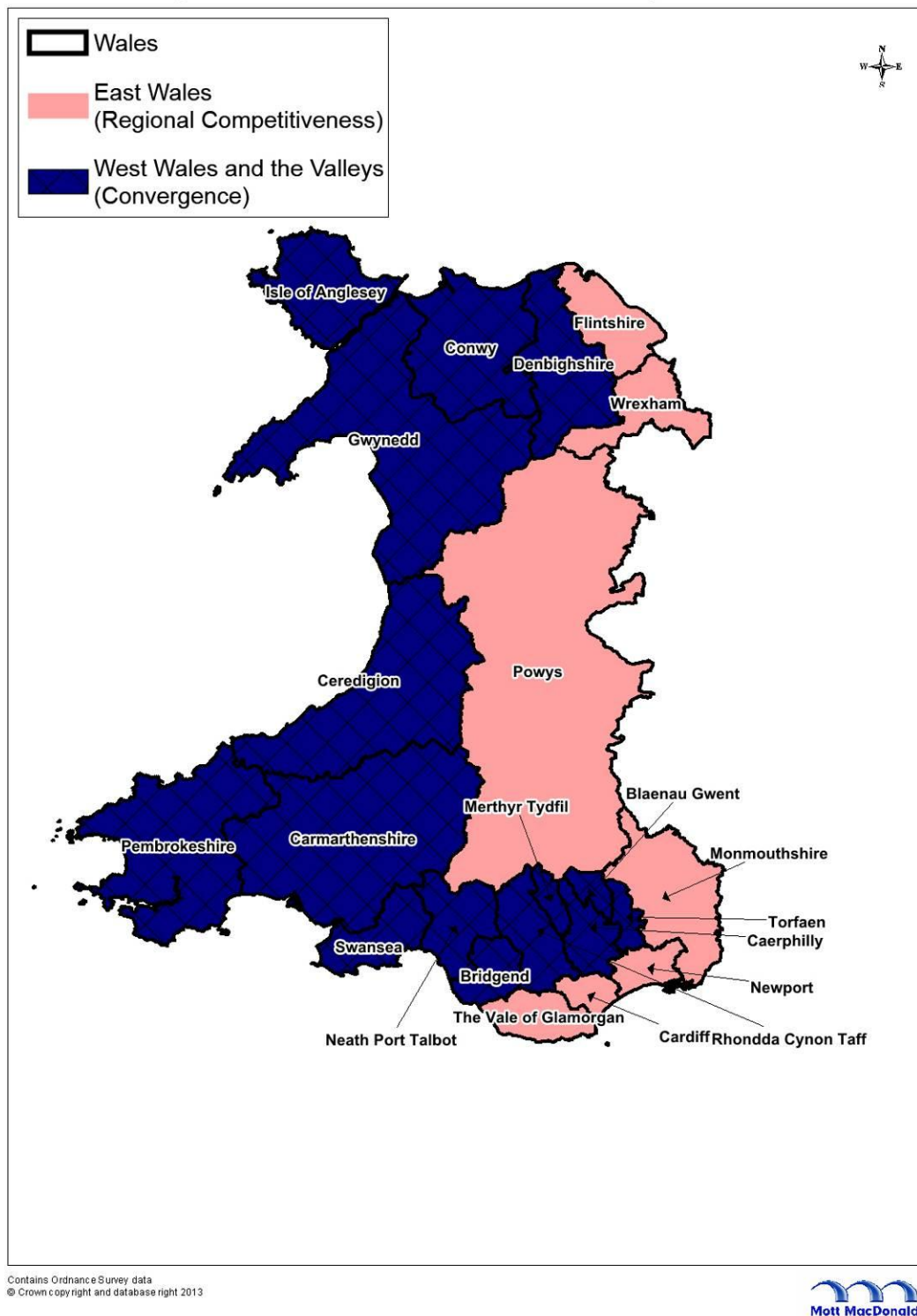
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Specific Objective 2 (WWV) Specific Objective 1 (EW): Increasing urban and labour mobility to and from key urban and employment centres to increase access to jobs	**Actions covering Specific Objective 1/2:** • Intermodal and sustainable transport facilities that improve access to employment and education • Improvements to rail network where it can support additional capacity • Targeted investment in local roads providing accessibility to the TEN-T network, or addressing access specific bottlenecks (WWV only) • Alleviation of urban congestion (WWV only)

Thematic Objective 2: Enhancing access to, and use and quality of, information and communication technologies

Investment Priority 3 of Priority Axis 4 (WWV) and Investment Priority 2 of Priority Axis 4 (EW):

(2a) extending broadband deployment and the roll-out of high-speed networks and supporting the adoption of emerging technologies and networks for the digital economy

Specific Objective 3 (WWV) Specific Objective 2 (EW): To increase the access of Welsh businesses to high speed ICT networks in peripheral areas and strategic sites.	**Actions covering Specific Objective 3:** • Infrastructure improvements to improve connectivity of superfast broadband (completing networks where market failure exists) • Innovative technology/solutions to improve broadband connectivity in not-spots and areas of low speed • Improvements to widen coverage of mobile networks • Innovative technology/solutions to improve mobile connectivity (2G, 3G, 4G) in not-spots and areas of poor connectivity

Thematic Objective 8: Promoting employment and supporting labour mobility

Investment Priority 4 of priority axis 4 (WWV only):

8 (b) supporting employment friendly growth through the development of endogenous potential as part of a territorial strategy for specific areas, including the conversion of declining industrial regions and enhancement of accessibility to and development of specific natural and cultural resources

Specific Objective 4 (WWV only): To increase employment through investments in prioritised local or regional infrastructure supporting a regional or urban economic strategy.	**Actions covering Specific Objective 4:** • Economically important investments in Wales' physical infrastructure - those key to integrated regeneration and economic development schemes (tourism assets/cultural and sporting assets/new or innovative facilities) • Business sites and premises in strategic sites

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1.2.4 ERDF in East Wales and West Wales and the Valleys

Wales has been divided into two regions by the European Union, based on funding needs: East Wales, illustrated by the areas highlighted in pink (or in light grey when viewed in black and white) in the figure below, and West Wales and Valleys, highlighted in blue hatch (or in dark grey).

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Figure 1.2: Local authority breakdown of West Wales and the Valleys and East Wales

Local Authority Breakdown of West Wales and the Valleys, and East Wales

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West Wales and the Valleys has been awarded the highest level of financial support from the EU. This is a result of West Wales and the Valleys being given 'less developed region' status. The Programmes for West Wales and the Valleys combine funding from both of the European Structural Funds: ERDF and ESF. In terms of ERDF, around £1 billion of funding will help to progress the region's transformation into a sustainable and competitive economy by investing in the knowledge economy and helping new and existing businesses to grow. It will also focus on regenerating Wales' most deprived communities, tackling climate change and improving transport.

East Wales has been identified as a 'more developed region'. These Programmes also comprise funding from both ERDF and ESF. In terms of ERDF funds around €184 million of ERDF will be channelled through the Welsh Government to help continue the region's economic, social and environmental transformation, by helping new and existing businesses to grow and move up the value chain, and increase the 'value added' per job. It will also focus on regenerating Wales' most deprived communities and tackling climate change.

As identified in the table below, there are some small but clear differences between West Wales and the Valleys and East Wales with regards to focus on Specific Objectives. These differences are apparent under Priority Axis 3 and 4 (Renewable Energy and Energy Efficiency, and Strategic Infrastructure respectively). In comparison with West Wales and the Valleys, East Wales will focus on Specific Objective 1 rather than Specific Objective 2 under Priority Axis 3, and will also focus on fewer Specific Objectives under Priority Axis 4.

Table 1.5: Differences in the ERDF Programmes between East Wales and West Wales and the Valleys

Thematic Objective	Specific Objective	West Wales	East Wales
Priority Axis 1: Research and Innovation			
1: Strengthening research, technological development and innovation	1: Increase the success of Welsh research institutions in attracting competitive and private research funding	✓	✓
	2: To increase the level of innovation undertaken across all sectors of the Welsh economy, in particular within Welsh SMEs, leading to a growth in productivity	✓	✓
	3: To increase the successful translation of research and innovation processes into new and improved commercial products, processes and services	✓	✓
4: Supporting the shift towards a low-carbon economy in all sectors	4: To increase the amount of competitive and private finance coming into Welsh research institutions (related to low carbon research and innovation)	✓	✓
	5: To increase the commercialisation and exploitation of low Carbon research and	✓	✓

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	innovation processes into new and improved commercial products, processes and services			
Priority Axis 2: SME Competitiveness				
3: Enhancing the competitiveness of small and medium-sized enterprises	1: To increase the amount of finance available to SMEs for both business start-up and for business expansion		✓	✓
	2: To increase the number of SME start-ups through the provision of information, advice and guidance and support for entrepreneurship		✓	✓
	3: To increase SME productivity through the provision of advice and guidance, in particular through encouraging ICT exploitation.		✓	✓
	4: To increase the growth of those SMEs with growth potential, in particular through accessing new markets (both dmoestix and international)		✓	✓
1: Strengthening research, technological development and innovation	5: To address market failures in the availability of finance, in particular risk capital, for Welsh SMEs to undertake innovation and commercialise R&D		✓	✓
Priority Axis 3: Renewable Energy and Energy Efficiency				
4. Supporting the shift towards a low-carbon economy in all sectors	1: Increase the number of wave and tidal energy devices being tested in Welsh waters and off the Welsh coast, including multi-device array deployments, thereby establishing Wales as a centre for marine energy production		✓	✗
	1/2: To increase the number of small scale renewable energy schemes established		✓	✓
	2/3: Increase the energy efficiency of the existing Welsh housing stock, particularly in areas of fuel poverty		✓	✓
Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)				
7. Promoting sustainable transport and removing bottlenecks in key network infrastructures	1: To address issues of peripherality and improve private investment in local areas through improvements to the functioning of the Trans-European Transport Network		✓	✗

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	(TEN-T)		
	1/2: Increasing urban and labour mobility to and from key urban and employment centres	✓	✓
2. Enhancing access to, and use and quality of, information and communication technologies	2/3: To increase the access of Welsh businesses to high speed ICT networks in peripheral areas and strategic sites	✓	✓
8. Promoting employment and supporting labour mobility	4: To increase employment through investments in prioritised local or regional infrastructure supporting a regional or urban economic strategy	✓	✗

1.3 The Equality Impact Assessment

1.3.1 The brief

This EIA is being undertaken to support fulfilment of the Welsh Government's obligations under the Public Sector Equality Duty (PSED), to show due regard to characteristics protected under the Equality Act 2010.

In particular, WEFO required that the EIA consider a number of aspects of the proposed ERDF Programmes:
- Assess whether, in implementing the Programme strategies and Priorities, the Programmes will have a differential impact for particular groups of people.
- Inform how equality issues should be considered in any redesign of the Programmes.
- Inform how equality issues should be considered in the shaping of implementation arrangements.
- Identify opportunities to promote equality in the Programmes.
- Propose solutions for elimination of any negative impacts which may be identified through the assessments.

1.3.2 About Equality Impact Assessments

The PSED, at section 149 of the Equality Act, requires public bodies to consider all individuals in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have 'due regard' to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

The Duty is intended to support good decision making – it encourages public bodies to understand how different people will be affected, so that their policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, public bodies can be more efficient and effective.

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The PSED requires that government departments and public authorities (and those responsible for delivering public functions) have due regard to the following three aims:
- eliminating unlawful discrimination, harassment and victimisation;
- advancing equality of opportunity between different groups; and
- fostering good relations between different groups.

EIAs can be used to support adherence to the PSED by a public body and are generally accepted to be good practice for major policy or Programme developments. They are a systematic assessment of the likely or actual effects of policies, Programmes and developments on the following 'protected characteristics' (as defined by Equality Act 2010):
- **Age** (covering all age groups, being particularly aware of children aged under 16, younger people aged 16-24, and older people aged 65 and over);
- **Disability** (which may include people with sensory impairments, mobility impairments, learning disabilities and mental wellbeing disabilities);
- **Gender reassignment** (including persons who are at any stage of gender reassignment therapy);
- **Marriage and civil partnership** (with a focus purely on discrimination on the basis of whether someone is married or in a civil partnership – single people are not covered by this characteristic);
- **Pregnancy and maternity** (including pregnant women and nursing mothers);
- **Race and ethnicity** (which may include ethnic or national origins, colour or nationality);
- **Religion or belief** (which may include all religion, faith or belief groups, including lack of belief);
- **Sex / gender** (including both women and men); and
- **Sexual orientation** (including heterosexuals, lesbians, gay men and bisexual (LGB) people).

The primary objectives of an EIA are to:
a. assess whether one or more of these groups could experience *disproportionate* effects (over and above the impacts likely to be experienced by the general population) as a result of a policy being implemented or the way in which a service is delivered;
b. identify opportunities to promote equality more effectively or to a greater extent; and
c. develop ways in which any disproportionate negative impacts could be removed or mitigated to prevent any unlawful discrimination and minimise inequality of outcomes.

Guidance published by the Government Equalities Office (GEO)[2] and Equality and Human Rights Commission (EHRC), makes clear that undertaking an equality impact assessment is something that should occur as early as possible in the policy development process:

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2 The GEO has now been formally incorporated into the Home Office.

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"Equality analysis starts prior to policy development or at the early stages of a review. It is not a one-off exercise, it is on-going and cyclical and it enables equality considerations to be taken into account before a decision is made.

Equality analysis of proposed policies will involve considering their likely or possible effects in advance of implementation. It will also involve monitoring what actually happens in practice. Waiting for information on the actual effects will risk leaving it too late for your equality analysis to be able to inform decision-making."[3]

In this early stage of the ERDF Programme there is an opportunity for equality considerations to be fully integrated. Tasks undertaken are outlined in Figure 1.3 below.

Figure 1.3:   EIA Methodology

Task	Description	Processes
Task 1	Review of existing Evidence	A review of: ■ Equality policy context in Wales, the UK and in Europe ■ Existing research and literature on subject matter covered by EU structural funds including: employment, skills, youth attainment, SME support, transport and infrastructure, research and development and energy efficiency ■ Past Operational Programmes in Wales, including those from 2000-2006 and 2007-2013, evaluations undertaken on the Programmes and projects, and equality impact assessment findings where available. ■ Good practice in Programme and project delivery from Wales and the UK
Task 2	Provide initial comments on the 'Equal Opportunities' Cross Cutting Theme	Providing a critical commentary – applying the evidence collected as part of the literature review – to the draft 'Equal Opportunities' Cross Cutting Theme chapter of the draft Operational Programmes.
Task 3	Detailed review of draft Operational Programme consultation document	Examining the Priorities within the draft operation Programmes, with particular focus on the proposed activities to be funded under each heading to identify those areas where impacts are likely to occur.
Task 4	Socio-demographic analysis and profiling of protected characteristics in	Mapping Census 2011 data for those protected characteristics where it is available. Providing comparative data for East Wales, West Wales and the Valleys, Wales as a whole, and England and Wales.

3 Equality and Human Rights Commission (2011): 'Equality analysis and the Equality Duty'

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Task	Description	Processes
	Wales	Analysis is undertaken to determine the likely extent of any impacts as a result of the prevalence of different groups.
Task 5	Review of equality procedures and activity	Engagement with WEFO officers and a review of documentation (including working groups, meeting minutes, procedures, team structures and similar evidence) to understand the extent to which equality has been considered as part of the Programme development process. This evidence is used to assess the extent to which WEFO has met its obligations under the Public Sector Equality Duty.
Task 6	Equality analysis	Assessment of the likely overall disproportionate impacts of the Programmes by protected characteristic, attributable to individual Priority Axes
Task 7	Reporting of EIA findings	Reporting of the findings of the EIA process in a series of draft reports and summaries Including a series of over-arching conclusions and recommendations for taking the Programmes forward into consultation, finalisation and delivery.
Task 8	Stakeholder consultation	Presenting the findings of the EIA as part of the public consultation process alongside the draft Operational Programme documents for the ERDF (and ESF). Delivery of a series of workshops across Wales to discuss and gather stakeholder input into the EIA process including: ■ additional impacts, opportunities, mitigations and recommendations; ■ additional sources, evidence, data or stakeholders; and ■ Ways to increase access to the programmes by people with protected characteristics.
Task 9	Consideration of additional and new evidence	Additional review of evidence arising from stakeholder consultation and from other reviews of the EIA reports as well as of new evidence arising since publication of consultation drafts.
Task 10	Review of finalised Operational Programmes	Final review of approved Operational Programmes for ESF and ERDF for East Wales and West Wales and the Valleys
Task 11	Revision and finalisation of EIA	Final revisions of EIA reports reflecting evidence review, stakeholder consultation and finalised Operational

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Task	Description	Processes
	reports	Programme documentation.

1.4 Structure of this report

The remainder of this report is structured as follows:

- **Chapters two to eleven** are focussed on each of the statutory protected characteristics and people who speak the Welsh language, to whom the Welsh Government also has legal duties. Each chapter provides the following:
  - Analysis of the **socio-demographic profile** of each group, incorporating comparisons between East Wales, West Wales and the Valleys, Wales as a whole, and England and Wales as a wider comparator.
  - Assessment of the **challenges faced** by people with that protected characteristic and the **potential for disproportionate impacts** of the ERDF Programme on them. Drawing on a range of evidence, the potential impacts are attributed to the activities within each individual Priority Axis. Where evidence is limited, more generalised impacts are identified across a number of the Axes, or across the Programme.
  - **Opportunities** are identified in those cases where there is potential for a disproportionate impact, but that impact is dependent on additional activity (such as a tailored approach to support) during the delivery or implementation stage.
  - **Mitigation measures** are provided for any disproportionate negative impacts identified for people with the protected characteristic.
  - Some over-arching **conclusions** regarding the effects of the Programme are provided alongside a series of **recommendations** for further development and delivery specific to that group. These include ways to further enhance equality for people with protected characteristics.

- **Chapter twelve** provides a Programme-wide assessment of how equality was incorporated into the Programme development process, including how lessons were learned and applied, how the equal opportunities cross cutting theme was integrated and how the perspectives of people with different protected characteristics were incorporated. In sum, this chapter provides an assessment of the extent to which due regard was shown by WEFO to the PSED in developing the ERDF Programme.

- **Chapter thirteen** provides an overarching summary of the results of the analysis undertaken, as well as offering a set of conclusions regarding the compliance of the draft Programme document with equality legislation and a series of concrete recommendations for further development and implementation.

- **Appendix A** outlines the policy framework for the 2014-2020 ERDF Programme in the context of equality. It highlights the EU policies that drive the equality agenda within the Structural Fund Programmes, alongside UK and Welsh equality policies. In addition, the chapter outlines the policy background giving rise to the need to include the Welsh language as part of the assessment.

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1.5 Assumptions and limitations

This EIA report is a draft. The findings contained herein remain subject to further validation and change in light of changes to the 2014-2020 ERDF Operational Programme documents for East Wales and West Wales in the Valleys, which are currently undergoing finalisation.

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2. Age

2.1   Introduction

Because of the nature of the Programme, this chapter explores different age brackets that may experience disproportionate impacts compared with the rest of the population:
- Children (aged under 16)
- Younger people (aged 16-24)
- Older working age people (broadly the group aged 50-64)
- Older people (aged 65 and over).

2.2   Socio-demographic profile

Figure 2.1 below illustrates the age and gender profile in Wales.

Figure 2.1:   Wales: Population by gender and age
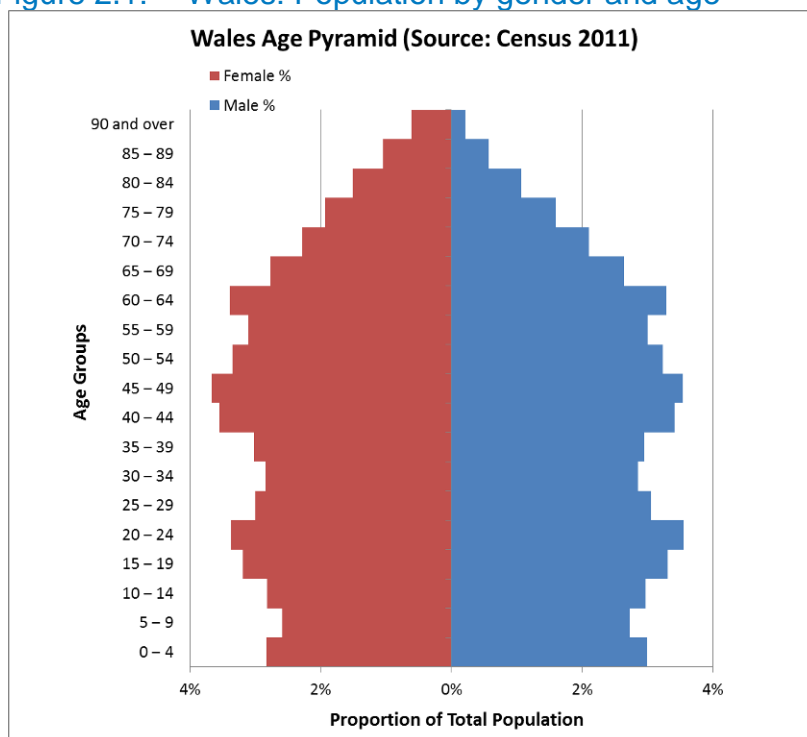
Source: Census 2011

The figure indicates that:
- Wales has a relatively large elderly population. The largest groups of both males and females are within the pre-retirement working age and recently retired age groups, covering the 45-49 age range.
- The 20-24 age group is the largest group below the age of 40 for both sexes.

The figures below provide a further breakdown by region – covering East Wales and West Wales and the Valleys.

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Figure 2.2:   West Wales and the Valleys: Figure 2.3:   East Wales: Age Pyramid
Age Pyramid
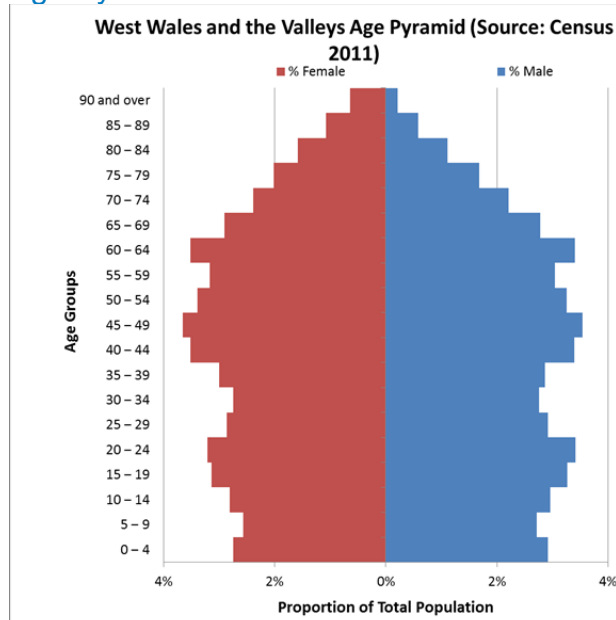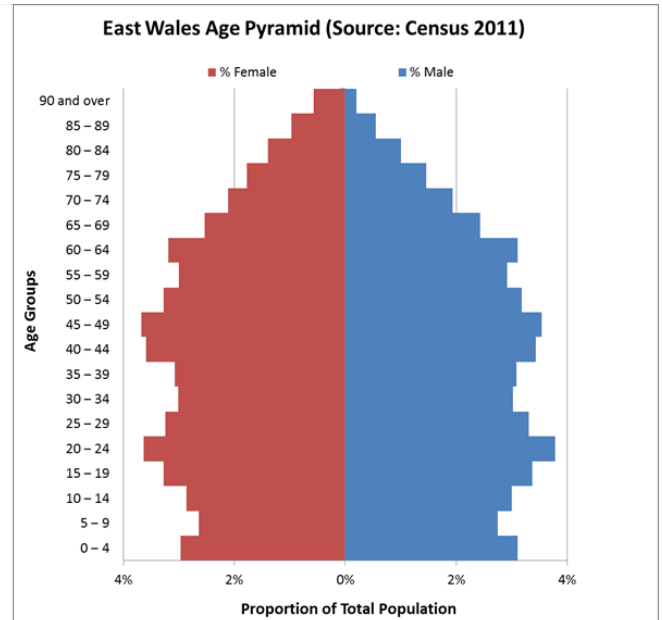
Source: Census 2011   Source: Census 2011

They show that:

- As with the age pyramid for the whole of Wales, the largest age groups in West Wales and the Valleys are in the 45-49 age group, with generally fewer people in the under 40 age categories.
- Similarly, the largest numbers of people in East Wales are in the 20-24 and 45-49 age groups, with smaller numbers in the under 40s categories.
- People over the age of 75 are found in the smallest numbers, with the size of cohorts gradually decreasing with age. There are a greater number of older women than men in both parts of Wales.

