2014-2020 European Social Fund Programmes

Equality Impact Assessment Report

April 2014
Welsh European Funding Office

DRAFT FINAL

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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 ESF 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; and East Wales. The report is accompanied by a corresponding EIA report covering the two ERDF Operational Programmes for the 2014-2020 Programming period, as well as a summary report highlighting the key findings of the process. The EIA of the RDP will follow once that document is ready for submission to the European Commission.
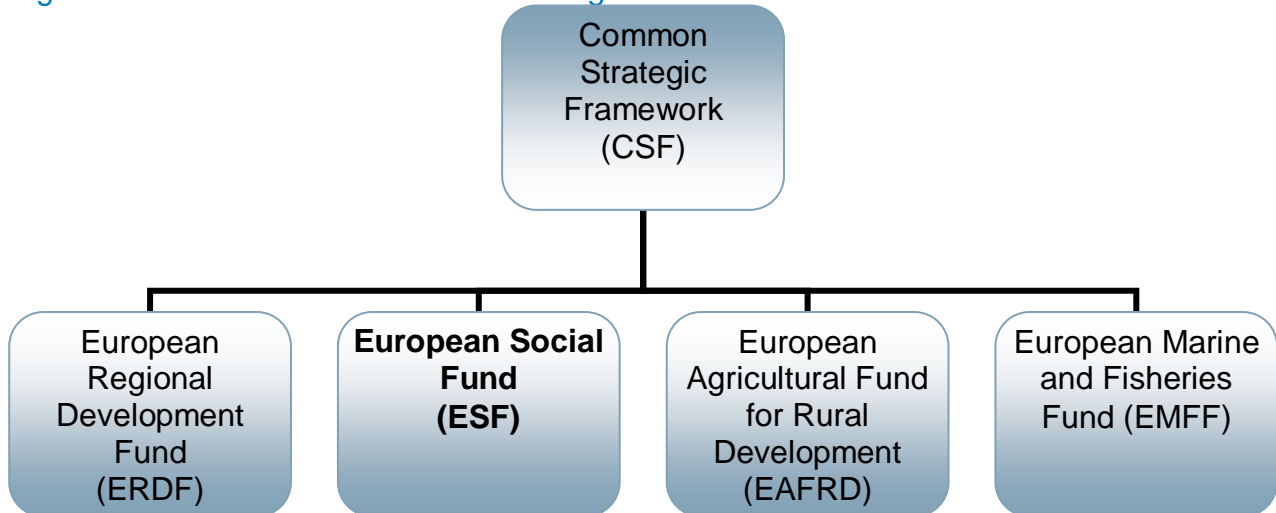
1.2 The European Social Fund Programmes for 2014-2020 in Wales

1.2.1 The Structural Funds

ESF, together with ERDF, the European Agricultural Fund for Rural Development (EAFRD – the fund through which the RDP is financed) and the European Marine and Fisheries Fund (EMFF), is 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 period 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.

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 period. The figure below highlights this relationship between the CSF and the various Structural Funds for 2014-2020.

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Figure 1.1:   2014-2020 Common Strategic Framework

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                    │     Common      │
                    │    Strategic    │
                    │    Framework    │
                    │      (CSF)      │
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│ Development  ││  Fund     ││  Fund for    ││  Fund (EMFF)  │
│   Fund       ││  (ESF)    ││   Rural      ││              │
│  (ERDF)      ││           ││ Development  ││              │
│              ││           ││  (EAFRD)     ││              │
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1.2.2 The European Social Fund

The ESF seeks to improve employment conditions, raise standards of living and help people gain better skills and job prospects. Over the period 2007-2013 €75 billion has been distributed to the EU Member States and their regions to achieve its goals. It is intended that the ESF Programme for 2014-2020 will form a coherent approach for investments in human capital, helping to drive economic growth, productivity and prosperity, in addition to promoting sustainable employment. In Wales, the ESF has four Priority Axes for the 2014-2020 period in each of the Programmes. These are:
- Priority Axis 1: Tackling Poverty through Sustainable Employment;
- Priority Axis 2: Skills for Growth;
- Priority Axis 3: Youth Employment and Attainment; and
- Priority Axis 4: Technical Assistance.

However, the Operational Programme in East Wales contains a narrower range of interventions, reflecting the fact that funding from the European Union will be far more limited in this part of Wales.

Priority Axes 1 to 3 are outlined in more detail below and are the main subject matter for this EIA.

Priority Axis 4 covers 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 4 will not be included within the remainder of this report.

1.2.3 ESF Priority Axes under the 2014-2020 Programmes

1.2.3.1 Priority Axis 1: Tackling Poverty through Sustainable Employment

This Priority aims to increase employment rates, tackle poverty and promote social inclusion in Wales, by supporting people to find and maintain sustainable employment. The European Commission expects Member States to dedicate 20% of ESF funding to promoting social exclusion and combatting poverty.