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2.2.1 Children

Figure 2.4:   Wales: Under 16 Density
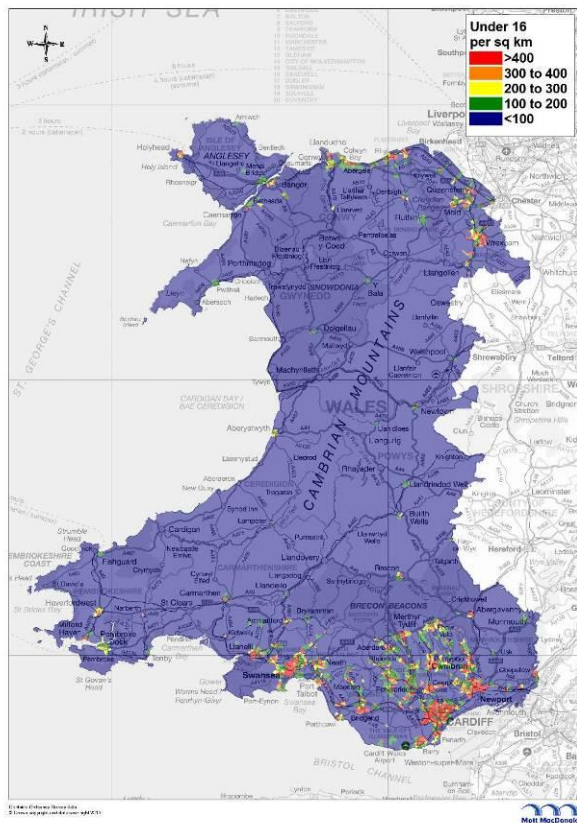
Figure 2.5:   Wales: Under 16 Proportion

Source: Census 2011

Source: Census 2011

The maps show:
- The population density of children aged under-16 in Wales is largest in the north and south coastal counties, particularly in the south-east around Cardiff, and in Swansea and also in northern cities and towns such as Wrexham, Rhyl, Llandudno and Bangor. Many of these areas have population densities of more than 400 persons aged under-16 per square kilometre.
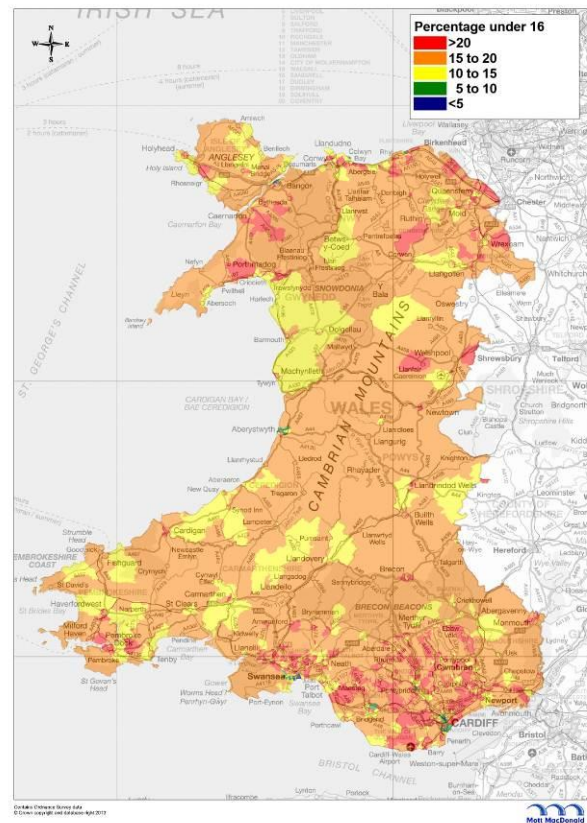- In central and west Wales, which is predominantly rural, population densities are far lower, often with fewer than 100 persons aged under-16 per square kilometre.

However, proportionally, the population of under-16s is more evenly spread.
- The highest proportions of children are still found in the urban areas along the north and the south coasts. In many of these areas, more than one fifth of the population are under the age of 16.
- In many of the more rural central and western areas, in spite of lower numbers of people, the proportion of the population under the age of 16 is high. This is particularly the case in rural towns such as Pwllheli, Fishguard and Welshpool.
- Nonetheless, much of rural Wales has lower proportions of children than the urban areas.

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The table below shows the number and percentage of children under the age of 16 living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 2.1: Number and proportion of children aged under-16

Region / area	Number	Percentage
East Wales	209,793	19%
West Wales and the Valleys	346,503	18%
Wales	556,296	18%
England and Wales	10,579,132	19%

Source: Census 2011

The table shows that:
- The percentage of children under the age of 16 is almost the same for East Wales and West Wales and the Valleys, with a slightly higher percentage in East Wales (19 per cent as opposed to 18 per cent)
- This is reflective of the whole population of Wales, where the number of children under 16 is just over half a million (18 per cent of the total population).
- It is also reflective of the wider population of England and Wales, where the proportion of children under 16 lies at 19 per cent.

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2.2.2 Younger people

The maps below show the density and proportion of younger people (aged 16-24) in Wales.

Figure 2.6:   Aged 16-24 Density
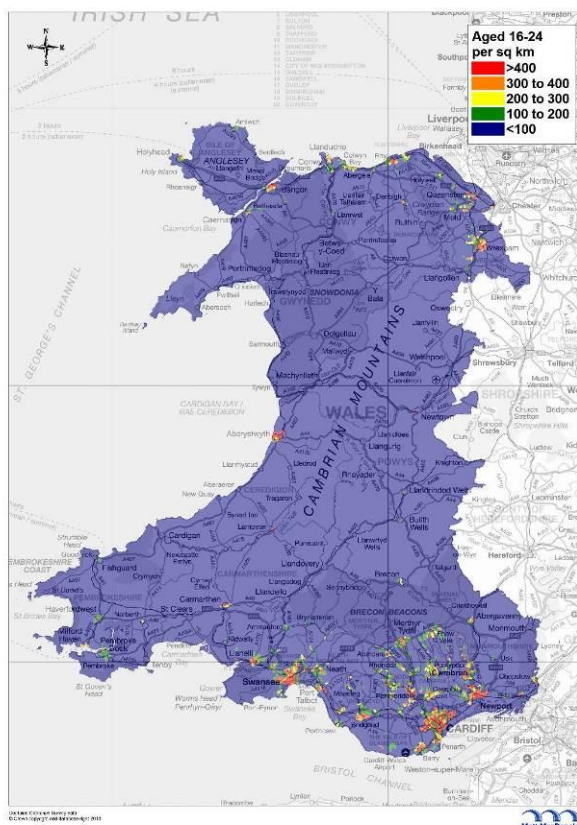
Figure 2.7:   Proportion of Total Population aged 16-24
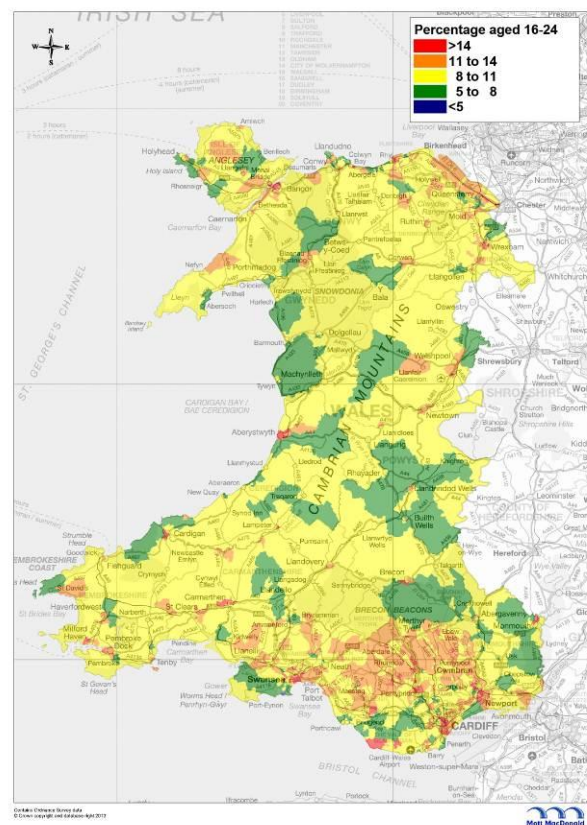
Source: Census 2011

Source: Census 2011

The maps show:
- The population density of younger people (aged 16-24 years) in Wales is largest in the south coastal counties, particularly in the south-east around Cardiff, Newport, and in Swansea. Population density is also high in the northern coastal settlements including Wrexham, Rhyl and Bangor. There is also a high density of younger people located in the central western coastline in Aberystwyth, most likely reflecting the student population in the area. Many of these areas have population densities of more than 400 persons aged 16-24 years per square kilometre.
- In the majority of central and western areas of Wales (predominantly rural land), population densities are far lower, often with fewer than 100 persons aged under-16 per square kilometre.

However, proportionally, the population of 16-24 year olds is more evenly spread:

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- The highest proportions of young people are found in many of the more urban areas, such as Cardiff, Swansea, Aberystwyth and Wrexham.
- In rural areas in central Wales, such as Dyfed, Powys and Gwynedd between five and 15 per cent of the population are aged 16-24.

The table below shows the number and percentage young people aged 16-24 living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 2.2:Number and proportion of people aged 16-24

Region / area	Number	Percentage
East Wales	144,945	13%
West Wales and the Valleys	228,931	12%
Wales	373,876	12%
England and Wales	6,658,636	12%

Source: Census 2011

The table shows that:
- The percentage of young people aged 16 to 24 is almost the same for East Wales and West Wales and the Valleys, with a slightly higher percentage in East Wales (13 per cent as opposed to 12 per cent)
- This is reflective of the whole population of Wales, where the number of young people aged 16 to 24 is just over 300,000 (12 per cent of the total population).
- It is also reflective of the wider population of England and Wales, where the proportion of young people aged 16 to 24 is at 12 per cent.

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2.2.3 Older working age people

The maps below show the density of the older working age (50-64) population in Wales.

Figure 2.8:   Older working age population density
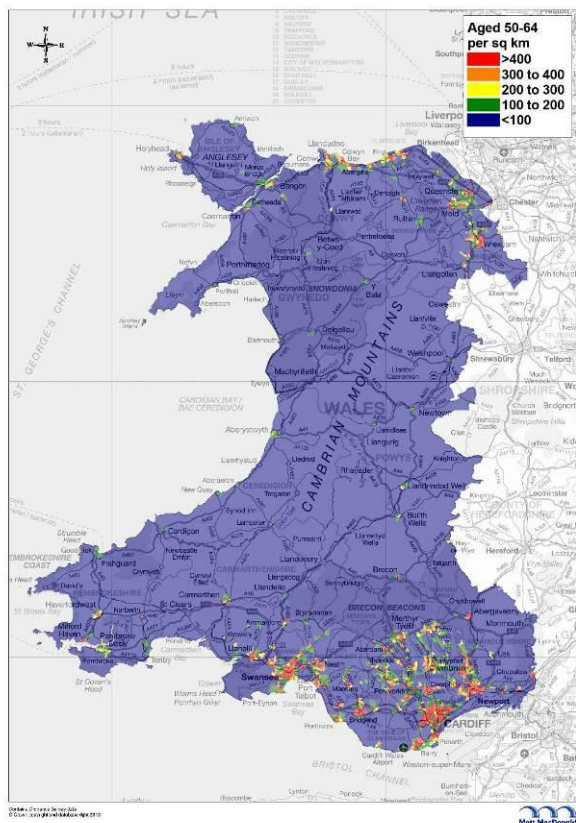
Figure 2.9:   Older working age population proportion
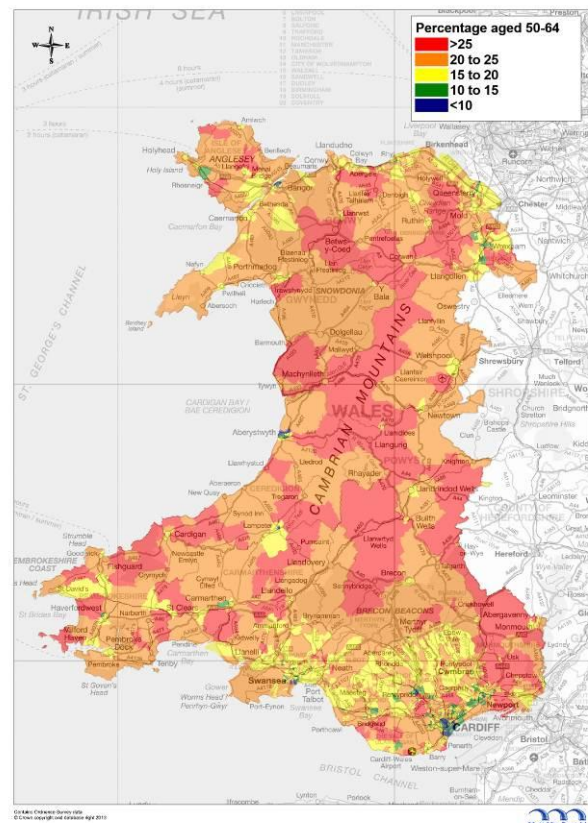
Source: Census 2011

Source: Census 2011

The maps above show:
- The population density of the older working population (50 -64) in Wales is largest in coastal areas, particularly the south-east. Many of these areas have population densities of more than 400 persons aged over 65 per square kilometre.
- In central and west Wales, which is predominantly rural, population densities are far lower, often with fewer than 100 persons aged over 65 per square kilometre.

However, proportionally, the older working age population is more evenly spread:
- The highest proportions of people aged 50-64 are found in the rural areas in central Wales, such as Dyfed, Powys and Gwynedd. In many of these areas, more than one fifth of the population are in this age group.
- In many of the more urban areas, such as Cardiff, Swansea and Wrexham, the proportion of people aged between 50 and 64 is slightly lower.

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The table below shows the number and percentage people between the ages of 50 – 64 living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 2.3: Number and proportion of people aged 50-64

Region / area	Population (50 – 64)	Total population	Proportion of total population
East Wales	210,922	1,129,811	19%
West Wales and the Valleys	382,485	1,933,645	20%
Wales	593,407	3,063,456	19%
England and Wales	10,162,771	56,075,912	18%

Source: Census 2011

The table shows that:
- There is a slightly higher percentage of people between the age of 50 and 64 living in West Wales and the Valleys (20 per cent) than in East Wales or Wales as a whole (19 per cent)
- However, England and Wales has a lower percentage (18 per cent) of people between 50 - 64 in comparison to both regions of Wales and Wales as a whole.

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2.2.4 Older people

The maps below show the density of the over-65s population in Wales.

Figure 2.10: Wales: Over 65 Density
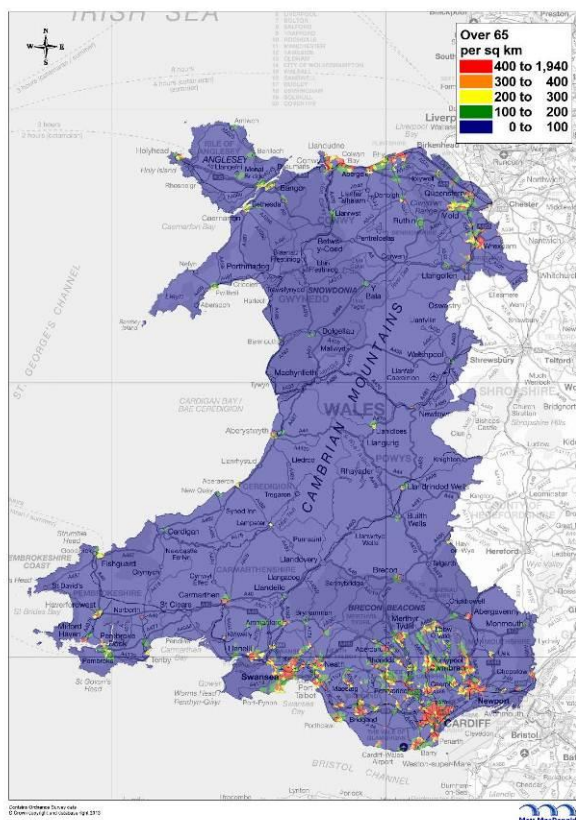
Figure 2.11: Wales: Proportion of Total Population over 65
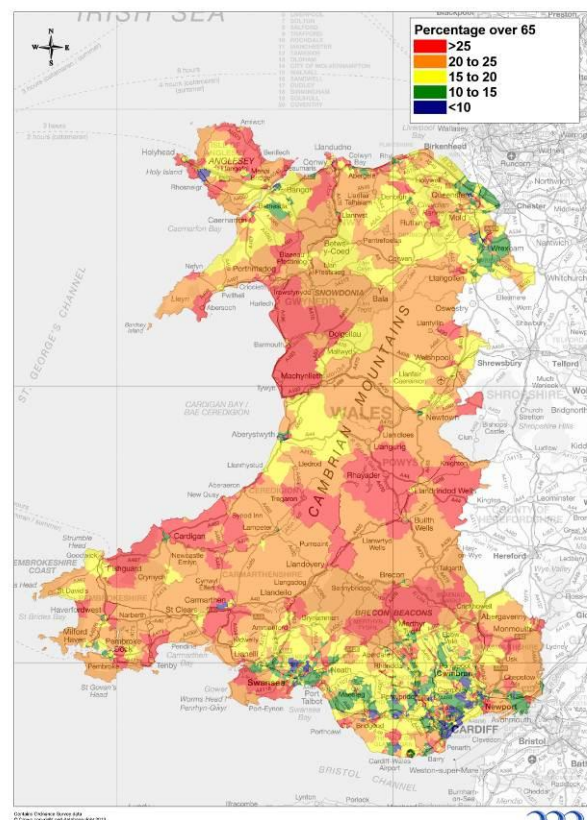
Source: Census 2011

Source: Census 2011

The maps show:
- The population density of over-65s in Wales is largest in coastal areas, particularly the south-east. Many of these areas have population densities of more than 400 persons aged over 65 per square kilometre.
- In central and west Wales, which is predominantly rural, population densities are far lower, often with fewer than 100 persons aged over 65 per square kilometre.

However, proportionally, the population over 65s is more evenly spread:
- The highest proportions of persons aged over 65 are found in the rural areas in central Wales, such as Dyfed, Powys and Gwynedd. In many of these areas, more than one fifth of the population are over the age of 65.
- In many of the more urban areas, such as Cardiff, Swansea and Wrexham, the proportion of people over 65 falls to below 13.8 per cent.

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The table below shows the number and percentage people over the age of 65 living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 2.4: Number and proportion of people aged over 65

Region / area	Number	Percentage
East Wales	191,334	17%
West Wales and the Valleys	371,210	19%
Wales	562,544	18%
England and Wales	9,223,073	16%

Source: Census 2011

The table shows that:
- There is a higher percentage of people over the age of 65 living in West Wales and the Valleys than in East Wales (17 per cent as opposed to 19 per cent)
- These percentages even out when it comes to the population of over 65s for the whole of Wales (18 per cent)
- However, England and Wales has a lower percentage (16 per cent) of people over 65 in comparison to both regions of Wales and Wales as a whole.

## 2.2.5 Trends identified from the socio-economic analysis of East Wales

The socio-economic analysis of East Wales revealed a number of trends regarding this protected characteristic:
- The number of persons aged 16 – 24 years, 45 – 64 years and 65 years or older increased between 2001 and 2010.
- The number of persons aged 0 – 15 years and 25 – 44 years, by contrast, declined.

Population changes between 2001 and 2010 varied considerably within East Wales:
- Cardiff and Newport experienced gains of more than 30 per cent in their populations aged 16 – 24 years.
- In contrast Flintshire and Wrexham experienced gains of around 1 per cent.
- Cardiff saw the proportion of its population aged 65 years and more decline slightly while the proportion of people aged 65 years and more in Flintshire, Powys and Monmouthshire increased by approximately 20 per cent.

2.2.6 Trends identified from the socio-economic analysis of West Wales and the Valleys

The socio-economic analysis of West Wales and the Valleys revealed a number of trends regarding this protected characteristic:
- The number of persons aged 16-24 years, 45-64 years and 65 years or older increased between 2001 and 2010.
- The number of persons aged 0-15 years and 25-44 years declined.

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Population changes between 2001 and 2010 varied considerably within the Programme Area:

- Gwynedd and Swansea experienced increases of more than 25 per cent in their populations aged 16-24 years.
- The smallest increases were recorded in the Isle of Anglesey (seven per cent) and Conwy (seven per cent).

2.3   Priority Axis 1: Research and Innovation

No specific disproportionate positive or negative impacts have been identified for different age groups as a result of this priority. This does not necessarily imply that younger, older or working aged people will not benefit from investment in research and innovation activity, merely that any such impacts will not be disproportionate to those experienced by other age groups.

2.4   Priority Axis 2: SME Competitiveness

2.4.1 Impact: Improving access to finance for younger people

Self-employment continues to be a viable option for many people and the number of workers who are self-employed in their main job has risen sharply since the start of the recession. Between 2008 and 2012, there was an increase of almost 370,000 self-employed workers and 60 per cent of that increase in self-employment occurred between 2011 and 2012.

The number of young people currently self-employed, however, remains relatively low, accounting for only five per cent of all young people currently in employment in the UK.[4]

A recent report by The Prince's Trust has revealed that more than a quarter of young people claimed that they were 'increasingly' thinking of setting up a business and more than one in four unemployed young people stated that they would rather try to set up their own business than continue to job-seek.[5] Additionally, 30 per cent of young people also believed they will be self-employed in the future, while one in four expected to be their own boss within the next five years.

However, for young people looking to set up a business, there remain a number of barriers to accessing finance. For example, many young people have no credit history or track record, and few or no assets to offer as security. Those under 18 in particular often find banks and other financial institutions unwilling to provide financial assistance in the form of loans or overdrafts.[6]

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4 Office of National Statistics (2013): 'Labour Force Survey 2012 '

5 Princes Trust and RBS (2013): 'The start-up generation – why the UK could be set for a youth business boom'

6 NI Business Info (2011): 'Starting a business when under 30, Challenges specific to young entrepreneurs'. See: http://www.nibusinessinfo.co.uk/content/challenges-

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Priority Axis 2: SME Competitiveness

Specific Objectives 1 and 2

Actions include:
- Access to debt, equity and mezzanine finance, micro-finance, targeted support to employers to employ disadvantaged individuals and tailored business finance schemes

Interventions such as these could help to support young people struggling to find work and looking to set up their own business.

Area of Impact:

- Specific Objectives 1 and 2 : West Wales and the Valleys and East Wales

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2.4.2 Impact: Supporting young entrepreneurs through advice, support and guidance

A lack of business experience and business specific skills can also be a key obstacle for young people and many cite not being taken seriously as a key inhibitor to turning a business idea into a working business model. Lack of premises is another common challenge to young people hoping to secure business support.[7]

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specific-young-entrepreneurs

7 See: http://www.businesslink.gov.uk

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Priority Axis 2: SME Competitiveness

Specific Objective 2

Activities include:
- Provision of advice and mentoring for start-ups

This intervention may be particularly beneficial to young people with limited experience of business and a lack of confidence.

Area of Impact:

- Specific Objective 2: West Wales and the Valleys and East Wales.

2.4.3 Opportunity: Supporting older entrepreneurs in the digital economy

The aim of the Welsh Government is for all businesses in Wales to have access to super-fast broadband by the middle of 2016 and for all households by the middle of 2020[8].

While older people are more likely to be self-employed than younger people, many older people experience particular barriers to exploiting the digital economy. A 2009 report by Age UK found that awareness of the potential use and benefits of digital technology is high but a number of barriers remain. They include a lack of understanding and confidence in the use of digital technology, as well as overall affordability[9].

Statistics from the National Survey of Wales illustrate this further, showing that access to the internet is dramatically reduces with age. For example, 86 per cent of all households aged 45-64 have internet access, as compared with only 66 per cent of those aged 65-74. For those aged 75 and over, the percentage falls even lower – accounting for only 31 per cent.[10]

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8 Delivering a Digital Wales Framework, Welsh Assembly Government
9 Age UK (2009): 'Introducing another world – older people and digital inclusion'
10 Welsh Government (2013): 'National Survey of Wales' April 2012 – March 2013

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2.5   Priority Axis 3: Renewable Energy / Energy Efficiency

2.5.1 Impact: Supporting older people through measures to tackle fuel poverty

Fuel poverty affects large numbers of Welsh households and is particularly prevalent amongst older households who are more likely to be reliant on a limited fixed income such as the state pension. Recent UK statistics from the Department of Energy and Climate Change show that over half of all fuel poor households contain someone aged 60 or over and nearly 70 per cent of all households containing someone aged 60 or above are experiencing fuel poverty[11]

Priority Axis 3: Renewable Energy and Energy Efficiency

Specific Objective 3 (WWV) / Specific Objective 2 (East Wales)

Activities include:
- Proposing energy conservation and efficiency measures in existing housing and public buildings.

Interventions such as these may be particularly beneficial to social groups at increased risk of fuel poverty.

Area of Impact:

- Specific Objective 3: West Wales and the Valleys and Specific Objective 2 East Wales.

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11 Department of Energy and Climate Change (2013): 'Fuel poverty 2011 detailed tables'

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2.5.2 Impact: Indirect benefits for children and older people through air quality improvements

Studies commissioned by Asthma UK suggest that both older people and children have a greater propensity to suffer from respiratory illnesses such as asthma.[12] Respiratory illness has been linked to air quality particularly in urban areas where emissions from building, vehicles and other sources tends to be higher.[13]

Priority Axis 3: Renewable Energy and Energy Efficiency

Specific Objective 2 (WWV) / Specific Objective 1 (East Wales)

Activities include:
- Low carbon strategies for specific geographical areas

Activities under Specific Objective 2 in West Wales and the Valleys and Specific Objective 3 in East Wales may have additional benefits regarding air quality and emissions levels. Addressing carbon emissions may have minor positive impacts on air quality in urban areas benefitting those prone to respiratory illness such as older people and children

Area of Impact:
- Specific Objective 2: West Wales and the Valleys; and Specific Objective 1: East Wales.

2.5.3 Opportunity: Supporting employment in the energy sector for young people

Presently, a skills shortage exists within the energy sector due to a shrinking pool of career graduates and a poor image of the sector amongst young people[14]. A substantial 'outreach' initiative could influence future career choices among young people. Interacting with young people at a very early age could have a substantial impact on the number of recruits into the sector, and improve general public perceptions.[15]

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12 See, for example: http://www.asthma.org.uk/about-asthma/living-with-asthma/asthma-and-older-people/ and Asthma UK (2012): 'Asthma and my child'.

13 See, for example the US Centre for Disease Control Website: http://www.cdc.gov/nceh/airpollution/ and the UK NHS Website: http://www.nhs.uk/conditions/asthma/Pages/Introduction.aspx

14 Energy Research Partnership (2007): 'Assessment of High Level Skills shortages in the Energy Industry'

15 Energy Research Partnership (2007): 'Assessment of High Level Skills shortages in the Energy Industry'

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Priority Axis 3: Renewable Energy and Energy Efficiency

Specific Objective 4 (WWV) / Specific Objective 3 (EW). All specific objectives across this Priority Axis.

Activities include:
- Increase the capacity and capability of Welsh businesses to win business in the development and installation of energy efficiency measures

General investment in the energy sector may encourage people from a range of equality groups, but young people in particular, to engage with the sector, thus supporting skills development and employment for this group. This is a substantial opportunity offered by this Priority.

Area of Impact:
- Specific Objective 4: (WWV) and Specific Objective 3: (EW).
- All Specific Objectives: West Wales and the Valleys and East Wales

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2.6 Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

2.6.1 Impact: Improving access to jobs and training for young people

Younger people (in particular those aged 16-24) are the demographic group affected most by the recent recession and youth unemployment in Wales remains high. Welsh Government statistics show that, at the end of 2012, ten per cent of 16-18 year olds (or 11,600 young people) were not in education, employment or training (NEET).[16] In the same period, more than a fifth (23 per cent) of 19-24 year olds were considered to be NEET. This is considerably higher than for most other age groups. Research from 2011, carried out on behalf of the Equality and Human Rights Commission, shows that rates of employment have an inverse 'U' shape, with the rate of employment peaking for males aged between 25 and 39, when around 70 per cent are employed full-time.[17]

Various factors can influence a person's ability to secure and sustain employment. A key factor for young people is often transport and many lack access to a car due to a range of factors including cost and not legally being able to drive. As a result, according to the National Travel Survey (NTS), people aged 17-20 make up a significant proportion of bus

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16 Welsh Government (2013) 'Young people not in education, employment or training (NEET) (Year to 31 March 2013)'. See: http://wales.gov.uk/topics/statistics/headlines/post16education2013/young-people-not-education-employment-training-year-31-march-2013/?lang=en

17 Equality and Human Rights Commission (2011) 'An Anatomy of Inequality in Wales'

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users in the UK, with each young person taking on average 111 bus trips in 2012[18]. It has long been recognised that young people need affordable bus services in order to give them a chance to take up opportunities in education and work.[19]

However, younger people report experiencing problems relating to public transport in this regard. In the ESF Leavers Survey – undertaken by WEFO to track the destination of Programme beneficiaries – over a third of respondents reported transport difficulties associated with accessing appropriate work.[20] Studies by the Campaign for Better Transport (CBT) have shown that one in five students have considered dropping out of further education because of financial cost, and transport is the greatest cost of participation.[21]

In addition, young people living in rural areas (which are primarily located within the West Wales and the Valleys region) face a number of unique barriers to accessing employment, particularly concerning access to transport.[22] The Commission for Rural Communities noted that 'young people living in rural areas frequently have to travel long distances to work, training and education, yet the high cost and low availability of public and private transport can have a negative impact on opportunities.'[23]

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18 Department of Transport (2012) 'National Travel Survey'

19 Campaign for Better Transport (2007) 'Buses Matter'

20 Wales Institute of Economic and Social Research (2011), 'The 2010 European Social Fund Leavers Survey'

21 Campaign for Better Transport (2007) 'Buses Matter'

22 Child Poverty Network Cymru (2009) 'Child Poverty and Social Exclusion in Rural Wales'

23 Department for Environment, Food and Rural Affairs, (2012), 'Barriers to education, employment and training for young people in rural areas'

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Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 2 and 4 (WWV); Specific Objective 1 (East Wales)

Activities include:
- The development of intermodal and sustainable transport facilities that improve access to employment and education
- Targeted investment in education and training infrastructure (WWV only)

Interventions such as these will enhance sustainable transport and develop the public transport network and could be of benefit to those less likely to own cars. Investment in education and employment is likely to deliver particular benefits to younger people, who are more likely to need to participate in learning. It should be noted however, that the development of learning infrastructure is likely to have benefits for learners of all ages.[24]

Area of Impact:
- Specific Objectives 2 and 4: West Wales and the Valleys
- Specific Objective 1: East Wales

2.6.2 Impact: Supporting transport accessibility for older people

Older people – particularly those of retirement age, but also older working age people – have been shown in a range of studies to be one group who are particularly susceptible to and specifically impacted by social exclusion as a result of transport issues. As the number of older people in the UK increases the potential impacts of local public transport services on this group are substantial.[25]

Older people are likely to have to spend more time travelling as a result of having reduced access to personal transport; a reliance on bus travel is a corollary of this. The National Travel Survey (NTS) conducted annually by the Department for Transport (DfT) confirmed that those aged over 60 were making some of the largest numbers of bus trips per person per year in 2012 – making them (along with people aged 17-29) the highest users of bus services.[26] Women over 60 in particular made the most trips on local buses

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24 Office for national Statistics (2011): 'Labour Force Survey, 2011'. See also, for example, evidence reviewed by the Poverty Site: http://www.poverty.org.uk/w31/index.shtml

25 Department for Transport (2010): 'National Travel Survey'; Centre for Research in Social Policy (2007): 'Evidence Base Review on Mobility: Choices & Barriers for Different Social Groups'; Department for Transport (2000): 'Social exclusion and the provision of public transport'; Campaign for Better Transport (2007): 'Buses Matter'

26 Department of Transport (2012): 'National Travel Survey 2012'

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and were identified by the Department of Transport as particularly reliant on local bus service.[27]

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 2 (WWV); Specific Objective 1 (East Wales)

Activities include:
- The development of intermodal and sustainable transport facilities that improve access to employment and education

This intervention is expected to deliver benefits to older people.

Area of Impact:
- Specific Objective 2: West Wales and the Valleys and Specific Objective 1 East Wales.

2.6.3 Opportunity: Improving digital connectivity for older people

Digital connectivity is often an issue for older people. In the Digital Wales Delivery Plan, it is estimated that the 785,000 adults who do not use the internet include 515,000 who are aged 50+ and 155,000 residents of social housing.[28]

A 2011 Bevan Foundation report, citing ONS data, notes that older people – aged 65 and above – are the age group least likely to use the internet. In 2011, 57 per cent of adults aged 65 plus stated they had never used it compared with a negligible number of 16–24 year olds and just 3 per cent of 25-44 year olds.[29]

That older people use the internet relatively little in comparison with other age groups is confirmed by other research – 14 per cent of people aged over 65 compared with 57 per cent of people aged 16 to 34. Although a personal choice for some, many older people do not use the internet because of issues related to cost, complexity of technology and lack of relevance to individual lifestyles.[30] Improving access to these services could improve the connectivity of older people helping to reduce social isolation. In order to

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27 Department of Transport (2011): 'The Accessibility Sub-Objective TAG Unit 3.6.3'

28 Welsh Assembly Government (March 2011): 'Digital Wales: Delivery Plan – Delivering a Digital Wales'

29 Bevan Foundation (2011): 'Digital by Default'. See: http://www.bevanfoundation.org/wordpress-content/uploads/2011/10/Digital_by_Default_Final.pdf

30 Equality and Human Rights Commission, (2009), 'Equality Issues in Wales- A Research Review'

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achieve this, however, emphasis also needs to be placed on overcoming the other barriers facing this group such as cost, lack of digital skills and aversion to new technologies.[31]

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 3 (WWV)/Specific Objective 2 (East Wales)

Activities are:
- Focussed on ICT networks and mobile communications networks

This intervention could have positive impacts on older people who may be slower to adopt new technologies such as mobile telecommunications and broadband internet, if they are supplemented by measures that address other causes for lack of uptake by this group.

Area of Impact:
- Specific Objective 3: West Wales and the Valleys and Specific Objective 2: East Wales.

2.7   Conclusions

Several of the interventions proposed within the ERDF Programme are likely to deliver particular benefits for certain age groups, notably younger people and older people through the combination of measures to alleviate barriers to business set-up and wider employment e.g. access to finance and development of sustainable transport infrastructure.

2.8   Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the Priorities are realised by this group.

- Interventions under Priority Axis 4, particularly those under Specific Objective 2 (WWV)/Specific Objective 1 (East Wales), have potential to benefit a number of groups including young people. However careful balance needs to be struck between the rural and urban focus of these measures. While the largest numbers of young people live in urban areas such as Cardiff, Newport and Swansea, it is in these areas that public transport provision is strongest. In rural areas the frequency and reliability of public transport is often poorer – a problem which often goes unaddressed due to

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31 The findings are echoed in the Evaluation of the Communities 2.0 project, a six year ERDF-funded initiative set to run until 2015.

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lower population levels. Transport problems are a substantial barrier to employment for many people, especially young people and older people – a barrier which must be addressed.

- Implementation will be essential to the success of Specific Objectives within Priority Axis 2: SME Competitiveness concerning support for SMEs and providing access to finance. These Objectives could serve to support both younger and older people struggling to get business credit. However, failure to implement interventions effectively will result in a danger that these measures could further reinforce inequalities by entrenching credit issues for younger and older business owners.

- An example of support for young people is the ERDF-financed Stithians Lake Centre in Cornwall[32], which has expanded current water-borne activities for a wider range of people and support vocational training opportunities in the water sports and leisure industry. To date, the project has supported several hundred young people into work.

- Positive impacts regarding participation in the energy sector are only likely to be realised if intervention priorities such as targeted infrastructure investments and capacity building and innovation incorporate development of human capital, with investments targeted around groups with under-used potential. The development of digital connectivity should be a Priority; the Welsh Government, for example, aims for all businesses in Wales to have access to super-fast broadband by the middle of 2016 and all households by the middle of 2020.

- Energy efficiency measures need to take full account of the challenges facing vulnerable client groups and meet behaviours resistant to change with support and advice where appropriate.

An example of practice in this area is the ERDF-funded 'Housing Rehabilitation and Energy Efficiency' in Petersfield, England.

- This project used €521,552 of ERDF funding for a pilot that addressed energy efficiency issues in a small group of social housing units by retrofitting properties to a high standard of energy efficiency.
- Many tenants were elderly and socially vulnerable. The project developed an approach to working with vulnerable tenants to encourage energy-efficient behaviour and take them out of fuel poverty. The work was used as a catalyst for a programme of research, business assistance, knowledge transfer and awareness-raising in the region.

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32 See: http://www.swlakestrust.org.uk/lakes-and-facilities/the-lakes/stithians-lake

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3. Disability

3.1 Introduction

The following definition of disability is endorsed by the EHRC (and formerly the Disability Rights Commission).[33]

"Disability is the loss or limitation of the ability to participate in the normal life of the community on an equal level with others, due to physical, social and attitudinal barriers, rather than just the result of an individual's impairment."

The definition includes people with mobility impairments, sensory impairments, learning disabilities, mental wellbeing disabilities and severe life threatening conditions including cancer and AIDS. However, disability is now increasingly understood according to the 'Social Model of Disability', recognising that people are often disabled more by poor design, inaccessible services and other people's attitudes than by their impairment.

3.2 Socio-demographic profile

For the purposes of the demographic and spatial analysis, we have analysed the number of people living with long term health problems or a disability in Wales. The maps below show the population density and proportion of this group in Wales.

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33 See Equality and Human Rights Commission (2011): Guidance on the new Equality Act'. See: http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/

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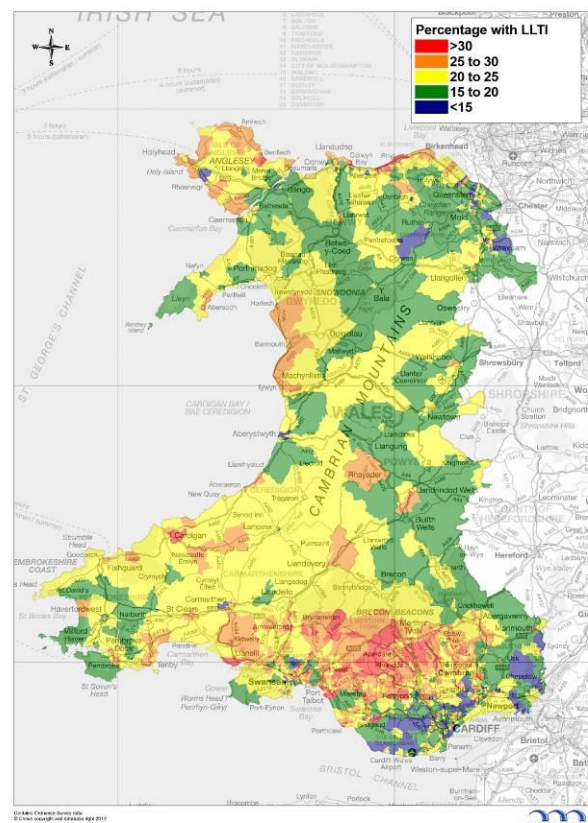Figure 3.1:   Population density of those with long term health problems or disability
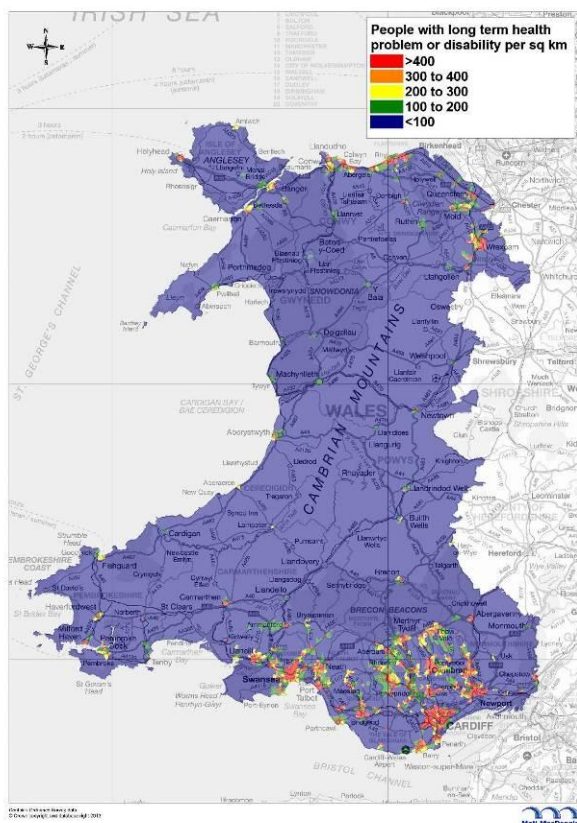
Source: Census 2011

Figure 3.2:   Proportion of population with long term health problems or disability

Source: Census 2011

The maps illustrate:
- The cohort of people with long term health problems or disabilities in Wales is largest in southern coastal areas, particularly the south-east around Cardiff and the Welsh Valleys. There are also high densities in northern coastal areas, particularly Wrexham, Rhyl, Colwyn Bay and Bangor.
- In central and west Wales, which is predominantly rural, population densities are far lower, often with fewer than 300 people with long term health problems or disabilities per square kilometre.

However, proportionally, the population of people with long term health problems or disabilities is varied across Wales:
- There is a slightly higher proportion in the more populous areas along the north coast and in the south east.
- In many of the more rural central and western areas, in spite of lower numbers of people, the proportion of people with long term health problems or disabilities is higher. This is particularly the case in the Welsh valleys where as many as 30 per cent of people describe themselves as having a life limiting health condition or disability.

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The table below shows the number and percentage people claiming DLA living in each of the two Welsh regions, as well as Wales as a whole and the wider combined area of England and Wales.

Table 3.1:Number and proportion of people with a LLTI

Region / area	LLTI	Total Population	Proportion of total population
East Wales	222,673	1,129,811	20%
West Wales and the Valleys	473,182	1,933,645	24%
Wales	695,855	3,063,456	23%
England and Wales	10,048,441	56,075,912	18%

Source: Census 2011

The table shows that:
▪ The number of people with LLTI varies considerably in the two regions of Wales (222,673 in East Wales and 473,182 in West Wales and the Valleys), representing 20 and 24 per cent of their populations respectively.
▪ This compares with the proportion for the whole of Wales at 23 per cent.
The proportion of people with LLTI in both regions and Wales at a whole is much higher than that for England at 18 per cent.

3.2.1 Trends identified from the socio-economic analysis of East Wales

The socio-economic analysis that underpins the Programme documents reports that there were 124,000 disabled people in the East Wales Programme Area in 2009, or 11 per cent of the total population, a little below the average for Wales.

The proportion of disabled people aged 16-64 in the local authority areas of the Programme Area varies from ten per cent in Flintshire (15,000 people) and Monmouthshire (9,200 people) to 13 per cent in Newport (18,000). Employment rates for disabled people are low in East Wales.

3.2.2 Trends identified from the socio-economic analysis of West Wales and the Valleys

The analysis states that there were 264,000 disabled people in the Programme Area in 2009, or 14 per cent of the total population, slightly above the average for Wales.

The proportion of disabled people aged 16-64 in the local authority areas of the Programme Area varies from 11 per cent (8,600 people) in Ceredigion to 17 per cent (23,600) in Neath Port Talbot. Employment rates for disabled people are generally low here also.

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3.3 Priority Axis 1: Research and Innovation

There are no specific disproportionate positive or negative impacts for people with disabilities associated with the 'Research and Innovation' Priority.

This does not necessarily imply that disabled people will not benefit from investment in research and innovation activity, merely that any such impacts will not be disproportionate to those experienced by the wider public.

3.4 Priority Axis 2: SME Competitiveness

3.4.1 Impact: Support for disabled entrepreneurs

Many disabled people tend to seek forms of employment that are most compatible with their condition. Research undertaken in 2010 by the EHRC, shows that disabled workers in Wales are concentrated in forms of employment which may more readily accommodate their disability, such as part time work and self-employment. In particular, for people who have work-limiting disabilities, self-employment has been found to be an important source of work.[34]

However, Disability Wales, in its 'Enterprise Policy Statement',[35] noted that wide ranging barriers exist which actively discourage participation by disabled people in enterprise, including:
- How the popular image of an entrepreneur as an aggressive 'go-getter' may alienate those with a disability who wish to partake in enterprise activity;
- the economic inactivity of disabled people;
- discrimination;
- lack of accessible information, communication, infrastructure and education facilities; and
- lack of personal and financial support services.

In addition, other research undertaken by the EHRC in 2009 and by the Cyfenter Partnership in 2006 has suggested that, when starting a new business, fewer disabled people seek assistance, when compared with non-disabled people. Additionally, more disabled than non-disabled people felt that the process of making a grant application for business finance was difficult.[36]

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34 Equality and Human Rights Commission (2010) 'An anatomy of Economic Inequality in Wales'

35 Disability Wales Policy Statement: Enterprise. Source: http://www.disabilitywales.org/about/policy

36 Equality and Human Rights Commission, (2009): 'Equality Issues in Wales- A Research Review'; Cyfenter Development Partnership (2006): Disabled People in Business' See: http://new.wales.gov.uk/about/departments/dein/Entres/cyfenter/?lang=en

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> **Priority Axis 2: SME Competitiveness**
>
> **Specific Objective 1**
>
> Activities include:
> - Access to debt, equity and mezzanine finance; micro-finance and tailored business finance schemes
>
> This intervention could support disabled people to start and grow their own business, overcoming the barriers outlined above.
>
> **Area of Impact:**
> - Specific Objective 1: West Wales and the Valleys and East Wales.

3.5 Priority Axis 3: Renewable Energy / Energy Efficiency

3.5.1 Impact: Alleviating fuel poverty for disabled people

Fuel poverty remains a challenge for several sections of the population in Wales. Evidence from the Department for Energy and Climate Change (DECC) shows that households containing someone with a disability or a long-term illness have a higher rate of fuel poverty (at 17 per cent) than other households (13 per cent).[37]

The Welsh Consumer Council found that nine per cent of households which included someone with a long-term illness, health problem or disability experienced difficulty paying their gas and electricity bills, compared with six per cent of all households.[38]

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37 Department of Energy and Climate Change (2013) 'Fuel poverty 2011 detailed tables' https://www.gov.uk/government/publications/fuel-poverty-2011-detailed-tables

38 Equality and Human Rights Commission (2009): 'Equality Issues in Wales- A Research Review'

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> **Priority Axis 3: Renewable Energy and Energy Efficiency**
>
> **Specific Objective 3 (WWV)/Specific Objective 2 (East Wales)**
>
> Activities include a range of energy efficiency measures
>
> This intervention may have benefits for domestic energy users, particularly those who are at high risk of fuel poverty.
>
> **Area of Impact:**
> - Specific Objective 3: West Wales and the Valleys. Specific Objective 2: East Wales

3.6 Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

3.6.1 Impact: Employment and social mobility benefits of improved transport networks

Disabled people are far more likely to experience unemployment than other sections of the population. Consistently, disabled people have been significantly less likely to be an employee or self-employed, and are nearly three times as likely to be inactive. As statistical evidence from the Office of Disability Issues (ODI) and the ONS Labour Force Survey demonstrates:

- Only half of all disabled people of working age in the United Kingdom are in work (50 per cent) compared with over two thirds of non-disabled people (78 per cent).
- Disabled people with depression or anxiety (37 per cent), mental illness (17 per cent) and those with severe or specific learning disabilities (14 per cent) have consistently lower employment rates than disabled people with most other types of impairment.
- The unemployment rate[39] for disabled people is 50 per cent higher than for non-disabled people – standing at 12 per cent and eight per cent respectively.
- 45 per cent of all disabled people are economically inactive, in contrast to only 16 per cent of non-disabled people.
- Disabled people are around three times as likely not to hold any qualifications compared to non-disabled people, and around half as likely to hold a degree-level qualification.[40]

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39 In accordance with the Office for National Statistics (ONS) definition of unemployment, the 'ILO unemployed' category represents the following people: out of work, want a job, have actively sought work in the last four weeks and are available to start work in the next two weeks and currently out of work, have found a job and are waiting to start it in the next two weeks. The unemployment rate is calculated as a percentage of the economically active population (males aged 16-64 and females aged 16-59), as opposed to the whole population of that age.

40 Office of Disability Issues (2013): 'Disability Equality Indicators'. See:

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Ensuring accessibility is an essential part of meeting the needs of disabled people, in employment as in all aspects of everyday life. A key barrier to employment for many disabled people (as well as people with other protected characteristics) is often transport. 60 per cent of disabled people have no car available to the household, compared with 27 per cent of the overall population, so they are more reliant on other people for lifts (such as family and friends) as well as on public transport.[41] However, around a fifth of all disabled people report difficulties accessing public transport as a result of their impairment or disability.

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 2 (WWV)/Specific Objective 1 (East Wales)

Activities include:
- The development of intermodal and sustainable transport facilities that improve access to employment and education

This intervention is likely to enhance sustainable transport, which is likely to benefit disabled people wanting to be in employment but facing accessibility barriers.

Area of Impact:
- Specific Objective 2: West Wales and the Valleys and Specific Objective 1: East Wales.

3.7   Conclusions

There is the potential for the ERDF Programme to deliver disproportionate benefits to disabled people currently not engaged with the labour market, not least through improvements to transport infrastructure. Many of the potential positive impacts will, however, be dependent on implementation and the extent to which activities can be tailored to address the barriers that disabled people can face in enterprise and employment. This is explored further below and in the overarching conclusions and recommendations of the report.

3.8   Recommendation for implementation

The following measures are recommended to ensure that the positive impacts of the Priorities are realised by this group:

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http://odi.dwp.gov.uk/disability-statistics-and-research/disability-equality-indicators.php

41 Papworth (2010): 'Disability in the United Kingdom 2010'. See: http://www.papworth.org.uk/downloads/disabilityfactsandfigures2010_100202152740.pdf

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- Many of the potential positive impacts of the ERDF Programme will be dependent on implementation and the extent to which activities can be tailored to address the barriers that disabled people can face in enterprise and employment. This is an area where this group's needs are not always met and projects should demonstrate the accessibility of their interventions to a range of social groups.

- It will also be essential to ensure that accessibility needs are embedded in the implementation of ERDF Priorities where accessibility needs are particular to people with different disabilities. Consideration should therefore be given to the specific accessibility requirements of disabled people (and to disability legislation, now contained within the Equality Act 2010) in the delivery of all measures associated with physical infrastructure. This includes the development of intermodal and sustainable transport facilities that improve access to employment and education and also the provision of more basic infrastructure such as ramps, technology for the visually impaired and disabled toilets.

- A 2011 study by the EHRC[42] has found that, for disabled people in particular, hate attacks and harassment are more likely to occur on or around public transport. As noted above, disabled people rely heavily on public transport, particularly to maintain and access employment. Respondents interviewed commonly reported that transport operator employees did little to prevent the harassment from occurring, or were even perpetrators of the abuse itself. The study found that many disabled people stopped using public transport as a result, leaving them more isolated, socially excluded and struggling to maintain employment.

  Measures under Priory Axis 4, therefore, could be supplemented with suitable provision for personal safety and security, as disabled people, like members of many groups, have expressed personal security concerns related to public transportation usage, particularly at night.

- Further consideration could be given to how ERDF measures could be specifically targeted to complement and support ESF interventions relating to supporting disabled people to improve their skills and secure employment. Successful previous interventions have focused on one-to one advice, help in gaining new skills and training, including for those who have a disability or people leaving care.

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42 Equality and Human Rights Commission (2011): 'Hidden in plain sight'

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4. Gender reassignment

4.1 Introduction

There are multiple definitions of 'gender reassignment'. For the purposes of equality law, gender reassignment is defined as 'a process which is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process'. This means that an individual does not need to have undergone any specific treatment or surgery to be protected by the law.[43]

4.2 Socio-demographic profile

There are no official or census figures for the number of gender variant people in Wales. The Home Office 'Report of the interdepartmental working group on transsexual people'[44] based on research from the Netherlands and Scotland, estimates that there are between 1,300 and 2,000 male to female and between 250 and 400 female to male transsexual people in the UK. However, Press for Change estimate the figures at around 5,000 post-operative transsexual people.

Further, 2008 research by the Gender Identity Research and Education Society (GIRES) claims there are 6,200 people who have transitioned to a new gender role via medical intervention and approximately 2,335 full Gender Recognition Certificates have been issued to February 2009. The figures are more diverse when looking at the wider trans community in the UK, where estimates range from 65,000 to 300,000.[45]

4.3 Impacts and opportunities across ERDF Priority Axes

No specific disproportionate impacts have been identified for this protected characteristic within the ERDF Priorities of the 2014-2020 Programme.

This does not necessarily imply that trans people will not benefit from ERDF investment, merely that any such impacts will not be disproportionate when compared with those experienced by other sections of the general public.

4.4 Conclusions

Transgender people may well benefit from the interventions proposed, but those benefits are not expected to be different to those experienced by the general population. There

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43 Source: Equality and Human Rights Commission (2012): 'Transgender: what the law says'. See: http://www.equalityhumanrights.com/advice-and-guidance/your-rights/transgender/transgender-what-the-law-says/

44 Home Office (2000): 'Report of the Interdepartmental Working Group on Transsexual People' cited in Office for National Statistics (2009): 'Trans Data Position Paper'

45 Office for National Statistics (2009): 'Trans Data Position Paper'

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could be opportunities to maximise positive impacts for this protected characteristic, particularly as there is some circumstantial evidence to support more reluctance amongst trans people to seek financial service support[46]; this will be dependent on the implementation of the Programme.

Equally, it should be noted that the lack of research evidence on this protected characteristic and the ethical issues potentially faced by researchers in seeking out that evidence, limits the analysis that can be presented in this EIA report. It is nonetheless important for projects to engage with transgender groups and networks to ensure effective delivery.

4.5 Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the priorities are realised by this group:

- The reluctance of trans people to seek mainstream support needs to be taken into consideration when analysing barriers to financial services. In order to ensure that people with this protected characteristic feel and are able to access these services, delivery of this priority will need to be appropriately implemented, and potentially be accompanied by training as necessary.

- Hate crime can also have considerable physical and/ or psychological impacts on victims and their families constituting a barrier to continued work for victims. Whilst impacts can vary, several effects appear to be common as recognised by a Home Office report on hate crime.[47] They include anger and fear of repeat attacks, depression, worsening of existing mental or physical health conditions and increased financial burden; particularly as a result of income lost through time off work. Victims will often take action themselves to reduce the chance of suffering another hate attack – changing appearance, reducing interactions with others, changing their accommodation or even daily patterns including their route to work or how often they leave their home. When hate crime and harassment is experienced by a transgender person – particularly incidents occurring in the workplace – this can constitute a barrier to continuing employment.

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46 The Equalities Review, (2007): 'Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination'
[47] Home Office (2009) 'Hate Crime – the cross government action plan'

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5.   Marriage and civil partnership

5.1   Introduction

Marriage and civil partnership is covered by the Equality Act 2010 only on the grounds of unlawful discrimination. People who are married or in a civil partnership must be treated the same as people who are not and, similarly, same sex civil partners must be treated the same as married heterosexual couples on a wide range of legal matters.

5.2   Demographics

The table below illustrates the number and proportion of people within East Wales, West Wales and the Valleys, Wales and England and Wales who are married and who are in a Civil Partnership

Table 5.1:Number and proportion of people who are married and the number and proportion of people who are in a civil partnership.

Region / area	Number of married	Percentage married	Number in civil partnership	Percentage in civil partnership
East Wales	423,692	46%	1,885	0.2%
West Wales and the Valleys	743,623	47%	2769	0.2%
Wales	1,167,315	47%	4654	0.2%
England and Wales	21,196,684	47%	104,942	0.2%

Source: Census 2011[48]

The table suggests that the marital status of the population across both Programme areas (at 46 per cent of the population of East Wales and 47 per cent of the population of West Wales and the Valleys being married) is broadly consistent with that of the population of Wales (47 per cent) and of England and Wales (47 per cent).

The proportion of the population involved in a Civil Partnership is the same across all four areas (at 0.2 per cent).

5.3   Impacts and opportunities across ERDF Priority Axes

No specific disproportionate positive or negative impacts have been identified associated with this protected characteristic.

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48 Note that the number of married and those in civil partnership does not include those separated but still legally married or in a civil partnership, those who are divorced or in a civil partnership which is now legally dissolved, or those widowed or surviving from a civil partnership. Proportions calculated using population over 16.

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This does not necessarily imply that people who are married or are in civil partnerships will not benefit from ERDF investment, merely that any such impacts will not be disproportionate to those experienced by others.

5.4   Conclusions

It is not anticipated that there will be any disproportionate impacts on this protected characteristic.

5.5   Recommendations for implementation

Apart from working to ensure that those who are married or are in a civil partnership do not experience unlawful discrimination as part of the implementation of the ERDF Programme, there are no specific recommendations for the implementation of the four Priorities with regard to this group.

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6. Pregnancy and maternity

6.1 Introduction

The EHRC defines pregnancy as 'the condition of being pregnant or expecting a baby' while 'maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding'.[49]

6.2 Socio-demographic profile

Birth rate is generally used as a proxy measure for this characteristic as it provide an accurate picture of the rate of women who have been pregnant and will go on into the period legally regarded as maternity.

Wales has a declining birth rate. Nonetheless, National Childbirth Trust statistics indicate that over 35,000 babies were born in Wales in 2010.[50]

The table below shows the crude birth rate for each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 6.1:Crude Birth Rate

Region / area	Live Births	Crude Birth Rate (per 1000 people)
East Wales	13,586	12.0
West Wales and the Valleys	22,012	11.4
Wales	35,598	11.6
England	688,120	13.0

Source: Census 2011

This table shows that:
- While there is a higher birth rate in West Wales and the Valleys than East Wales (22,012 as opposed to 13,586), they are proportionally similar (11.4 per cent as oppose to 12.0 per cent)

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49 See: http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/

50 The NCT suggested that there were 36,033 babies born in Wales in 2010. National Childbirth Trust, (2011), 'Maternity statistics – Wales' See: http://www.nct.org.uk/professional/research/maternity-statistics/maternity-statistics-wales

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■ The birth rate for all of Wales (11.6 per 1000 people) is slightly below the rate for England (13.0 per 1000).

6.3 Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Census data shows that 17 per cent of households with dependent children had no access to a car or van, and 48 per cent of lone parent households had no access to a car or van.[51]

As such, parents of young children can often face access challenges, particularly when using public transport. A Department for Transport study on social exclusion and public transport indicated that particular problems with transport infrastructure included:
■ Problems with buggy / pram accessibility, resulting in a tendency to walk
■ Insufficient time to embark and disembark safely with babies and small children
■ Unwillingness of bus drivers to adapt for children, failing to stop for family groups, or refusing to wait for them to sit down
■ High cost of travel once some of the children are at fare-paying age[52]

In addition, journeys can involve complicated trip chains, with parents not usually making simple return journeys; this can be expensive, time consuming and arduous, which is exacerbated if travelling on public transport whilst pregnant or with prams or pushchairs.

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 2 (WWV) and Specific Objective 1 (East Wales)

Activities include:
■ The development of intermodal and sustainable transport facilities

This intervention has the potential to benefit mothers and young families.[53]

Area of Impact:
■ Specific Objective 2: West Wales and the Valleys and Specific Objective 1: East Wales.

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51 Equality and Human Rights Commission, (2009), 'Equality Issues in Wales- A Research Review'

52 Equality and Human Rights Commission, (2009), 'Equality Issues in Wales- A Research Review';

53 Department for Transport (2000): 'Social exclusion and the provision of public transport'; Social Exclusion Unit (2003): 'Making the Connections', p.13

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6.4 Impacts and opportunities across other ERDF Priority Axes

No further disproportionate impacts have been identified for this protected characteristic. This does not necessarily imply that people who are pregnant or who have young families will not benefit from ERDF investment, merely that any such impacts will not be disproportionate to those experienced by others.

6.5 Conclusions

In West Wales and the Valleys there are likely to be some limited positive impacts for women who are pregnant or who have young families due to improved transportation infrastructure. In East Wales it is anticipated that there will be no disproportionate impact on this protected characteristic.

6.6 Recommendations for implementation

Apart from working to ensure that women who are pregnant or in the period of legally covered maternity leave do not experience unlawful discrimination or disadvantage as part of the implementation of the ERDF Programme, there are no specific recommendations for the implementation of the four Priorities with regard to this protected characteristic.

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7. Race and ethnicity

7.1 Introduction

Race and ethnicity refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

EIAs, while focussing on the potential impacts of Programmes on all races and ethnicities, tend to draw a distinction between people of White British origin and people from Black Asian and other minority ethnic (BAME) groups. This distinction is drawn because in many cases the outcomes (including educational attainment, employment, skills and qualifications, health and other outcomes) of people from BAME groups tend to differ from their White British counterparts. Despite the separation into these two groups for the purposes of this EIA, it is worth mentioning that BAME communities are not a homogenous group and wherever possible data needs to be disaggregated to ensure that an accurate picture is painted.

7.2 Socio-demographic profile

It should be noted that the BAME population in Wales is relatively small. The maps below show the density and proportion of people from BAME communities in Wales.
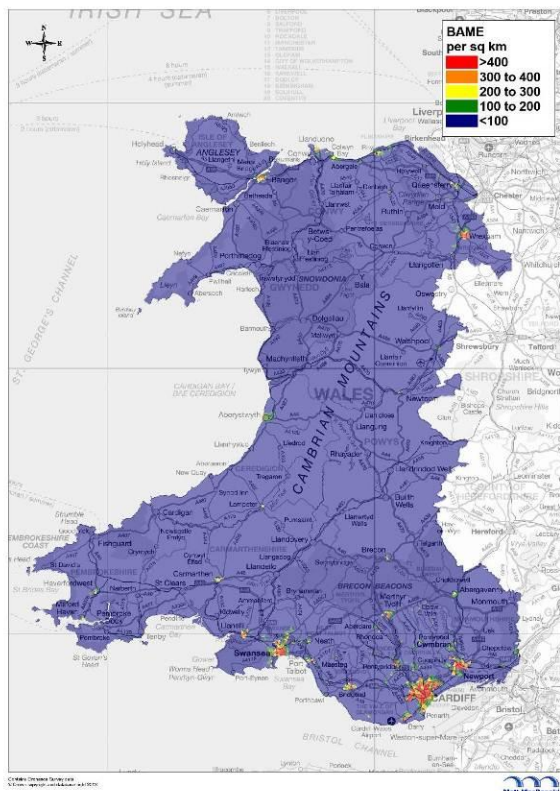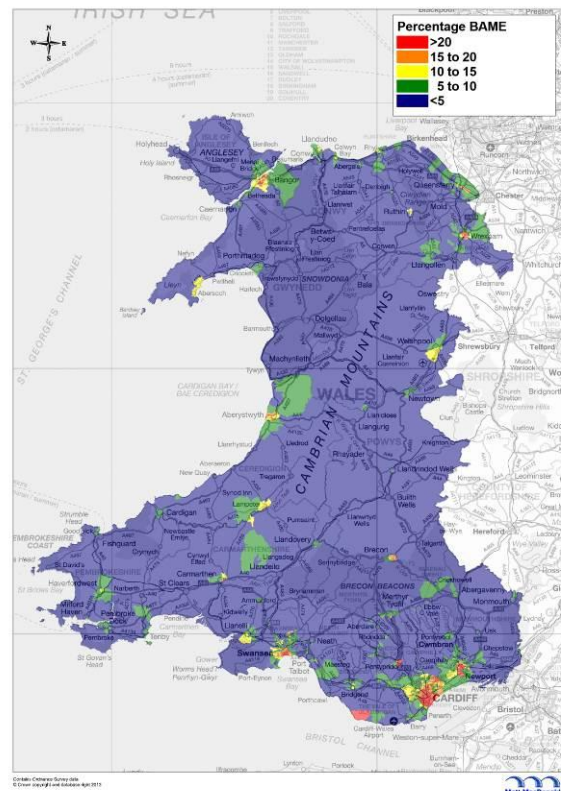
Figure 7.1:   Wales: BAME Density

Figure 7.2:   Wales: Proportion of Total Population BAME

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The map shows that:
- The population of BAME groups in Wales is small, with 0-10 BAME people per square kilometre for most of Wales.
- The largest populations of BAME groups are in the metropolitan areas of Cardiff and Swansea. There is also a segregated high population density in the north east of Wales, in the town of Wrexham.

Proportionally, the distribution of BAME groups is similar:
- There are several communities along the north and south-west coasts, in areas such as Bangor, Holywell, Haverfordwest and Carmarthen.
- The highest proportion of BAME populations are the in the populous south-east regions, where Wales' largest cities (Swansea, Cardiff and Newport) are located.

The table below shows the number and percentage of BAME people living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 7.1:Number and proportion of BAME

Region / area	Number	Percentage
East Wales	118,848	11%
West Wales and the Valleys	89,158	5%
Wales	208,006	7%
England and Wales	10,941,226	20%

Source: Census 2011

The table shows that:
- There is a much higher percentage of people from BAME communities living in East Wales than in West Wales and the Valleys (11 per cent as opposed to 5 per cent).
- The overall population of people from BAME communities in Wales is seven per cent.
- This figure is substantially below the percentage for England and Wales, which is 20 per cent.

A.1.1. Trends identified from the socio-economic analysis of East Wales

People from ethnic minorities account for a relatively small proportion of the population in Flintshire, Wrexham, Powys and Monmouthshire ranging from two to three per cent. Ethnic minorities account for a comparatively large proportion of Cardiff's population (eleven per cent) and Newport's population (six per cent).

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A.1.2. Trends identified from the socio-economic analysis of West Wales and the Valleys

Ethnic minorities account for a relatively small proportion of the population of West Wales and the Valleys, ranging from two per cent in a number of the Valleys areas to five per cent in Swansea. Compared with Wales and the UK, the employment rate for ethnic minorities is higher in West Wales and the Valleys.

7.3   Priority Axis 1: Research and Innovation

7.3.1   Opportunity: Capitalising on untapped potential in BAME communities

It is generally accepted that there is considerable untapped research and innovation capacity within a number of equality groups (including people from BAME communities, as well as women, younger and disabled people). There are a number of potentially substantial benefits to individuals, society and the economy if the resources within these areas can be successfully tapped.

The Organisation for Economic Cooperation and Development (OECD) has long urged societies to maximise the largely untapped potential of ethnic minority communities and other under-utilised sections of society.[54]

Priority Axis 1: Research and Innovation

Specific Objective 1

Activities focussed on increasing the success of Welsh Research institutions include:
- Building research capacity (both physical and people-related), with a focus on areas with potential for developing or strengthening world-class excellence

This intervention could develop capacity within untapped groups, including people from BAME communities and provide an opportunity to increase activity in the area by people with this characteristic.

Area of Impact:
- Specific Objective 1: West Wales and the Valleys and East Wales.

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54 See, for example: OECD (2012): 'Untapped skills: realising the potential of immigrant students' and OECD (2010): 'Fulfilling promise'

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7.4 Priority Axis 2: SME Competitiveness

7.4.1 Impact: Supporting SMEs owned by members of BAME communities

As research by Race for Opportunity[55] has illustrated, BAME workers remain underrepresented in management and senior level jobs. Ethnic minority male and female directors' make-up only 5.7 per cent of all directors in FTSE 100 companies[56] and less than one in 15 BAME workers in the UK hold a management position.[57]

Nonetheless, self-employment continues to be an important source of individual economic activity, and national economic productivity. In Wales, around eight per cent of the economically active population are self-employed. As data from the 2011 Census shows, a number of BAME groups had a higher proportion of self-employed individuals than the white population (at eight per cent)[58]. This included Gypsy or Irish Travellers (10 per cent) and the Indian (10 per cent), Pakistani (15 per cent), Bangladeshi (12 per cent) and Chinese (12 per cent) communities.

Within each ethnic community age can also be a determinant of self-employment. In the White British, Pakistani, Bangladeshi and Chinese communities, for example, this includes individuals aged 25 and over (25-49) and older working-aged people (50-64). Across all age groups, individuals from the Gypsy and Irish travelling communities include a higher proportion of self-employed individuals than the white population in Wales. Older working people (50-64) in the British Indian community are also more likely to be self-employed. In contrast, there is little or no difference in the proportion of self-employed individuals from the Black African and Black Caribbean Communities and with the exception of Gypsy and Irish travellers; there are similar proportions of self-employed young people.

BAME businesses in turn often display different characteristics to those owned by their White British counterparts. For example, BAME owned businesses were more likely to be new, as a study of self-employed ethnic minority groups undertaken by the Cyfenter Development Partnership[59] has highlighted. For example, findings revealed that 40 per cent of BAME businesses had traded for a year or less, compared with 21 per cent of non-BAME businesses. It also showed that ethnic minority business owners seemed to be more aware than other business owners of grants that were available, but that a

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[55] Race for Opportunity (2011) 'Race to progress'

[56] Sealy, R and Vinnicombe, S (2012) 'The Female FTSE Board Report, Milestone or Millstone 2012' Cranfield International Centre for Women Leaders

[57] Business in the community (2013) 'Race and gender: a business case for inclusion' http://www.bitc.org.uk/issues/workplace-and-employees/race-and-gender

58 Office of National Statistics (2013): 'Census 2011'

59 Cyfenter Development Partnership (2006): 'People from Minority Ethnic Groups in Business'. http://new.wales.gov.uk/about/departments/dein/Entres/cyfenter/?lang=en

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substantially lower proportion had actually secured a grant compared with their white British counterparts.[60]

A recent report by BIS estimated that 62 per cent of SMEs are ethnic minority group-led. This equates to around 295,000 SMEs. It is estimated that in the UK ethnic minority group-led SME businesses contribute about £30bn to Gross Value Added (GVA) (or around six per cent of the UK SME approximate GVA total).[61]

However, other BIS research found that BAME business owners found it difficult to secure business finance. A 2013 BIS report noted that the effects of ethnic origin of the owner on lending to SMEs were noticeable, with black entrepreneurs more likely to be refused credit. The newly-nationalised banks in 2008-9 (as a result of the recession and banking sector collapse) were more willing to provide SME credit overall than were other institutions.[62]

BAME groups can also be overlooked in terms of economic engagement and effective business support.[63] Research has shown that there is a lack of information and advice available to ethnic minority groups in Wales with regard to business support, and wider economic participation.[64] In particular, there is a shortage of advice available for ethnic minority communities in mid and north Wales and also a lack of advice services to migrant workers.[65] As a Welsh Consumer Council study has shown, migrant workers face particular difficulties accessing a range of public services, including economic and business support.[66]

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60 Cyfenter Development Partnership (2006): 'People from Minority Ethnic Groups in Business'

61 Department for Business, Innovation and Skills (2013): 'Small Business Survey 2012: Estimates for Businesses Led by Women and Ethnic Minorities and Social Enterprises in the UK'

62 Department for Business, Innovation and Skills (2013): 'Evaluating Changes in Bank Lending to UK SMEs Over 2001-12 – On-going Tight Credit?'. See: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/193945/bis-13-857-evaluating-changes-in-bank-lending-to-uk-smes-2001-12.pdf

63 Cyfenter Development Partnership (2006): 'People from Minority Ethnic Groups in Business'

64 Equality and Human Rights Commission (2009) 'Equality in Wales – a Research Review'

65 Withers, L. and Sokiri-Munn, Y. (2005) Untangling the Web. Swansea: MEWN Cymru. Source: http://www.mewncymru.org.uk/untangling%20the%20web.htm

66 Thomas, R. (2007) Migrant Workers and Access to Public Services. Cardiff; Welsh Consumer Council.

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> ***Priority Axis 2: SME Competitiveness***
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> ***Specific Objective 1 and 2***
>
> Activities include:
> - access to debt, equity and mezzanine finance; micro-finance and tailored business finance schemes
> - Advice and mentoring for start ups
>
> Such interventions could help support people from BAME backgrounds (and particularly those looking to become self-employed following redundancy) to run their own business, if appropriately established to overcome some of the traditional barriers faced by certain ethnic minorities.
>
> ***Area of Impact:***
> - Specific Objective 1 and 2: West Wales and the Valleys and East Wales

7.5   Priority Axis 3: Renewable Energy / Energy Efficiency

No specific disproportionate positive or negative impacts have been identified as a result of the proposed themes or their associated interventions within the 'Renewable Energy / Energy Efficiency' Priority. This does not necessarily imply that people from BAME communities will not benefit from measures under this Priority Axis, merely that those benefits are unlikely to be felt disproportionately when compared with other sections of the population.

7.6   Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

7.6.1 Impact: Improving access to employment through transport infrastructure

Access to transport can be a key determining factor in terms of accessing employment and skills. Car ownership can make the difference when it comes to holding down a steady job or gaining a qualification. However, access to a car can vary according to ethnic group.

The 2012 NTS showed that the proportion of adults (aged 17+) living in a household with a car was highest among those from White British (81 per cent) and Asian / Asian British backgrounds (71 per cent). Adults from Black backgrounds were least likely to live in a household with a car (59 per cent).[67]

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67 Department for Transport (2013): 'National Travel Survey 2012: Travel by car availability, income, ethnic group'

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Although a similar proportion of adults from Asian and White backgrounds live in households with a car, a higher proportion of Asian adults were non-drivers (19 per cent) compared with White adults (12 per cent).[68]

As a result, people from BAME communities and people from Black backgrounds in particular, are often higher than average users of bus services. Indeed, numerous studies have confirmed that bus use amongst non-White groups is proportionately high[69].

However, hate crime can be a problem for BAME transport users, which can have considerable physical and/or psychological impacts on victims and their families. Whilst these impacts can vary, several effects appear to be common to most victims as recognised by a Home Office report on the subject.[70] They include anger and fear of repeat attacks, depression, worsening of existing mental or physical health conditions and increased financial burden; particularly as a result of income lost through time off work. Additionally, victims will often take action themselves to reduce the chance of suffering another attack which may include changing how they travel to work, or even how often they leave the house. The physical and psychological impacts of hate crime therefore could constitute a barrier to BAME individuals accessing or continuing in existing employment.

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objective 2 (WWV) and Specific Objective 1 (East Wales)

Activities include:
- Enhancements to public transport provision

Such interventions could help deliver disproportionate benefits to this group

Area of Impact:
- Specific Objective 2: West Wales and the Valleys and Specific Objective 1: East Wales.

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68 Department for Transport (2013): 'National Travel Survey 2012: Travel by car availability, income, ethnic group'

69 Centre for Research in Social Policy (2007): 'Evidence Base Review on Mobility: Choices & Barriers for Different Social Groups'; Owen, D. and Green A. (2000): 'Estimating Commuting Flows for Minority Ethnic Groups in England and Wales' in *Journal of Ethnic and Migration Studies'* 26(4); Department for Transport (2005): 'Transport Statistics Bulletin: National Travel Survey 2004'

70 Home Office (2009): 'Hate Crime – the cross government action plan'

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7.7   Conclusions

Wales has a small BAME population. There are some potential disproportionate positive impacts for certain BAME communities of the proposals to improve transport infrastructure; other opportunities also exist in terms of opening up access to finance and business advice services, however, the extent of benefits will be dependent on how measures are implemented.

7.8   Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the Priorities are realised by this group:

- Wales has only a small BAME population. That said, however, and as is the case with other protected characteristics, implementation of the Priorities within the ERDF Programme must take adequate account of the specific challenges facing BAME communities. In doing so, differences between and within ethnic minority groups must be considered in order to ensure that benefits are realised. Failure to do so may result in the activities of the Programme reinforcing existing inequalities and having negative impacts on some BAME groups.

- Enhancements to public transport provision could deliver disproportionate benefits to this group as people from BAME groups are more likely to use public transport. Positive impacts, however, will only be achieved if enhancements take into account the specific needs (such as language requirements) and concerns (such as fears over personal safety and security associated with anti-social behaviour and often hate crime when, for example travelling by public transport at night). Such measures can be integrated into project and intervention design early on

- Access to debt, equity and mezzanine finance; micro-finance and tailored business finance schemes) could help support people from BAME backgrounds (and particularly those looking to become self-employed following redundancy) to run their own business, if appropriately established to overcome some of the traditional barriers faced by certain ethnic minorities. An example of delivery in this area can be found in the activities of the £150 million Wales JEREMIE (Joint European Resources for Micro to Medium Enterprises) Fund, managed by Finance Wales, which is currently working to fund and support the expansion of more than 800 businesses and create up to 15,000 jobs across Wales.[71]

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71 A specific example of where funds from JEREMIE have been used to support research and development can be found in biotech company, Alzeim, which produces Galanthamine – used in the treatment of Alzheimer's Disease. See: Welsh European Funding Office (2011): 'News: JEREMIE – helping business'

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8. Religion or belief

8.1 Introduction

In terms of religion or belief, distinctions are frequently drawn in order to identify those professing a so-called 'minority faith' which in the UK tends to include Buddhism, Hinduism, Islam, Judaism, and Sikhism (as well as other faiths, such as Baha'i and smaller groups such as pagans). This distinction is made because in most areas the majority of the population tend to express their religion or faith as some form or denomination of Christianity, as a professed lack of religion or faith (including atheists and humanists) or a preference not to answer.

8.2 Socio-demographic profile

The table below shows the percentages of people of different religions, faiths and beliefs living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 8.1: Religion, faith and belief in Wales (%)

	Christian	Buddhist	Hindu	Jewish	Muslim	Sikh	Other religion	No religion	Did not state a religion
East Wales	58%	0.3%	0.6%	0.1%	2.9%	0.2%	0.4%	29.5%	7.5%
West Wales and the Valleys	57%	0.3%	0.2%	0.0%	0.7%	0.1%	0.4%	33.6%	7.7%
Wales	58%	0.3%	0.3%	0.1%	1.5%	0.1%	0.4%	32.1%	7.6%
England and Wales	59%	0.4%	1.5%	0.5%	4.8%	0.8%	0.4%	25.1%	7.2%

Source: Census 2011

Table 8.2: Religion, faith and belief in Wales (number)

	Christian	Buddhist	Hindu	Jewish	Muslim	Sikh	Other religion	No religion	Did not state a religion
East Wales	660,080	3,937	6,838	1,264	33,116	1,745	4,258	333,573	85,000

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	Christian	Buddhist	Hindu	Jewish	Muslim	Sikh	Other religion	No religion	Did not state a religion
West Wales and the Valleys	1,103,219	5,180	3,596	800	12,834	1,217	8,447	649,424	148,928
Wales	1,763,299	9,117	10,434	2,064	45,950	2,962	12,705	982,997	233,928
England and Wales	33,243,175	247,743	816,633	263,346	2,706,066	423,158	240,530	14,097,229	4,038,032

Source: Census 2011

The tables show that:
- The majority of the population in East Wales identify as being Christian (58 per cent), followed by those of no religion (29.5 per cent) and those who did not state a religion in the last census (7.5 per cent).
- West Wales and the Valleys presents a similar picture with Christianity being the largest group (57 per cent) followed by those of no religion and those who did not state a religion in the last census (33.6 per cent and 7.7 per cent respectively).
- The majority of those who identify as being Muslim live in East Wales (2.9 per cent); this is significantly higher than the percentage for West Wales and the Valleys (0.7 per cent) and the percentage for the whole of Wales (1.5 per cent), although it is below the percentage for England and Wales (4.8 per cent).
- The statistics for East Wales, West Wales and the Valleys and all of Wales are largely similar to the figures for England and Wales, with the majority of people identifying themselves as Christian, followed by those of no religion (although this percentage was slightly lower, at 25.1 per cent) and people who did not state a religion.

8.3   Priority Axis 2: SME Competitiveness

8.3.1 Opportunity: Improving access to business finance for Muslim-businesses

With more than 45,000 Muslims living in Wales, access to Sharia banking may be crucially important for those wishing to start their own business. Sharia law states that money cannot be made from money- so charging or receiving interest is not permitted.[72]

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72 Islamic Bank of Britain (2012): 'Islamic Finance'

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Mott MacDonald

> ***Priority Axis 2: SME Competitiveness***
>
> ***Specific Objective 1 and 2***
>
> Activities focused on business finance:
> - To support access to start-up capital and finance for SMEs
>
> This intervention provides scope for benefits for positive impacts for people with this protected characteristic if implementation of the Priority Axis includes provision for faith-sensitive initiatives.
>
> ***Area of Impact:***
> Specific Objective 1 and 2: West Wales and the Valleys and East Wales.

8.4 Impacts and opportunities across other ERDF Priority Axes

No disproportionate positive or negative impacts across the remaining three ERDF Priority Axes have been identified for this protected characteristic.

8.5 Conclusions

For the most part, the activities and interventions within these Priorities are likely to benefit people of different faiths, but these impacts are not likely to be over and above those experienced by the population generally.

However, it is nonetheless important to recognise faith-based differences and the impacts that these can have; for example, consideration should be given to how best to encourage project sponsors to engage with Muslim-owned small businesses to help them gain access to finance and adhere to the banking practices required by Sharia law. [73] Failure to address these group-specific barriers to employment / business will result in the risk that entrenched challenges and comparative economic exclusion persist.

8.6 Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the priorities are realised by this group.

- Under the SME Competitiveness Priority, it will be important to ensure that projects that receive financing are able to provide the relevant financial services to all potential customers. Some consideration should be given to how best to encourage promoters

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73 See: UK Islamic Banking and Finance Centre (IFBC-UK) at:
http://ibfc.eu/index.php?option=com_content&task=view&id=43&Itemid=50

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to engage with Muslim-owned small businesses to help them gain access to finance and adhere to the banking practices required by Sharia law.

- Existing practice in this regard includes the establishment of the UK Islamic Banking and Finance Centre (IFBC-UK) – one of the first institutions in Europe to offer provision in Islamic Finance executive education.[74] Cardiff hosts a centre of Islamic Finance education, in a recent joint venture between Cardiff Business School, the Islamic Banking and Finance Institute in Malaysia (IBFIM) and the Islamic Banking and Finance Centre (IBFC-UK). The Islamic Finance Training Programme for Professionals aims to assist financial organisations wishing to offer Islamic Banking courses and Islamic banking financial products. Exploring ways of working with the Centre and similar institutions is strongly recommended.

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74 See: http://ibfc.eu/index.php?option=com_content&task=view&id=43&Itemid=50

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9. Sex and gender

9.1 Introduction

Sex is defined as the biological distinction between a man and a woman, while gender is the socially-determined role of men and women, which is often accompanied by social norms such as specific dress conventions and established familial roles.

9.2 Socio-demographic profile

The table below shows the number and percentage of males and females living in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 9.1:Number and proportion of males and females

Region / area	Females		Males	
	Number	Percentage	Number	Percentage
East Wales	574,112	51%	555,699	49%
West Wales and the Valleys	985,116	51%	948,529	49%
Wales	1,559,228	51%	1,504,228	49%
England and Wales	28,502,536	51%	27,573,376	49%

Source: Census 2011

This table shows that:
- There is the same percentage of women living in East Wales and West Wales and the Valleys (51 per cent), despite the values being very different due to different population sizes (574,112 in East Wales and 985,116 in West Wales and the Valleys).
- The percentage of women living Wales and in England and Wales is also 51 per cent.

9.2.1 Trends identified from the socio-economic analysis of East Wales

The socio-economic analysis of East Wales revealed a number of trends for this protected characteristic:
- The male population increased by 6.3 per cent while the female population rose by 4.1 per cent.
- Notable differences in gender developments include the larger increase in women aged 65 years and more (up 18.2 per cent) than men (up 14.0 per cent).

9.2.2 Trends identified from the socio-economic analysis of West Wales and the Valleys

The socio-economic analysis undertaken for West Wales and the Valleys also highlights trends for this protected characteristic:

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- Between 2001 and 2010 the male population increased by 3.3 per cent while the female population rose by 1.2 per cent.
- Notable differences in gender developments include the larger increase in men aged 65 years and older (up 16.5 per cent) than women (up 5.0 per cent) although the number of women in this age group is larger than the number of men.
- The number of men aged 16 - 24 years also increased considerably faster than the number of women aged 16 – 24 years.

9.3 Priority Axis 1: Research and Innovation

9.3.1 Impact: Promoting STEM subjects amongst women and girls

A recent report by the social enterprise 'Women in Science and Engineering' (WISE) has found that 'despite the economic downturn, 43 per cent of UK science, technology, engineering and mathematics (STEM) employers' have reported difficulty recruiting staff and more than half (52 per cent) are also expecting continued difficulty with recruitment over the next three years.[75]

The report shows that only nine per cent of STEM employees in the UK are presently women. Barriers to more female participation in the both sectors were identified as poor careers advice and guidance, a lack of information on STEM career options and the absence of positive female role models.

Research also shows that poor careers advice and a lack of female role models are barriers to young women joining STEM professions.[76] This is reflected in the results of the 2011 Girl Guiding UK survey – where two top reasons for not pursuing a science and engineering career included a lack of information and knowledge about career options (43 per cent) and the lack of female models (43 per cent).[77]

A 2005 report for the Government Equalities Office summarise the research literature on the barriers to women remaining in STEM occupations. The key barriers included:
- inflexible hours;
- 'masculine' workplace cultures;
- Long working hours;
- stereotypical attitudes on the part of employers; and
- lack of work-life balance policies.[78]

All of which contributed to a lack of women in certain occupational categories.

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75 CBI, (2011), 'Building for Growth- Business Priorities for Education and Skills'
76 CBI, (2011): 'Building for Growth- Business Priorities for Education and Skills'
77 UKRC – WISE (2012): 'Engaging girls in science technology, engineering and maths: What works?'; Girl guiding UK (2011): 'Girls attitudes 2011'; Engineering UK (2011): 'An investigation in to why the UK has the lowest proportion of female engineers in the EU'.
78 Tomlinson, J on behalf of the Government Equalities Office (2005): 'Examining the potential for women returners to work in areas of high occupational gender segregation'

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Priority Axis 1: Research and Innovation

Specific Objective 2

Activities include:
- supporting businesses to undertake innovation (such as demand-led or eco-innovation) and to improve innovation supply chains between businesses and with academia.

Such interventions have the scope to have positive impacts on female participation in research and innovation sectors in which they are traditionally under-represented, including STEM fields.

Area of Impact:
- Specific Objective 2: West Wales and the Valleys and East Wales.

9.4   Priority Axis 2: SME Competitiveness

9.4.1 Impact: Supporting women in business

Europe-wide figures show that only 6% of women currently own a business in the EU and 2.8% of European women are planning to start up a business.[79] According to the Annual Population Survey, women are less likely to be self-employed than men. In 2013, 13% of males in Wales aged 16 and over were self-employed compared with 5% of females[80].

These statistics are supported by several recent research projects, including 'Equality Issues in Wales: A Research Review', undertaken for the EHRC in 2009, and 'The Global Enterprise Monitor' (2008), which states that just under a third of all early stage entrepreneurs in Wales are women.[81]

In a 2013 survey of self employed women in Wales, Chwarae Teg found that access to advice, support and finance remained barriers to women starting up new businesses in Wales. Almost half of the women asked had not accessed advice or training at the time of becoming self-employed and only a very small proportion (14%) had received support from a bank or building society, with two thirds (75%) self-financing their business start-up using their own savings.

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79 A View from the European Parliament, (2012), 'SME week: Women entrepreneurs with a migrant background' See: http://lidiageringer.wordpress.com/2012/10/17/sme-week-women-entrepreneurs-with-a-migrant-background/

80 Office of National Statistics (2013 'Annual Population Survey'

81 Equality and Human Rights Commission (2009) 'Equality in Wales – a Research Review'

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The EHRC paper 'Equality in Wales'[82] identifies similar barriers facing women in the business environment, and highlights their under representation in the self-employed sector. Barriers include problems in securing finance, such as not being taken seriously by bankers (who are predominantly male); low self-confidence; lack of knowledge; and exclusion from business networks.[83]

Priority Axis 2: SME Competitiveness

Specific Objectives 1 and 2

Activities include:
- Access to debt, equity and mezzanine finance; micro-finance and tailored business finance schemes

Such interventions have potential to support women looking to run their own business by opening up more accessible routes to capital and finance.

Area of Impact:
- Specific Objectives 1 and 2: West Wales and the Valleys and East Wales.

9.5 Priority Axis 3: Renewable Energy / Energy Efficiency

No potential disproportionate positive or negative impacts for either gender have been identified within this Priority area.

9.6 Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

9.6.1 Impact: Supporting women with childcare responsibilities

One in four households do not have access to a car for reasons including cost, disability and choice – relying on public transport, walking, cycling or lifts from friends, family or community organisations. When access to such networks, is limited – social exclusion can occur.

As recognised in a Department of Transport report[84], public transport accessibility is of particular importance to women – who are less likely to have access to a car. In addition,

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82 Equality and Human Rights Commission (2009) 'Equality in Wales – a Research Review'

83 See:
http://www.imagininggrowth.com/en/index.php?option=com_content&view=article&catid=34%3Aarticoli&id=47%3Athe-project&Itemid=82

84 Department of Transport (2011) 'The Accessibility Sub-Objective TAG Unit 3.6.3'

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as women are more likely to have child care or caring responsibilities, they are also more likely to undertake complex trip chains using public transport and will also need good access to healthcare. This is reflected in the results of the National Travel Survey for 2012[85] which showed that men took far more car trips as drivers (438) than women (366) and that locally women were more likely to use the bus (69 trips) than men (53 trips).

Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Specific Objectives 2 and 4 (West Wales and the Valleys)/Specific Objective 1 (East Wales)

Activities include:
- Investment in local infrastructure (such as training or childcare facilities)
- Enhancements to public transport provision

Such interventions will support broader economic development investments and are likely to have a disproportionate positive impact on women, who continue to be more likely to be responsible for childcare during the day.

Area of Impact:
- Specific Objective 2: West Wales and the Valleys
- Specific Objective 4: West Wales and the Valleys
- Specific Objective 1: East Wales

9.7 Conclusions

As with other protected characteristics, the ERDF Programme has the potential to realise positive impacts for women and girls by addressing some traditional barriers to enterprise and employment, such as limited access to finance and heightened challenges in terms of transportation. However, implementation of the Programme will, again, be critical to ensure that the opportunities to improve gender equality in business are maximised.

9.8 Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the priorities are realised by this group.

- It will be essential to ensure that the implementation of the Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW); Priority Axis takes full account of the gendered ways in which the transport network operates.

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85 Department of Transport (2012) 'National Travel Survey 2012'

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- Women use public transport, particularly buses, more than men, but often face more barriers, and often express concerns around personal safety, particularly when travelling at night. This will need to be factored in to transport infrastructure improvements to ensure that benefits accrue for this group.

- Other measures support private travel, which still tend to be used by men, rather than public transport modes such as buses, more often used by women. Interventions under this priority, therefore, need carefully to consider how they will also support widening access to sustainable travel for women (as well as other groups with lower levels of access to private cars).

- Investment in rail infrastructure may disproportionately benefit white, working, men. Interventions under this priority should include provision for widening access to rail travel to different socio-demographic groups wherever possible. This includes interventions focussed on investment in local infrastructure (such as training or childcare facilities) supporting broader economic development investments are likely to have a disproportionate positive impact on women, who continue to be more likely to be responsible for childcare during the day.

- It will also be important to encourage the participation of women in research and development activity to ensure a gender balance and that all available societal resources are utilised.

Good practice within previous interventions can be found in the European Research Council's (ERC) 'Gender Balance Working Group'; a permanent structure under the ERC Scientific Council. It was created in 2008 to monitor gender equality throughout the entire ERC process and aims to achieve, in the medium term, gender balance among the ERC peer reviewers and other relevant decision-making bodies, with a minimum participation of 40 per cent of the underrepresented gender

- Finally, given the lack of women participating in STEM subjects and innovation and research more widely, it will be important for all of the areas covered by the Research and innovation priority to consider how accessibility to women and other equality groups will be ensured. Such interventions have the scope to have positive impacts on female participation in research and innovation sectors in which they are traditionally under-represented, including STEM fields.

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10. Sexual orientation

10.1 Introduction

Sexual orientation concerns whether a person's sexual attraction is to their own sex, the opposite sex or both sexes.

Sexual orientation was added to the list of protected characteristics under the provision of the Equality Act 2010. In general, consideration of this characteristic focuses on lesbians, gay men and bisexuals who frequently refer to themselves as the LGB community. The acronym is often expanded to LGBT to incorporate the trans population, although current equality legislation considers them separately.

10.2 Socio-demographic profile

There are no comprehensive official or census figures for the number of LGB people in Wales and different surveys have produced different results.

For example, it is estimated by LGB charity Stonewall that lesbian, gay and bisexual people make up around six per cent of the UK population.[86] Conversely, experimental statistics published by the ONS from the results of the Integrated Household Survey (undertaken from April 2011 to March 2012) indicated that:

- 1.5 per cent of adults in the UK identified themselves as LGB, while 93.9 per cent identified themselves as heterosexual.
- 2.7 per cent of 16 to 24 year olds in the UK identified themselves as LGB compared with 0.4 per cent of 65 year olds and over.[87]

The table below illustrates the stated sexual orientation of the population in Wales.

Table 10.1: Sexual orientation in Wales 2010-2012

	2010/11	2011/12
Heterosexual / Straight	94.2	94.8
Gay / Lesbian	0.9	1.0
Bisexual	0.3	0.4
Other	0.3	0.3
Don't know / Refusal	2.9	2.4
No response	1.4	1.0

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86 Stonewall Cymru (2012): 'Lesbian, Gay and Bisexual (LGB) People in Sport: Understanding LGB sports participation in Wales' See: http://www.stonewallcymru.org.uk/documents/lgb_people_in_sport.pdf

87 Office for National Statistics (2012): 'Integrated Household Survey April 2011 to March 2012: Experimental Statistics'. See: http://www.ons.gov.uk/ons/dcp171778_280451.pdf

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Only 1.4 per cent of the population identified as LGB in Wales in 2011-12. However, only 94.8 per cent identified as heterosexual, indicating that many who did not identify as heterosexual chose not to disclose their sexuality or did not identify with the options presented.

10.3   SME Competitiveness

10.3.1 Opportunity: Support for LGB businesses

Discrimination and victimisation are often cited as a barrier to wider economic participation for LGB people. A Trade Union Congress (TUC) report[88] noted that a third of all LGB workers in Wales reported harassment at work because of their sexual orientation. Further, there is some evidence from outside Wales released by Stonewall which suggests that gay men and lesbians expect to be discriminated against in the provision of financial services and there is a reluctance and anxiety amongst them to declare their sexual orientation when applying for a mortgage or insurance. Stonewall concludes by noting that gay people are more likely to seek financial services from gay service providers even if this is more expensive[89].

Research for the London Development Agency also suggested that accessing start-up capital from banks may be difficult for the LGB community as this has been the case for BAME communities who have faced discrimination from the financial sector and as a result have to rely on informal sources of finance[90].

In order for interventions across this priority to deliver disproportionate benefits to LGB entrepreneurs a strategy to focus on some of the above challenges will be necessary. Otherwise, based on current Programme documentation, it is unlikely that there will be any disproportionate effects for this protected characteristic, positive or negative

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88 Hunt, C., Davidson, M., Fielden, S. and Hoel, H. on behalf of the Equal Opportunities Commission (2007): 'Sexual harassment in the workplace: a literature review. EOC Working Paper Series no. 59'

89 Stonewall, (2007): 'A guide to your options if you have been discriminated against under the Equality Act (Sexual Orientation) Regulations 2007'

90 Gavrielides, 2007: 6

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Priority Axis 2: SME Competitiveness

Specific Objective 1 and 2

Actions include:
- Access to debt, equity and mezzanine finance, micro-finance, targeted support to employers to employ disadvantaged individuals and tailored business finance schemes

Interventions such as these could provide opportunity to support LGB Businesses, if an appropriate strategy was put into place that addressed some of the identified challenges.

Area of Impact:

- Specific Objective 1 and 2 : West Wales and the Valleys and East Wales

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10.4   Impacts across other ERDF Priority Axes

Within the other themes of the ERDF Programme, no disproportionate positive or negative impacts have been identified.

10.5   Conclusions

Overall, the impact of the ERDF Programme on people with this protected characteristic is unlikely to be disproportionately different from the impact on the population as a whole.

10.6   Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the priorities are realised by this group:

- All interventions under the ERDF Programme should be designed to be accessible to all, including people from LGB communities, who may not feel that mainstream support meets their needs. Interventions aimed to help entrepreneurs will have to be sensitive to the needs and concerns of LGB business owners.

- Additional engagement and dialogue may be required in order to ensure that these needs are properly understood. This can be developed as the Programme is finalised.

- In particular, it will be important to understand the more detailed barriers facing LGB business owners to focus support where it is needed and to tackle both instances and perceptions of discrimination wherever they arise.

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11. Welsh language

11.1 Introduction

The Welsh language has been deemed to be an integral part of the Welsh people's heritage and the Welsh Government recognises that it should be protected. The 2011 Census found that more than half a million people professed to be able to speak Welsh; this represents almost one fifth of the Welsh population.[91] The Welsh Language Act 1993 established that in the conduct of public business and the administration of justice in Wales, the English and Welsh languages should be treated on a basis of equality. The Welsh Language Board was established in 1993 to oversee implementation of the Act. It has been argued that the requirements of the 1993 Act effectively treat being a Welsh speaker as what would currently be referred to as a 'protected characteristic' and this thinking is certainly evident in various government statements. The Welsh Government's strategy documents, A Bilingual Future[92] and Iaith Pawb[93], include a commitment to:

'mainstream' the Welsh language into the policy-making processes of all Assembly Ministerial portfolios, in much the same way as has been done already with equality of opportunity…

Recent developments include the introduction of the Welsh Language Measure, which was given Royal Assent in February 2011, and which established the office of the Welsh Language Commissioner.[94] The Measure and the Commissioner effectively replace the Welsh Language Board in promoting the equality of Welsh and English in public service delivery. Organisations delivering public services in Wales are required to meet certain standards regarding the equality of treatment of Welsh and English. Taking a commitment to bilingualism forward will therefore require such standards to be followed.[95]

- The proportion of Welsh speakers is almost twice as high in West Wales and the Valleys (23 per cent) as it is in East Wales (12 per cent).
- The number of people who speak Welsh is just over half a million for the whole of Wales, representing 19 per cent of the population.
- Welsh speakers are considerably more likely to be graduates than non-Welsh speakers.[96]

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91 Welsh Government, (2012); '2011 Census: First Results on the Welsh Language'
92 Welsh Government (2002a) Bilingual Future: A Policy Statement by the Welsh Government. Cardiff: WAG.
93 Welsh Government (2003b) Iaith Pawb – A National Action Plan for a Bilingual Wales. Cardiff: WG.
94 Further details of the Welsh Language Commissioner can be found here: http://www.comisiynyddygymraeg.org/english/Pages/Home.aspx
95 Welsh Assembly Government (2010): 'The Proposed Welsh Language Measure 2010: Explanatory Memorandum'. See: http://www.assemblywales.org/ms-ld7944-em-e.pdf
96 Equality and Human Rights Commission (2011): 'An Anatomy of Inequality in Wales'

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■ Unemployment rates are lower for Welsh speakers relative to those who only speak English.[97]

11.2   Socio-demographic profile
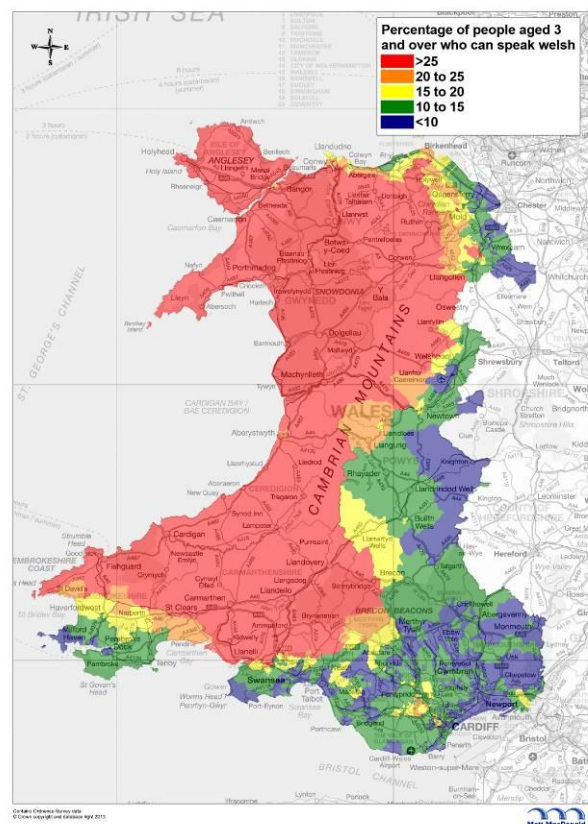
The maps below show the density and proportion of Welsh speakers across Wales.

Figure 11.1: Density of Welsh speakers
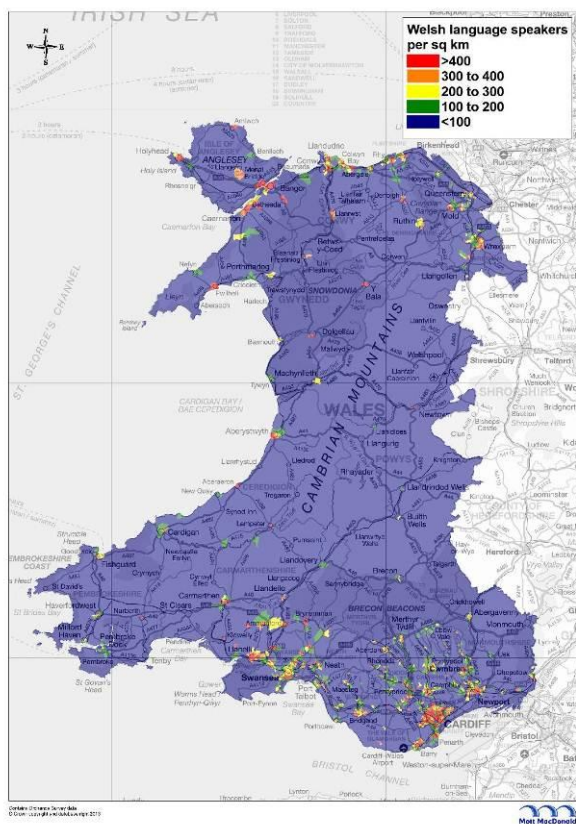
Figure 11.2: Proportion of Welsh speakers

Source: Census 2011

Source: Census 2011

The maps show that:
■ The density of the population of Welsh speakers in Wales is generally low, reflective of general low population densities across the country. There are fewer than 100 Welsh speaking people per square kilometre for most of Wales.
■ The largest populations of BAME groups are in the urban areas of north and south Wales – with greater densities in the north than other protected characteristics.
■ In particular, there are high population densities dotted around the north of Wales, in Bangor, Wrexham, Bethesda and Holyhead. There are also segregated high population densities across central and western Wales, in the towns of Newtown, Aberystwyth and Pwllheli.

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97 Equality and Human Rights Commission (2011): 'An Anatomy of Inequality in Wales'

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The higher proportions of Welsh speakers live in the north and west of the country – in much of this area more than a quarter of the population speak Welsh. These areas have traditionally higher proportions of Welsh speakers and are predominantly rural in character. The south and east of the country, including around Cardiff, Swansea and Newport as well as places such as Monmouthshire, have far smaller proportions of welsh speakers.

The table below shows the number and percentage of people who speak Welsh in each of the two Welsh regions, allowing for comparison between East Wales and West Wales and the Valleys, as well as comparison between Wales as a whole and the wider area of England and Wales.

Table 11.1:   Welsh Language Speakers

Region / area	Number	Percentage
East Wales	131,698	12%
West Wales and the Valleys	430,318	23%
Wales	562,016	19%

Source: Census 2011

This table shows that:
- The proportion of Welsh speakers is almost twice as high in West Wales and the Valleys (23 per cent) as it is in East Wales (12 per cent)
- The number of people who speak Welsh is just over half a million for the whole of Wales, representing 19 per cent of the population.

11.3   Impacts across ERDF Priority Axes

11.3.1 Impact: Support for businesses working in the medium of Welsh

Interventions within Specific Objectives of the SME Competitiveness Priority Axis have scope to further support those seeking to do business in Welsh. The overall impact, however, will be determined primarily by the way in which the Priority is implemented.

11.3.2 Impact: Infrastructure enhancements for rural Welsh speakers

People living in rural areas in north and west Wales, where many Welsh speakers tend also to be concentrated may also benefit from the focus on transport and digital infrastructure proposed within the Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)Priority Axes.

There are no clear disproportionate positive or negative impacts associated with other Priorities. Welsh speakers may benefit from many of the investments and interventions, but without more targeted action, these are unlikely to be over and above those experienced by other members of the population.

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11.3.1 Opportunity: Supporting Welsh speakers through economic development activity

Previous work undertaken by the Welsh Government suggests that 'all aspects of economic development have a direct or indirect impact on the Welsh language. But, when planning and taking action, there is added economic value to considering language development in tandem with economic development'.[98]

The Minister for Business, Enterprise Technology and Science announced the establishment of a short-term Task and Finish group to consider links between the Welsh Language and Economic Development. The group is due to report its findings in the autumn of 2013 and is intended to inform a strategy for jointly promoting the Welsh language and economic development.[99] It will clearly be important that the work of the group and any resulting strategy is used to underpin and inform the design of ERDF (as well as ESF, and RDP) interventions that could both stimulate the economy of Wales as well as supporting Welsh speakers.

The 2014-2020 ERDF Programmes offer substantial opportunities to explore and promote interventions that inter-link the Welsh language and the vitality of the Walsh economy.

11.4   Conclusions

There is some potential for positive impacts across the ERDF Programme on Welsh speakers. However, there is very little evidence to support direct disproportionate impacts on this group.

11.5   Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the Priorities are realised by this group:

- Providing services in Welsh, or providing an option to interact with delivery organisations in Welsh, will be the core means by which Priorities within the ERDF Programme can support those choosing to conduct themselves in Welsh. The Themes of the SME Competitiveness Priority in particular have scope to further support those seeking to do business in Welsh. The overall impact, however, will be determined primarily by the way in which the Priority is implemented.

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98 Economic Development and the Welsh Language. A Programme of Action. Welsh Assembly Government [Undated].

99 Source: http://wales.gov.uk/about/cabinet/cabinetstatements/2012/welshlanguageeconomicdev/?lang=en

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- Proactive steps should be taken to identify and build on good practice under the 2007-2013 ERDF in relation to interventions that focus on promoting the opportunities and inter-relationships that exist between economic development and the Welsh language. This will also need to take account of the work commissioned by the BETS Minister via the Welsh Language and Economic Development task and finish group.

- People living in rural areas in north and west Wales, where many Welsh speakers tend to be concentrated may also benefit from the focus on digital infrastructure proposed within this Theme. It will, therefore, be important to ensure that the capability to offer support bilingually is made available in those areas where it is most likely to be required.

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12. Paying 'due regard' to equality

12.1 Introduction

The overall aim of this report is to provide an assessment of the potential positive and negative impacts of the 2014-2020 Structural Fund Programmes on people with the nine characteristics protected under the Equality Act 2010 (as well as the Welsh language). However, the report is also intended to provide an assessment of the extent to which WEFO complied with the requirements of the Public Sector Equality Duty (PSED), which requires public bodies such as Welsh Government to pay due regard to the following three areas:

- To eliminate unlawful discrimination.
- To promoted equality of opportunity.
- To foster good relations between people with protected characteristics and others.

The assessment team has undertaken this EIA with the co-operation of colleagues at WEFO. The key aims of the process were to:

- understand where and how equality was considered as part of the development of the Programme;
- appraise the evidence and records kept by WEFO to document that process; and ultimately;
- evidence WEFO's compliance with the Equality Act 2010 and PSED as part of the development of the draft Programme documents.

12.2 Embedding equality into the Programme development process

This section of the report discusses the extent to which WEFO have complied with the public sector equality duty to show 'due regard' to equality. It primarily considers the measures taken by WEFO to ensure that equality was properly considered in the development of the 2014-2020 Programmes. This section covers both structural fund Programmes as it concerns not the specific content of the Programmes, but the measures taken to embed equality in the Programmes overall – which took the form of a single process covering both the ESF and ERDF.

Ensuring a detailed understanding of equality requirements

- The inclusion of 'Equal Opportunities' as a Horizontal (or Cross-Cutting) Theme of the 2014-2020 Programme was mandatory, set out by the European Commission. From the outset, therefore, the team at WEFO were made aware of the need to include equality considerations in producing the Programme consultation documents.

- WEFO has a dedicated CCTs team, as well as Programme and research staff with expertise specifically focussed on equality. This is advantageous for WEFO as every aspect of the work carried out by the department is reviewed by the team from an equality perspective. The CCTs team was part of the work undertaken for both the ESF and ERDF Programmes. The work looked closely at the potential activity to be funded in 2014 from an equality perspective. This process was enhanced by the

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requirements for Gender Mainstreaming and Equal Opportunities being identified as mandatory requirements within the Programmes.

- It should be emphasised that involvement of equality and diversity specialists has, therefore, been continuous – with Programmes constantly undergoing change – as the following evidence documents:
  - Briefing papers and guidance for WEFO team members on equal opportunities and the requirements of the CCTs.
  - Minutes of meetings highlighting the emphasis placed on equality by WEFO when dealing with project sponsors.

- That said there is clear evidence that the inclusion of equality in the development of the Programmes goes beyond the minimum requirements demanded by the Commission. The team have clearly sought out opportunities to support and enhance opportunities for equality (in the past even taking it upon themselves to commission projects with an equality focus where these were lacking).

Incorporating equality into the evidence base

- Equality was included in the development of the evidence base to support the proposed ERDF Programmes in the following ways:
  - It was purposefully incorporated into the strategies and summaries, with dedicated sections on how each Priority contributes to the achievement of the CCTs.
  - It was also used as a way of disaggregating data as part of the development of the research summaries. The summaries provided large quantities of evidence on different protected characteristics to Programme developers.
  - Equality-based analysis was undertaken and incorporated into the evidence reviews, including the disaggregation and circulation of research-based evidence.by the team at WEFO to other Welsh Government colleagues.
  - Socio-economic analysis was used to show challenges and issues for particular groups.

Incorporating learning from assessments of previous Programmes

- Over the last five years an on-going series of review meetings has helped to improve the European Programmes delivered in Wales. Assessments of a range of projects have been undertaken from the perspective of the Equal Opportunities CCT and learning around project delivery has been substantial.
  - Assessments have included reviews of projects focussed on encouraging girls to engage with STEM subjects, the participation of women in economic activity and rail service improvements. The assessments included development of a series of recommendations around project promotion and targeting, setting and working towards equality goals, and monitoring and evaluation processes.

- Programme-level evaluations have also been undertaken throughout the 2007-2013 Programme period. These have included contractor and/or sponsor presentation sessions, detailing their findings from undertaking the projects.

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- In addition to evaluating both projects and Programmes from an equality perspective, the 2007-2013 Programmes for both ESF and ERDF were subject to an extensive EIA process. Initially covering the three public sector equality duties covering (gender, ethnicity and disability), and later expanded to cover age, religion, sexual orientation and gender identity, the EIAs provided a series of recommendations for project sponsors, developers and delivery bodies in implementing the Programmes going forwards.

- Monitoring data from the 2007-2013 Programmes regarding equality was also incorporated into future Programme design processes. For example, business ownership and management data has been disaggregated by equality group, generally covering age, gender, disability, and ethnicity wherever possible.[100] Within the previous Programme no such data was recorded and this therefore represents a substantial step forwards in terms of capturing monitoring and evaluation data.

Development of processes designed to assure inclusion of equality.

- The Programmes were reviewed by the Equality, Diversity and Inclusion Division within the Welsh Government, which concluded that lessons learned regarding equality had been incorporated into the design and development of the new Programmes.

- Equality was also incorporated in the brief and the methodology for the Ex-Ante evaluation of the 2014-2020 Programme. As part of the process, the equality CCT was assessed by an independent equality practitioner with a track record of undertaking equality analysis. There is clear evidence that emerging commentary from the Ex-Ante evaluation of the Priority papers and the CCTs has been incorporated into the draft consultation documents. This included improving the consistency of terminology relating to equality and the protected characteristics.

- Throughout the life of the 2007-2013 Programmes, equality specialists working within WEFO have been represented within every aspect of the business. This has ensured that the equality or CCT 'agenda' has been an integral part of the learning process and day to day work that all WEFO staff experience. This has led to equality (and the CCTs generally) having a higher profile when discussions are taking place regarding the development of the new Programmes. While equality is not always seen as an integral part of all projects, the team felt that there had been a shift in both awareness and understanding in terms of the need to consider equality.

- The CCT team has delivered training to WEFO staff on the integration of equality into Programme development and delivery, as well as how to use the CCT guidance (also developed by the CCT team) to assess project plans. The CCT team also run work shadowing days for all new WEFO staff to give them an understanding of how the

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100 Data about other protected characteristics – such as gender identity, sexual orientation, religion, and marital status – was not available to include due to availability of data and issues surrounding privacy and data protection.

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work of the team fits into the work of WEFO as a whole. Feedback from these days has been very positive, helping staff to understand where equality fits within the overall scheme of work.

Integration at the project level

- As is noted in the CCT chapter of the draft Programme documentation, implementation of the ESF and ERDF Programmes at a project level has not always succeeded in delivering the equality outputs and outcomes, so clearly integrated at the strategic level. Achievement of stated equality targets in some Priorities has often been poor, with some sponsors proving to be unreliable.

  It should be noted, though, that even this has generated learning for project developers and the WEFO team. Particularly concerning the gathering of intelligence on the organisations with which the Programmes can and should interface, and the nature of the working relationships that need to be established to ensure that equality outcomes are achieved.

Engagement with representative parties

- In the various work streams underpinning the development of the Programme, representatives from a range of advocacy and representative groups (especially from gender groups) were included. Those invited to participate include the EHRC, women's organisations such as Chwarae Teg, trades union bodies and universities. Meetings with Welsh language representatives were also undertaken.

12.2.1 Limitations

It should be noted that the content of the Programmes themselves is partly dependent on other parts of the Welsh Government (WG). WEFO does not write policy and is reliant on other departments to ensure that their policies are equality impact assessed. It should be remembered that some policies that existed prior to the introduction of the Equality Act 2010 may not have been assessed in full, or even at all.

12.3   Summary

Overall, it is clear that the process of developing the 2014-2020 ESF and ERDF Programmes for Wales has included extensive consideration of equality. This is grounded not only in knowledge of the legal requirements regarding equality for public bodies in Wales and the UK, but also in a genuine commitment to maximise equality outcomes for different sections of the population.

This process has been carefully documented by WEFO CCT team members with the aim of incorporating learning into the development of the new Programmes. In particular, evidence from the on-going review process covering all layers of the Programme and its delivery has been used to inform how the CCTs are integrated into the current Programme.

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13. Conclusions and recommendations

13.1 Overview

This final chapter draws together the findings of the research undertaken as part of this EIA. It provides:

- a **summary** of the impacts by protected characteristic and by ERDF Priority Axis;
- a set of **conclusions** across all protected characteristics regarding the 2014-2020 ERDF Programmes as a whole; and
- a series of **recommendations** designed to support the further development and implementation of the Programmes and ensure that equality of opportunity is maximised.

13.2 Summary of impacts

This section provides a summary of impacts on people with each of the protected characteristics covered by the Equality Act (and speakers of the Welsh language), as well as on the Priority Axes of the proposed ERDF Programme – it is designed to summarise where impacts will be felt and by whom.

The table below summarises the impacts and opportunities of each Priority Axis on each protected characteristic covered within this report. Impacts are coloured in red and opportunities in green.

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Table 13.1:   ERDF Impacts by Protected Characteristic and Priority Axis

Protected Characteristic	Priority Axis 1: Research and Innovation	Priority Axis 2: SME Competitiveness	Priority Axis 3: Renewable Energy and Energy Efficiency	Priority Axis 4: Strategic Infrastructure
Age		Impact: Improving access to finance for younger people	Impact: Supporting older people through measures to tackle fuel poverty	Impact: Improving access to jobs and training for young people
		Impact: Supporting young entrepreneurs through advice, support and guidance	Impact: Indirect benefits for children and older people through air quality improvements	Impact: Supporting transport accessibility for older people
		Opportunity: Supporting older entrepreneurs in the digital economy	Opportunity: Supporting employment in the energy sector for young people	Opportunity: Improving digital connectivity for older people
Disability		Impact: Support for disabled entrepreneurs	Impact: Alleviating fuel poverty for disabled people	Impact: Employment and social mobility benefits of improved transport networks
Gender reassignment				
Marriage and civil partnership				
Pregnancy and maternity				
Race and ethnicity	Opportunity: Capitalising on untapped potential in BAME communities	Impact: Supporting SMEs owned by members of BAME communities		Impact: Improving access to employment through transport infrastructure
Religion and belief		Opportunity: Improving access to business finance for Muslim-businesses		
Sex	Impact: Promoting STEM subjects amongst women and girls	Impact: Supporting women in business		Impact: Supporting women with childcare responsibilities
Sexual orientation		Opportunity: Support for LGB businesses		
Welsh language speaker		Impact: Support for businesses working in the medium of Welsh		Impact: Infrastructure enhancements for rural Welsh speakers
	Impact: Supporting Welsh speakers through economic development activity			

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13.2.1 Impacts by protected characteristic

Because of the extent of the integration of equality considerations in the development process, it is highly unlikely that there will be any disproportionate negative impacts on any of the characteristics protected by the Equality Act 2010, or on speakers of the Welsh language (as covered by the Welsh Language Act) as a result of the 2014-2020 ERDF Programmes. The Programme is directed towards improving economic competitiveness (an area in which many members of equality groups struggle) through improved business support, infrastructure and sector focus where appropriate. Therefore, while it is far from the case that every measure proposed within the Priority Axes and the Specific Objectives of the Programmes will have explicit *positive* equality impacts; effects are highly likely to beneficial overall.

This EIA has identified that some protected characteristics are particularly likely to be beneficiaries of the ERDF Programme. Within the Programmes, there is scope for business support and finance opportunities to be used to improve the numbers of women, disabled people, young people and some BAME and religious groups with regard to new enterprises and SME growth.

ERDF-funded transport and ICT projects need to have access issues at their heart (especially concerning disabled people and older people who may experience additional barriers to access and engagement), and reflect an integrated and inclusive approach. Similarly, funding for physical developments needs to maximise the potential for positive equality impacts that physical infrastructure can yield. This will involve not limiting equality considerations to mitigating adverse impacts, but to including ways to maximise opportunities to integrating equality in a more holistic way

It is, however, equally likely that, without appropriate focus and targeting of resources at particular groups (such as disabled people, people from BAME groups, LGB people and trans people), there will be a number of missed opportunities with regards equality. This is particularly the case for those characteristics for which there is very little evidence from which to direct ERDF-funded activity, such as gender reassignment and sexual orientation. The situation is similar with the ESF Programmes and this is discussed further in the recommendations below.

13.2.2 Impacts by Priority Axis

The key priorities for the ERDF Programme are outlined in table 13.1 below:

13.2.2.1 Priority Axis 1: Research and Innovation

Impacts under Priority Axis 1 are limited and the 'Equal Opportunities' Horizontal Theme is less apparent than in other areas covered by the ERDF Programmes. For example, the emphasis on research and innovation within universities suggests that there may some benefits for younger people in particular, but this is not always clearly defined.

The primary impact of this Priority Axis is focussed on the scope that it provides for further positive impacts as a result of maximising the use of previously untapped resources within particular community or groups (such as women, BAME groups, disabled or older people) who may experience barriers to engaging with this kind of activity.

13.2.2.2   Priority Axis 2: SME Competitiveness

Priority Axis 2: SME Competiveness provides a key positive impact to a range of protected characteristics. Many people with protected characteristics face barriers to starting a business, business expansion, access to credit and capital or engaging in other enterprise activity. These barriers are often focussed around access to start-up finance and on-going support services. The Priority therefore has the scope to have positive impacts on various groups including women, younger and older people, people from BAME communities, LGB and trans people, and people from minority religious groups.

13.2.2.3   Priority Axis 3: Renewable Energy / Energy Efficiency

Priority Axis 3 contains a number of key measures that do not necessarily have disproportionate impacts on people with protected characteristics. However, promoting energy efficiency and supporting schemes designed to deliver efficiency modifications to social housing and privately-owned residences is likely to have positive financial impacts on equality groups who are more likely to be on low incomes such as disabled people and older people.

Consciously tackling fuel poverty – another factor that disproportionately affects certain equality groups – will help to improve quality of life for, for example, disabled and older people.

Finally, indirectly, expanding the energy sector has the scope to increase jobs available in Wales which may help to alleviate issues such as youth unemployment.

13.2.2.4   Priority Axis 4: Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)

Connecting people with jobs is a key priority in Wales and Priority Axis 4 targets a number of areas where connectivity is impacting economic performance. Many protected characteristic groups (notably, younger people, older people, certain BAME groups, disabled people and women) have less access to private transport and are more reliant on public modes, which can create challenges to getting and remaining involved in the labour market and pose the risk of both economic and social exclusion.

Investment in sustainable transport modes is, therefore, likely to result in disproportionate benefits for those most reliant on public transport, opening up more options for participation in employment, education and other social activities. In order for any interventions to effectively increase participation, the potential safety concerns of members of these groups will also need to be addressed within delivery.

13.3   Conclusions

The development of the ERDF Operational Programmes for East Wales and West Wales and the Valleys demonstrates an integrated approach to equality on the part of the Welsh Government. The conclusions outlined below consider particular aspects of the Programme including: legislative compliance and contribution to strategic goals; integration of the Horizontal Themes; the Programme in the two Welsh regions; and the importance of implementation.

13.3.1 Overall assessment of impact

The Welsh Government has provided Programmes for investment in business and infrastructure that has potential to benefit some people with protected characteristics.

It is the conclusion of the EIA team that the ERDF Operational Programmes in East Wales and West Wales and the Valleys for the 2014-2020 period will result in broadly positive impacts for people with protected characteristics. Some of these impacts will fall on all eligible people in these areas (including people with protected characteristics), and others will fall disproportionately on certain protected groups. In tandem with this, it is the view of the assessors that there are unlikely to be any disproportionate negative impacts on any protected characteristics.

However, it is also the view of the assessors that the benefits of the Programmes to certain groups are not always apparent. In particular, some potential impacts will not be felt unless measures are taken as part of Programme and project implementation to ensure appropriate focus and adequate accessibility.

In addition, the impacts of the proposed Programmes are less extensive than those for the accompanying ESF Programmes. This is due to the areas of intervention covered by the Priority Axes – the focus on research, energy, and infrastructure are likely to have fewer direct impacts than a focus on employment and skills. The potential positive impacts of the 2014-2020 Programme are most likely to be realised if they are accompanied by the effective implementation of the Programme.

13.3.2 Contribution to policy and strategic goals

The 2014-2020 ERDF Operational Programmes have the capacity to contribute to the achievement of European, UK and Welsh ambitions regarding equality – particularly the achievement of the aims of the PSED to tackle discrimination, promote equality of opportunity and (to a slightly lesser extent) foster good relations between social and demographic groups.

There are a number of measures within the Programme – including a number of proposed activities within the 'SME Competitiveness' Priority Axis – that can have direct positive impacts. In addition, sustainable transport measures within the 'Connectivity and Sustainable Urban Development (WWV) /Connectivity (EW)' Priority Axis and domestic energy focussed interventions within the 'Energy Efficiency' Priority Axis have the potential to have less direct positive benefits on people with protected characteristics. If

implemented appropriately they *could* address various issues facing these groups and as such result in long term positive impacts. These will help to address inequalities in the delivery of public services, and support people with protected characteristics to become economically engaged.

In this way the Programme also has the potential to contribute to the achievement of the Europe 2020 goals by supporting the European platform against poverty, which is designed to ensure economic, social and territorial cohesion, guarantee respect for the fundamental rights of people experiencing poverty and social exclusion, and enabling them to live in dignity and take an active part in society. It can achieve this by supporting five of the Thematic Objectives set by the European Union for the Structural Funds for 2014 – 2020 namely:

- (1) strengthening research, technological development and innovation
- (2) enhancing access to, and use and quality of, information and communication technologies
- (3) enhancing the competitiveness of small and medium-sized enterprises
- (4) supporting the shift towards a low-carbon economy in all sectors
- (9) promoting social inclusion and combating poverty[101]

Overall, the draft ERDF Programme documents for 2014-2020 fulfil the requirements of the PSED to show due regard to the protected characteristics, and demonstrates clear integration of equality considerations within its development.

13.3.3 Integration of the Horizontal Themes

A key way of delivering equality through the ERDF Programmes is via the Horizontal Themes. The Themes are mandatory and set by the European Commission; this fact partly explains such a high degree of integration of the equality and sustainability themes within the ERDF (and ESF) Programmes.

There is clear recognition on the part of WEFO that 'overcoming inequalities contributes to the overall effectiveness of CSF funds'. By adopting 'Equal Opportunities' alongside 'Sustainable Development' as the Horizontal Themes for the 2014-2020 ERDF Programme, the Welsh Government has placed social issues at the centre of its strategy. This follows a strong track record of Programme level integration of equality, and reflects a changing national policy landscape that places equality firmly within the accepted suite of appraisal and assessment tools. However, there still remains an acknowledged gap between the extent of integration of equality considerations into Programme-level strategy and project-level implementation and delivery.

A key next step for the Welsh Government, therefore, will be to work with projects and their sponsors to establish realistic and reliable mechanisms for monitoring and evaluating the impact of projects that are funded under the new Programme to ensure that the objectives of the 'Equal Opportunities' Theme is achieved.

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101 See: http://www.estlat.eu/2014/thematic-objectives/

Overall, the 'Equal Opportunities' Theme has been reasonably well integrated into the ERDF Programme document. There is some evidence of gaps and a number of Priority areas make no substantive mention of issues relating to equality beyond outline reference to the Theme. This suggests a lack of integration in practice. This is partially explained by the smaller area of overlap between the content of the Programme document and the equality agenda, but in some cases the need to consider equality appears to be more of an additional consideration than a fundamental principle of Programme design.

To understand the impact of the 'Equal Opportunities' Theme going forward, WEFO will need to assess in a practical and measurable way, the extent to which the ERDF Programme is successful in advancing the equality of opportunity for the groups protected by the Equality Act, tackling discrimination against them, and fostering cohesion between them. This is considered within the recommendations below.

13.3.4 Implementation arrangements

It is the view of the EIA team that the Programme has the potential to realise benefits for some equality groups. However, in the vast majority of cases, the positive impacts are reliant to a great extent on the way in which they are delivered.

WEFO has, in the past, recognised that it was at the implementation phase that delivery on equality ambitions was most lacking. Implementation, therefore, will be one of the most important areas to consider in terms of equality.

This is reflected in the individual chapters, the conclusions of which urge careful consideration of the requirements of people with different protected characteristics when delivering the actions under each Priority Axis. These recommendations also draw attention areas where protected characteristics intersect (for example older LGB people, young disabled people, or BAME women), which may result in multiple barriers to engagement, both with labour and skills markets, and with the ERDF Programme itself.

13.3.5 Impacts across East Wales and West Wales and the Valleys

The impacts of the ERDF Programmes are not shared evenly across the two Welsh regions of East Wales, and West Wales and the Valleys. The 2014-2020 Programme places far greater emphasis on West Wales and the Valleys, which is likely to receive around six times more funding than East Wales.

This level of focus inevitably means that several of the impacts discussed in this assessment will not be felt across Wales; they will be far more limited, albeit to the parts of the country designated as 'less developed' due to their more significant equality challenges.

13.4 Recommendations

Based on the findings of the EIA and the analysis undertaken in compiling this report (and specifically on the conclusions set out in this chapter) we propose the following

recommendations for the further implementation of the ERDF Programme for the 2014-2020 programming period. We anticipate that some of these recommendations will be familiar to WEFO and may have been deployed on previous Programmes

1. **Recognise the need for a range of approaches for people with protected characteristics in the further development of the Programmes.**

   There are a range of different challenges facing the various social groups covered by this EIA. Where possible, therefore, ERDF-funded interventions should be able to be tailored to the particular protected characteristics and the specific socio-economic circumstances in question.

   Many of the interventions proposed within the Programmes will only deliver disproportionate positive impacts for equality groups if measures are tailored to accord with needs of different protected characteristics. Tailoring access to finance and business support services to meet the differing needs of younger people, older people, BAME groups and disabled people, for example, will be pivotal to ensure that enterprise growth is underpinned by diversity. It is also important to recognise faith-based differences and the impacts that these can have; for example, consideration should be given to how best to encourage project sponsors to engage with Muslim-owned small businesses to help them gain access to finance and adhere to the banking practices required by Sharia law. Failure to address these group-specific barriers to employment / business will result in the risk that entrenched challenges and comparative economic exclusion persist.

   Account should also be taken of those instances where protected characteristics intersect – for example, disabled young people or from BAME communities or women from certain faith groups or of different ages – and it should be recognised that responding to diverse and often multiple needs may require a variety of approaches.

   Recognising the diverse needs of different groups of people is itself an opportunity to ensure that the Programmes truly match the needs and aspirations of modern Wales.

2. **Develop and maintain a rigorous monitoring and evaluation strategy with specific equality objectives and indicators for measuring progress against them.**

   In order to ensure that the diverse needs of people with protected characteristics are taken into account a regime of monitoring and evaluation is strongly recommended which should include clear guidelines and performance indicators drawn from the development of a logic model and evaluation framework in the first instance.

   It will firstly be essential for the Welsh Government to establish a clear set of equality objectives alongside a set of guidelines for achievement that relates directly to the implementation of the Programmes, as well as the projects that are funded. WEFO may wish to ask for evidence on the part of implementation bodies (including projects sponsors and delivery organisations) that demonstrates awareness of the additional challenges faced by certain groups in securing employment or in accessing learning,

accompanied by a plan to demonstrate how they intend to work to overcome those barriers within the project.

WEFO could also give further thought to the establishment of a clear set of indicators for measuring delivery against equality objectives within specific interventions. Requiring projects to define a clear set of objectives regarding delivery to equality groups, and proposals for measuring them would provide a means of better holding sponsors, developers and delivery organisations to account, and more closely link strategy with delivery at a Programme level. A rigorous monitoring and evaluation strategy underpinned by equality disaggregated data will increase the likelihood that projects will actively pursue equality aims.

Finally, to further support equality of access, equality monitoring and evaluation, as well as regular reviews of both the Programmes and of individual projects will help to identify potential expected or unexpected barriers facing protected groups and to understand whether the Programmes are benefitting all people with protected characteristics within the target client group.

3. Maximise Programme accessibility through a targeted and tailored communication strategy.

To further ensure that the needs of different groups are met, there is a need to support accessibility for people with all protected characteristics to enable them to fully benefit from the ERDF Programmes in East and West Wales. As such, a range of actions should be considered and focussed around the development of a communications strategy that incorporates equality considerations.

Information format

First and foremost, information about the Programmes needs to be available in different languages and formats in order to ensure accessibility for, for example:
- some disabled people, for example, as Braille or through British Sign Language, or as Easy Read, to ensure it is accessible, particularly for people with varying literacy levels; and
- some members of BAME groups for whom English is not the first language

The publication of (or readiness to provide as required) materials in relevant languages (and particularly in Welsh, to meet legal requirements) demonstrates readiness to support people in the language of their choosing. The accessibility of websites, printed materials, meeting venues, and other key points need to be accessible to a range of groups. Such information also needs to be culture proofed to ensure that the information is relevant to people from different cultural backgrounds.

Additionally, in ensuring that all communication is accessible to disabled people and people from different BAME groups, stakeholders have urged that all 'standard' information pertaining to the Programmes be provided in Plain English and Cymraeg

Clir.[102] This will help to ensure that people who can read English or Welsh, but do not have the skills to understand complex information can understand Programme-related information.

Information dissemination

It will secondly be essential to consider how different groups access information (and the barriers that they face in doing so) to ensure that those with protected characteristics are not excluded from the benefits of ERDF investment in SMEs, infrastructure, energy and research. Reaching older people, disabled people, certain minority ethnic groups and also the LGB and trans population can sometimes be more challenging and mechanisms will need to be developed to ensure these groups are engaged.

The method for sharing information about the Programmes needs to be appropriate, so as to reach each protected characteristic. Use of a range of media is recommended to achieve this and while the internet is a valuable tool, it may not be accessible to all groups, or the most effective method of communicating the Programmes. The use of social media may have a greater impact amongst younger people, while the niche press may reach other groups (for example, the Pink Press has a niche LGB and trans audience). The internet should not be relied on as the sole medium for promotion.

It is further recommended that representative organisations (ranging from national charity bodies to religious and community leaders) are consulted to identify the most appropriate method for dissemination. Liaison with representative groups can be an effective way of securing buy-in and the importance of face to face engagement with some groups should not be underestimated.

4. **Actively engage with equality organisations and groups representing those with protected characteristics.**

As well as working with representative, third sector and equality organisations as part of a wider communication strategy, there is a need to further engage on Programme content and project delivery as the Programmes are finalised and launched.

This will be particularly important as Programme development moves into its final stages for 2014-2020. Further work may need to be undertaken to ensure that the members of equality groups, and those who represent their interests (such as community forums, religious organisations, charities and support groups), are engaged over the content and objectives of the Programmes. This will help WEFO to understand first-hand the concerns of those groups, and where the ERDF Programme can help. It will also help to refine Programme content further and in this respect the consultation phase provided a starting point for the engagement of key stakeholders.

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102 See, for example:
http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=6522

5. Use existing networks and resources to support delivery on equality of opportunity.

During consultation stakeholders suggested that the Programme delivery process could make use of a range of existing networks and it is therefore recommended that all existing resources are used to support Programme delivery.

These include networks built up around local authority Equality Officers. It was felt that this would help to improve the potential for people with protected characteristics to access the Programmes. This could be achieved more effectively if support structures, similar to the Specialist European Teams that operated in the 2007-13 programmes, were to exist during 2014-2020.

Additionally, the use of new networks could help improve access to the programmes. For example:
- In south west Wales, the Unity Project provides support to LGB and trans people aged over 50 as well as young people through its Future Plus programme.
- In Pembrokeshire a Gender Identity group and corresponding support group have been established, which provides support for health, economics, personal safety, education, welfare and other issues.

In addition, the networks and resources of the third sector could also be utilised to enable project sponsors to support equal access for people with all protected characteristics.

6. Encourage the use of gender and equality proofing techniques in project delivery.

The risk remains that positive steps around equal opportunities at the strategic phase are not carried through into project delivery. One possible reason for this is poor project design. During consultation, third sector stakeholders suggested that projects undergo a process of gender proofing to ensure that promotional materials do not unintentionally exclude women. It is recommended that this process be undertaken and that it be extended to other protected characteristics wherever possible and appropriate.

7. Expand equality training provision to cover project sponsors and delivery organisations.

Further to the point above, the potential for equality failings as a result of inadequate knowledge or experience is also a risk. Project providers will need to be equipped with the skills and knowledge to deliver inclusive Programmes and deal with any equality related issues sensitively to maximise the benefits to participants. It is therefore recommended that WEFO provide a Programme-wide suite of equality training to minimise the barriers to access for beneficiaries.

Training could accommodate a range of issues from design of communications and beneficiary research to addressing discrimination and hate crime.

8. **Encourage delivery bodies, project sponsors and other interfacing organisations to develop their own equality credentials.**

There is scope for WEFO to positively engage with the organisations who contribute to the delivery of the Structural Fund Programmes to encourage them to develop their own equality and diversity polices. WEFO may wish to consider developing a supplier policy that includes specific requirements regarding provision for people with protected characteristics. The Equality Advisors within WEFO should continue to reinforce a 'culture of equality analysis', where undertaking an assessment of activity to explore the impact on people with protected characteristics is fully normalised, and part of project review and evaluation processes.

9. **Draw on the untapped potential of particular groups**

There is presently little evidence to suggest that measures proposed under the Research and Innovation priority will deliver disproportionate positive impacts for equality groups. This is not a criticism as there are other avenues within the ERDF Programme which are more appropriately aligned with promoting equality and diversity. However, there are still opportunities within the Priority; for example, maximising untapped potential from groups which tend to be under-engaged and under-utilised. Research undertaken by the Organisation for Economic Cooperation and Development (OECD) suggests that there is considerable scope to do this, particularly by drawing on the strengths of ethnic minority communities.[103]

13.5   Summary

The Welsh Government has a strong track record in integrating equality, which has been recognised by the European Commission. Its focus must now be on ensuring that its projects deliver on its ambitions for closing the gap between different equality groups. If that can be achieved, the 2014-2020 ERDF Programmes have the capacity to deliver the improvements to business support, sector support and infrastructure necessary for growth for the economy and the people of Wales.

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103 See, for example: OECD (2012): 'Untapped skills: realising the potential of immigrant students' and OECD (2010): 'Fulfilling promise'

Appendices

Appendix A.   Policy Context

A.1.   Introduction

This chapter outlines the equality policy context – at European, UK and/or British, and Welsh administrative levels – for the 2014-20 Structural Fund Programmes and the ERDF Programme in particular. It details the policy and strategy documents, and the goals and objectives set by the different authorities with regard to equality. The delivery of these goals must be supported as part of the implementation of the ERDF Programme in East Wales and in West Wales and the Valleys.

Equality, in Europe, the UK[104] and in Wales, has undergone a transformation from an emerging and poorly defined policy area in the 1970s and 1980s to its current role as a key aspect of the policy-making process. The growing emphasis on equal opportunities as a strategic area of concern has come to be reflected in European funding Programmes, not as a single priority, but as a cross-cutting or horizontal priority, an underlying principle which should be comprehensively embedded into policy, programming and project delivery.

A.2.   European Policy

European policy on social and economic issues is focussed around the Europe 2020 strategy and its various associated documents, detailed below. In terms of equality, EU policy is focussed around the various non-discrimination directives of EU Labour Law. These form part of the legal compliance process regarding employment and are also outlined below.

A.2.1. Europe 2020

Europe 2020 is the European Union's growth strategy for this decade. It is based around delivering growth that is:
- smart, through more effective investments in education, research and innovation;
- sustainable, with a move towards a low-carbon economy; and
- inclusive, with a strong emphasis on job creation and poverty reduction.

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104 Throughout this report the terms United Kingdom (UK), and Great Britain, or Britain (GB) are used to describe the policy, strategy and intervention activity being undertaken at the 'Nation State' level. Equality policy in the UK, while it has been radically simplified in many ways, remains complex due to the on-going process of devolution occurring in Scotland, Wales and Northern Ireland. While the focus of this EIA report is equality policy and practice in Wales, national policy is enacted covering a range of levels including 'England and Wales', Great Britain (including England Wales and Scotland) and the UK (including Northern Ireland). Frequently the terms are used interchangeably and this report has been developed to avoid any ambiguity wherever possible.

Inclusivity is key tenet of equality, particularly when it comes to tackling structural challenges, and public bodies including the Welsh and UK Governments as well as various local authorities refer to them interchangeably.

Within Europe 2020, 'inclusive growth' has a number of targets, the overall aim being to raise the European employment rate, with particular focus on increasing jobs for women, young people and older workers. Its core aims include helping people of all ages with access to skills and training, modernising labour markets and welfare systems and ensuring the benefits of growth reach all parts of the EU. By 2020, the aim is for 75 per cent of 20-64 year-olds to be employed, the school drop-out rate to be below ten per cent, at least 40 per cent of 30-34 year-olds completing third level (higher or degree level) education and for there to be at least 20 million fewer people in or at risk of poverty and social exclusion – conditions closely linked to inequality.

There are two key EU initiatives which are linked to these targets.
- The first is an agenda for new skills and jobs, for individuals to acquire new skills and adapt to the changing labour market and modernising labour markets to raise employment levels, reduce unemployment, raise labour productivity and ensuring the sustainability of Europe's social models.
- The second initiative is a European platform against poverty, ensuring economic, social and territorial cohesion, guaranteeing respect for the fundamental rights of people experiencing poverty and social exclusion, and enabling them to live in dignity and take an active part in society and mobilising support to help people integrate into the communities where they live, get training and help to find a job and have access to social benefits.

Welsh ERDF Programme proposals for Europe 2020 prioritise employment and skills for all citizens, with a strong and specific focus on younger people (primarily on ages 0-3 and 16-24).

A.2.2. Youth Opportunities Initiative

The Youth Opportunities Initiative, run by the European Commission, aims to help young people who are not in employment, education or training (referred to in the UK as NEETs), by providing the means for them to acquire important skills and experience. These may be gained by returning to school, entering training, or gaining work or volunteering experience.[105]

The initiative aims to promote youth employment through:
- greater use of the European Social Fund;
- the implementation of innovative approaches;
- making it easier for young people to find jobs in another EU country;

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[105] European Industrial Relations Observatory On-line (2012): 'Commission Launches Youth Opportunities Imitative'. See: http://www.eurofound.europa.eu/eiro/2012/01/articles/eu1201011i.htm

- stronger partnerships between political authorities, business and trade unions at EU, national, regional and local levels; and
- policy guidance and assistance from the European Commission.

A.2.3. European Disability Strategy 2010-2020

The European Disability Strategy 2010-2020 was adopted in November 2010. The strategy asserts that persons with disabilities have the right to participate fully and equally in society and the economy and recognises that denial of equal opportunities constitutes a breach of human rights. Yet it also recognises that people with disabilities are generally poorer than other citizens of the EU, fewer of them have jobs, their opportunities to enjoy goods and services such as education, healthcare, transport, housing, and technology are more limited. On-going discrimination as well as physical and attitudinal barriers affect one in six citizens of the EU, or around 80 million people.[106]

As such, the European Commission identified eight key areas for action:
- **Accessibility** to ensure access to goods, services including public services, and assistive devices for people with disabilities.
- **Participation** to enable disabled people to enjoy all the benefits of EU citizenship, remove administrative and attitudinal barriers to full and equal participation and provide quality community-based services, including access to personal assistance.
- **Equality** in order to eradicate discrimination on grounds of disability throughout the EU.
- **Employment** to enable many more people with disabilities to earn their living on the open labour market.
- **Education and training** to increase the number of disabled and severely disabled people in education and training thus promoting inclusive education and lifelong learning for pupils and students with disabilities.
- **Social protection** to promote decent living conditions for people with disabilities.
- **Health** to foster equal access to health services and related facilities for people with disabilities.
- **External action** to promote the rights of people with disabilities within the EU external action, including EU enlargement, neighbourhood and development programmes.

A.2.4. Strategy for Equality between Women and Men 2010-2015

On 21 September 2010 the EU published its new five year gender strategy. This sets out five key priorities for EU action in the field of gender equality for the next five years:
- equal economic independence – reconciliation between work and family life;
- equal pay;
- equality in decision-making;
- an end to gender based violence; and
- gender equality in foreign policy.

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106 European Commission (2012): Breaking down barriers for disabled people - 15/11/2010', See: http://ec.europa.eu/news/justice/101115_en.htm

A.2.5. EU Labour Law

The EU has an established body of labour law which includes a series of directives aims at promoting equal treatment and removing discrimination.

A.2.5.1. Racial Equality Directive (Directive 2000/43/EC)

EU Directive 2000/43/EC is the EU's main directive regarding equal treatment between persons, irrespective of race. It forbids all direct or indirect discrimination based on race or ethnic origin, as well as harassment, and any discriminatory behaviour by one person against another.

The Directive applies to all persons and to all sectors of activity, regarding:
- access to employment and to unpaid activities, specifically during recruitment;
- working conditions, including concerning hierarchical promotion, pay and dismissals;
- access to vocational training;
- involvement in workers' or employers' organisations, and in any professional organisation;
- access to social protection and to health care;
- education; and
- social advantages, access to goods and services, particularly housing.

It is of note that the directive does not oppose positive action, such as national measures aimed at preventing or compensating for disadvantages connected with race or ethnic origin.[107]

A.2.5.2. Equal Treatment Directive (2006/54/EC)

EU Directive 2006/54/EC is the main directive on gender equality as part of EU employment law. The purpose of this directive is to ensure the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. Specific provisions of the directive prohibit explicitly any discrimination on grounds of sex with regards to pay, treatment in occupational social security schemes and access to employment, vocational training and promotion and working conditions.[108]

A.2.5.3. Employment Equality Framework Directive (Directive 2000/78/EC)

Directive 2000/78/EC is the main EU Directive, aimed at tackling discrimination on grounds other than race and gender (as addressed in Directives 2000/43/EC and

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107 European Union (2000): 'Council Directive 2000/43/EC'. See: http://europa.eu/legislation_summaries/justice_freedom_security/combating_discrimination/l33114_en.htm

108 European Union (2006): 'Council Directive 2006/54/EC'. See: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0023:0036:en:PDF

2006/54/EC respectively). It addresses equality of treatment and discrimination on the grounds of disability, sexual orientation, religion or belief and age in the workplace.[109]

A.2.6. Common Strategic Framework

The draft Common Strategic Framework (CSF) sets out a framework for the Structural, Rural and Fisheries Funds that will be delivered by member states and regions. The CSF identifies linkages and priority areas for investment based on the Europe 2020 strategy. It sets out eleven 'Thematic Objectives': all activity across all Programmes in the 2014-2020 programming period will have to relate to at least one of these objectives. It also sets out the two Horizontal Principles that will apply to all funds, and that give rise to the CCTs within the 2014-2020 Programme in Wales.

The first of these Horizontal Principles is entitled 'Promotion of equality between men and women and non-discrimination' and it states that:

> 'ERDF, ESF and Cohesion Fund Programmes should explicitly specify the expected contribution of these Funds to gender equality, by setting out in detail objectives and instruments. Gender analysis should be included in the analysis of the objectives of the intervention.'[110]

And furthermore that:

> 'Member States should take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation as well as to ensure accessibility during the preparation and implementation of Programmes and operations co-financed by the CSF Funds.'[111]

Finally, it also emphasises the involvement of statutory and non-statutory equality bodies, stating that:

> 'The involvement of equality bodies or other organisations active in combating discrimination is strongly recommended in order to provide the necessary expertise in the preparation, monitoring and evaluation of the Funds.'[112]

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109 European Union (2000): 'Council Directive 2000/78/EC'. See: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML

110 European Commission (2012): 'Elements for a Common Strategic Framework 2012-2020', p.10. See: http://ec.europa.eu/regional_policy/sources/docoffic/working/strategic_framework/csf_part1_en.pdf

111 European Commission (2012): 'Elements for a Common Strategic Framework 2012-2020', p.10. See: http://ec.europa.eu/regional_policy/sources/docoffic/working/strategic_framework/csf_part1_en.pdf

112 European Commission (2012): 'Elements for a Common Strategic Framework 2012-

The CSF sets the wider context for the ERDF Programme, and as such its objectives must be reflected in Programme design, and in particular, within the Cross Cutting Theme concerning equality.

A.3.   United Kingdom / Great Britain Policy

Investigating the impacts of policies, Programmes and projects on different social groups is a statutory responsibility in Britain originating from the Race Relations (Amendment) Act 2000 and the Disability Discrimination (Amendment) Act 2005. These placed requirements on public authorities to assess and consult on the likely impact of proposals on race and disability equality respectively. Existing alongside them for many years was a large body of legislation designed to secure the equality of a variety of social groups – from women, through the Sex Discrimination Act 1975, to religious belief, sexual orientation and age through the Employment Equality Regulations of 2003 and 2006.

The simplification of this raft of policy, regulation and guidance became a government priority in the mid-2000s. The Equality Act 2006 established much of the current strategic context for undertaking Equality Impact Assessment (EIA) and made provision for a single strategic body – the Equality and Human Rights Commission (EHRC) to oversee equality in Britain. But the most substantial step was taken with the introduction of a new Equality Act in 2010.

A.3.1. The Equality Act 2010

The introduction of the Equality Act 2010 replaced this plethora of legislative instruments with one piece of legislation covering a wide range of different characteristics. The Act was given Royal Assent in April 2010 and the vast majority of its legal instruments were brought into force in October 2010. The Act streamlined and simplified the law to make it easier to understand and use, in order to tackle persistent inequalities.[113]

The Act codified the need to systematically asses the likely or actual effects of policies and development on different sections of society. The process which can, but does not necessarily have to incorporate an EIA, must be applied to the following protected characteristics:
- **Age** (which may include children aged under 16, younger people aged 16-24, and older people aged 65 and over);
- **Disability** (which may include people with sensory impairments, mobility impairments, learning disabilities and mental wellbeing disabilities);
- **Gender reassignment** (including persons who are at any stage of gender reassignment therapy);
- **Pregnancy and maternity** (including pregnant women and nursing mothers);

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2020', p.11. See:
http://ec.europa.eu/regional_policy/sources/docoffic/working/strategic_framework/csf_part1_en.pdf
113 Government Equalities Office (2010): 'Equality Act 2010'

- **Race and ethnicity** (which may include ethnic or national origins, colour or nationality);
- **Religion or belief** (which may include all religion, faith or belief groups, including lack of belief);
- **Sex** (including both women and men);
- **Sexual orientation** (including lesbians, gay men and bisexual people); and
- **Marriage and civil partnership** (with a focus purely on discrimination on the basis of whether someone is married or in a civil partnership – single people are not covered by this characteristic).

The objective of assessing equality impacts is to identify opportunities to promote equality more effectively or to a greater extent, as well as identifying negative impacts, which need to be removed or mitigated to prevent any unlawful discrimination or disproportionate negative effects.

The Public Sector Equality Duty

A key element of the Equality Act involved a restructuring of the duties placed upon public bodies with regard to equality. In April 2011 a new Public Sector Equality Duty (PSED) came into force as part of the Equality Act, replacing the existing duties concerning race, disability and gender.

The PSED, at section 149 of the Equality Act, requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

The Duty is intended to support good decision making – it encourages public bodies to understand how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies can be more efficient and effective. The PSED therefore helps public bodies to deliver the Government's overall objectives for public services.

The PSED is comprised of a 'general duty' which is in turn underpinned by a number of 'specific duties'.

The general duty requires that government departments and public authorities (and those responsible for delivering public functions) have due regard to the following three aims:
- eliminating unlawful discrimination, harassment and victimisation;
- advancing equality of opportunity between different groups; and
- fostering good relations between different groups.

The general duty is underpinned by a series of specific duties. The specific duties are legal requirements designed to help those public bodies understand their responsibilities. The specific duties require public bodies to:

- publish equality objectives, at least every four years, with the first published no later than April 2012; and
- publish information to demonstrate their compliance with the Equality Duty, at least annually, and initially by January 2011.

The duty also emphasises that public bodies should consider producing information in alternative formats for disabled people. The Equality Act requires reasonable adjustments to be made for disabled people, including ensuring information is provided in an accessible format.[114]

A.3.1.1. The effect of the general duty in England and Wales

In England and Wales the general duty ensures that equality considerations are built into the policies and services offered by public authorities and those carrying out public functions. This general duty covers most public bodies, and applies to both private and third sector organisations where they are carrying out a public function either on behalf of the public or in their own right. It specifies that they should minimise disadvantages experienced by people due to their protected characteristics, take steps to meet the different needs of people from protected groups and to encourage participation from these groups where participation in disproportionately low.

In terms of implementation, the Equality and Human Rights Commission (EHRC) have published an 'essential guide'[115] to aid any public authority covered by the general duty. The guide states that these authorities need to guarantee that:
- all staff and leadership are aware of the duty's requirements;
- the duty arises at the time of or prior to a decision about a particular policy;
- the duty itself is an integral part of the decision making process;
- all necessary information has been acquired for an informed decision to be made;
- the duty is regularly reviewed; and
- even those exercising public functions on behalf of a public body meet the duty.

The PSED through the general duty encapsulates the requirements at the Member State level with regard to equality and all EU Programmes delivered by public bodies must demonstrate compliance with it. EIAs are one way to achieve this.

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114 The Office for Disability Issues provides information about how to make information accessible to disabled people. See: www.odi.gov.uk/formats

115 Equality and Human Rights Commission (2011): 'The essential guide to the public sector equality duty'. See:
http://www.equalityhumanrights.com/uploaded_files/EqualityAct/PSED/essential_guide_update.pdf

A.3.1.2. The effect of the specific duties in Wales

The specific duties contained within the PSED differ depending on the nature of the public body, the functions they perform and whether they are part of one of the devolved UK administrations.

As such, the Equality Act confers powers on Welsh Government Ministers in relation to the imposition of specific duties in order to help them meet the general duty. In Wales, the specific duties outline the steps that bodies performing public functions are required to follow in order to pay due regard to the general duty and meet statutory equality requirements:

- Bodies must publish, revise and maintain equality objectives and outline steps of how to meet them, targeting each protected characteristic.
- Strategic Equality Plans must be drawn up, revised and maintained, outlining how public authorities plan to meet the general duty.
- Representatives of one or more protected groups who have an interest in how an authority carries out its functions must be engaged in activity relating to the fulfilment of the general duty.
- The impact of, and reviews of, proposed policies on ability to comply with the general duty must be assessed and reports of Equality Impact Assessments published where appropriate.
- Bodies in Wales must ensure relevant equality information retained or required is identified particularly regarding any differences in pay between employees with a protected characteristic and those without.
- On an annual basis all public bodies (and other organisations carrying out public functions) in Wales must collect and publish the number of people employed by the authority on 31st March each year by protected characteristics, the number of men and women and information on their job, grade, pay, contract type and working pattern.
- Knowledge of the general and specific duties should be promoted amongst employees through training.
- All information pertaining to equality as outlined above should be published, and reviewed and revised periodically, outlining on-going steps to address equality challenges. Effectiveness of measures implemented needs to be monitored.
- Public bodies in Wales must take all necessary steps to ensure all documents and/or information is published in a format that is accessible to people from all protected groups.

A.3.2. Guidance and support

The Equality and Human Rights Commission (EHRC) has released several publications providing non-statutory guidelines on how to follow the specific duties in Wales[116]. In addition the Government Equalities Office (GEO – a part of the UK Home Office) has

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116 Equality and human Rights Commission (2011): 'New Equality Act Guidance'. See: http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/

also released a general 'Quick start guide for public sector organisations'[117] which again breaks down the implications of the Equality Act 2010 to make it easy for authorities to comply with their duties.

In particular, 'The essential guide to the public sector equality duty: An overview for listed public authorities in Wales' highlights how a listed body in Wales must assess the likely impact of any policies and practices on protected groups and the body's ability to comply with the PSED.

A.4. Welsh Equality Policy

The Welsh Government, elected by the people of Wales, is responsible for making laws in a wide range of policy areas including education, language, health, culture and public services. As a result of this, Wales retains a distinctive equality agenda, premised upon the underlying belief that no-one should be denied opportunities because of their race, ethnicity, disability, gender, sexual orientation, age, religion or belief, and that the principles of human rights should underpin all the Government does. Key documents on equality of the Welsh Government are described below.

A.4.1. Strategic Equality Plan and Equality Objectives 2012-2016

The Welsh Government has been working to support different equality groups since Welsh devolution in 1999. The Strategic Equality Plan and Objectives 2012-2016 set out the Welsh Government's aims for this period, using a range of different legislation and initiatives. The Plan ties in with several other key policies, including the Strategy for Older People in Wales and the Refugee Inclusion Strategy and Action Plan. The Plan details the actions, timescales and responsible bodies for each of eight specified Equality Objectives. These are:

10. To strengthen advice, information and advocacy services to help people with protected characteristics understand and exercise their rights and make informed choices.
11. To work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences.
12. To reduce the numbers of young people not in education, employment or training (NEET).
13. To reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse.
14. To tackle barriers and support disabled people so that they can live independently and exercise choice and control in their daily lives.
15. To put the needs of service users at the heart of delivery in key public services, in particular health, housing and social services, so that they are responsive to the needs of people with protected characteristics.

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117 Government Equalities Office (October 2011): 'Equality Act 2010: Specific Duties to Support the Equality Duty – What do I need to Know?' See: http://www.pfc.org.uk/pdf/specific-duties%20Nov%202011%20(2).pdf

16.   To improve the engagement and participation of under-represented groups in public appointments.

17.   To create a more inclusive workplace that promotes equality of opportunity for staff with protected characteristics through improved employee engagement and increase awareness of leaning and development opportunities that are accessible to all staff.

A.4.2. Inclusive Policy Making

The Welsh Government recognises the importance of having a diverse and integrated population and encourages officials to act in a way that is consistent with United Nation Treaties and the Human Rights Conventions, embracing the values of dignity, equality, fairness and respect.

Inclusive Policy Making (known as IPM) is the Welsh Government's preferred approach to assessing the impact of its activities on different parts of society; it is used to ensure that all policies, strategies, action plans and practices actively contribute to an environment free from discrimination. The IPM process is used for most changes in key policy or practice and responsibility for undertaking IPM lies with officials in each department.

IPM guidance is designed to help officials to:
- Assess current and new policies and practices to ensure they:
  - Eliminate unlawful discrimination.
  - Advance equality of opportunity for all.
  - Promote good relations.[118]
- Ensure policies address inequalities experienced by different groups in relation to disability, race, gender and gender reassignment, religion and belief or non-belief and sexual orientation.
- Consider policies and practices and the exercise of functions against the principles of human rights; fairness, respect, equality and dignity.
- Make strong links to the policy making process.
- Build in a clear feedback mechanism that will ensure that IPM is seen as a living process that will allow the Welsh Government to develop and deliver improved policies and practices. It is not a 'tick box' exercise or a last minute check. Plans for policies and practices should include time to make changes as identified by IPM.[119]

A.4.3. Economic Renewal: A New Direction

The Welsh Government released 'Economic Renewal: A New Direction' in July 2010. Recognising the impact of the recession on the Welsh economy, the report highlights

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118 Here IPM directly correlates with the content of the PSED

119 Welsh Government (2010): 'Working for Equality in Wales: inclusive Policy Making Second Edition Guidance' , p.3 See;
http://wales.gov.uk/docs/dsjlg/publications/equality/100607ipmrev2en.pdf

several economic challenges (adverse skill mix, absence of a major conurbation, and relatively high proportion of people who are of retirement age) which must be taken into account in order to promote economic growth.

There are a number of key priorities set out in the report and many have both direct and indirect implications in terms of equality. In particular, these include:
- Investing in high quality and sustainable infrastructure, including by providing broadband across all parts of Wales. The digital divide remains a reality for many parts of Wales limiting access to services and opportunities for many groups including older people and younger people.
- Making Wales a more attractive place to do business, potentially removing barriers to different types of business person – for example, women, older people, young people, and different faiths, ethnicities, and sexual orientations.
- Broadening and deepening the skills base, supporting young people to succeed and prepare for the world of work, stepping up efforts to help those who are disengaged and reducing economic inactivity and unemployment.

A.4.4. The Equality and Human Rights Commission

The Equality and Human Rights Commission in Wales protects, enforces and monitors equality across the nine protected characteristics.

A.4.4.1. Strategic Plan 2012-2015

The EHRC's Strategic Plan for 2012-15 was written to promote equality across the United Kingdom, and is underpinned by the values of respect and fairness. The Strategic Plan is based around three strategic priorities:
- The first is focussed on the economy. In an economy emerging from recession the EHRC have outlined three key goals:
  - To tackle the structural causes of the pay gap and ensure, as a minimum, that there is no regression.
  - To assess the impact of the changing economy on different groups and ensure that there is widening of employment gaps.
  - To ensure governments make fair decisions through the age of austerity.
- The second strategic priority is based around public services. Priorities here include: promoting fair access to public services; ensuring the specific duties deliver better outcomes in Wales; encouraging, monitoring and reporting on Britain's compliance and progress to Parliament and the United Nations; and building the capacity of the voluntary sector to improve equality and human rights performance across all their functions.
- The final strategic priority is based around people's safety and wellbeing. Priorities include promoting dignity and respect, and safeguard people's safety, reducing bullying in schools and workplaces, reducing the incidence of hate crime and promoting human rights issues in criminal justice and immigration settings.

A.5.   Strategic context for the Welsh language

Following the Welsh Language Act in 1993, there have been a series of initiatives and strategies designed to promote the use of the Welsh language, both in professional environments and in day-to-day life. Since the creation of the Welsh Language Commission in 2011, the focus has been on treating the Welsh language no less favourably than the English language and giving people the opportunity to live their lives through the medium of the Welsh language if they choose to do so.

A.5.1. The Welsh Language Act 1993

The Welsh Language Act (1993) is an act which recognises the Welsh language as equal to the English language in Wales with regard to the public sector. It gives Welsh people the right to speak Welsh in court proceedings and requires all public sector organisations to provide public services in both Welsh and English. Furthermore, the act created the Welsh Language Board, which has now been replaced by the Welsh Language Commissioner.[120] The Welsh Language Commissioner aims to ensure that the Welsh language is treated no less favourably than the English language in Wales and that Welsh-speaking persons should be able to "live their lives through the medium of the Welsh language if they choose to do so".[121]

A.5.2. The Welsh Language (Wales) Measure 2011 and the role of the Welsh Language Commissioner

The Welsh Language (Wales) Measure was introduced in March 2010 by the Minister for Heritage. The Measure introduced the Welsh Language Commission, headed by the Commissioner, to replace the Welsh Language Board, which had existed since the introduction of the Welsh Language Act in 1993.

The Commissioner's aim, as set out in the Measure, is to promote and facilitate the use of the Welsh language and to promote equality between Welsh and English. Since 2011, Meri Huws has been the Welsh Language Commissioner. The Commission is an independent body, aiming to promote and facilitate the Welsh language. The Commission's strategic priorities for 2012-2013 are:
- Compliance and enforcement;
- Implementation of the Measure and the Welsh Language Act;
- Listening and responding to the views and concerns of any persons;
- Scrutinising policy for Welsh language considerations;
- Instigating inquiries (under the Measure); and
- Facilitating a supportive infrastructure for the Welsh language.

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120 Welsh Language Commissioner, (2013): 'Welsh Language Act 1993'

121 Welsh Language Commissioner, (2013): 'Aims of the Welsh Language Commissioner'

The Commissioner has the authority to require organisations comply with relevant language requirements and can impose a civil penalty should requirements not be met. [122]

The Welsh Language Measure also allows for the development of 'standards' covering the integration of the Welsh language in the development and delivery of services to the public by a range of organisations and which will, over time, replace Welsh language schemes. The Commissioner is also responsible for dealing with complaints from Welsh speakers who believe that their freedom to use Welsh with one another has been interfered with.

Finally, the Measure aims to modernise the existing legal framework regarding the use of the Welsh language in the delivery of public services. The duties placed on organisations in the form of standards will lead to rights for citizens to receive services in Welsh. [123]

A.5.3. Welsh Language Strategy 2012-2017

This is the Welsh Ministers' strategy for the promotion and facilitation of the use of Welsh language. It has been prepared in accordance with Section 78 of the Government of Wales Act 2006. The Government's vision is to see the Welsh language thriving in Wales. To achieve that, the strategy aims to see an increase in the number of people who both speak and use the language.

This is a five-year strategy, from 1 April 2012 to 31 March 2017, which supersedes the Iaith Pawb Action Plan published in 2003. [124]

A.5.4. Welsh Language Scheme 2011-2016

This is a revised scheme which shows the Welsh Government's commitment to the promotion of the Welsh language. It provides Welsh-speaking customers with a clear indication of the service they can expect.

The scheme sets out how the Welsh Government and the civil servants covered by it will:
- deliver Welsh language and/or bilingual services to the public; and
- reflect Welsh language considerations in policy areas. [125]

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122 Welsh Language Commissioner (2012): 'The Commissioner's role' http://www.comisiynyddygymraeg.org/English/Commissioner/MeriHuws/commissionersrole/Pages/commissionersrole.aspx

123 Welsh Government (2011): 'Welsh Language (Wales) Measure 2011' http://wales.gov.uk/legislation/programme/previouslegislation/assemblymeasures/welshlanguagemeasure/?lang=en

124 Welsh Government (2012): 'A living language: a language for living- Welsh Language Strategy 2012-17' http://wales.gov.uk/docs/dcells/publications/122902wls201217en.pdf

125 Welsh Government (2011): 'Welsh Language Scheme 2011-2016' http://wales.gov.uk/docs/drah/policy/20110331wlseng.pdf

A.5.5. Welsh-Medium Education Strategy

This Strategy sets the Welsh Government's national strategic direction with regards to education in the medium of Welsh. It also sets the direction for making improvements in the teaching and learning of Welsh as a language, including, in particular, Welsh second language.

In 2007 the Welsh Government committed to 'creating a national Welsh-medium Education Strategy to develop effective provision from nursery through to further and higher education, backed up by an implementation Programme'. In response to this commitment the Welsh-medium Education Strategy was launched in April 2010.[126]

A.6.   Summary

On a national scale, equality policy has been galvanised with the Assent of the Equality Act 2010 and the introduction of the new Public Sector Equality Duty. The statutory requirements placed on bodies delivering public functions have been clarified and the key priorities (the most relevant being to advance equality of opportunity between different groups) are to be maintained throughout Wales and the UK.

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126 Welsh Government (2010): ' The Welsh Medium Education Strategy'
http://wales.gov.uk/docs/dcells/publications/100420welshmediumstrategyen.pdf