Table 1.1:Tackling Poverty through Sustainable Employment

Thematic objective 9: Promoting social inclusion, combating poverty and any discrimination	
Investment Priority (i): Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability	
Specific Objective 1: To enhance labour market mobility of those who are unemployed and work ready and at most risk of poverty, disadvantage or exclusion. [Only applies in West Wales and the Valleys]	**Actions under Specific Objective 1:** • Support to access sustainable employment, aligning existing skills with available work opportunities via job brokerage, assistance with job search and careers advice • Focused interventions to address final barriers to employment for those in work and those impacted by redundancy • Targeted support to employers to better link workforce supply with employer demand leading to sustainable jobs • Activities which provide access to broader employment opportunities by tackling barriers to employment
Specific Objective 2 [1 in East Wales]: To promote the labour market integration and enhance the employability of the long term unemployed and economically inactive.	**Actions under Specific Objective 2/1:** • Support to access sustainable employment, aligning existing skills with available work opportunities via job brokerage, assistance with job search and careers advice (action for East Wales only); • Activities which provide access to broader employment opportunities by tackling barriers to employment such as ICT, transport, caring responsibilities, childcare and work limiting health conditions (action for East Wales only) • Activities which support access to employment such as job-search, employment brokerage or the achievement of work relevant skills (action for West Wales and the Valleys only) • Support activities for those suffering from more complex barriers to employment such as disabilities, substance misuse or mental health issues to achieve employability • Targeted support to employers to employ disadvantaged individuals (e.g. to employ older people or people with disabilities)

Thematic objective 9: Promoting social inclusion, combating poverty and any discrimination	
Specific Objective 3: To safeguard and increase the labour market participation of those with work limiting health conditions and/or other barriers to effective engagement. [Only applies in West Wales and the Valleys]	**Actions under Specific Objective 3:** ● Activities which help people in the early stages of sickness absence to return to (and remain in) employment ● Innovative activities which work with employed participants to help address barriers to mobility in the labour market and causes of underemployment ● Activities with employers to support workforce development and to promote flexible working arrangements ● Activities with employers to address workforce health issues and to develop appropriate work place or occupational health programmes

1.2.3.2 Priority Axis 2: Skills for Growth

This Priority sees investment in skills as a driver of productivity and growth, as well as supporting progression in employment, helping to tackle in-work poverty, and securing a supply of high-skilled labour. This priority is closely linked to the 'Tackling Poverty through Sustainable Employment' Priority Axis.

Table 1.2: Skills for Growth

Thematic objective (9)(10): Investing in education, training and vocational training for skills and lifelong learning	
INVESTMENT PRIORITY (iii): Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	
Specific Objective 1: To increase the proportion of the employed workforce with intermediate level skills or above.	**Actions under Specific Objective 1:** ● Targeted interventions to improve access to basic and functional skills provision (numeracy and literacy) and vocational skills for employed individuals, with a focus on progression to an intermediate level NQF qualification or above, to support skills development of the workforce (action for West Wales and the Valleys only) ● Targeted interventions to improve access to and achievement of skills and vocational skills for employed individuals (including basic and functional skills provision, numeracy and literacy), in order to support skills development of the workforce (action for East Wales only) ● Apprenticeships and actions to support access to apprenticeships

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	• Developing skills to break down barriers to engagement with technologies such as digital skills, reducing social isolation and increasing access to work progression opportunities online (action for West Wales and the Valleys only)
Specific Objective 2: To increase the number of people with higher level skills to support research and innovation. [Only applies in West Wales and the Valleys]	**Actions under Specific Objective 2:** • Higher skills and research based activity responding to the needs of, and embedded within, the private sector • Increasing the supply of individuals with higher skills in research and innovation through collaboration between the private sector and learning providers.
Specific Objective 3: To increase leadership and management skills to support organisational flexibility, adaptability and growth. [Only applies in West Wales and the Valleys]	**Actions under Specific Objectives 3-4:** • Supporting leaders and managers to develop skills for adaptability and growth, procurement and tendering skills and the capacity to address and support succession planning • Support for workforce development skills which will enable and encourage the adoption of flexible working practices to address disabilities in work, an ageing workforce and address workforce health issues.
Specific Objective 4: To invest in leadership and management skills to stimulate demand for workforce development, to encourage workforce mobility and increase workforce diversity. [Only applies in West Wales and the Valleys]	
Thematic objective (9)(8): Promoting sustainable and quality employment and supporting labour mobility	
Investment Priority (iv): Equality between men and women in all areas, including in access to employment, career progression, reconciliation of work and private life and promotion of equal pay for equal work	
Specific Objective 5 [2 in East Wales]: To reduce the gender pay gap between women and men, reduce gender inequalities and support the progression of women in the workforce.	**Actions under Specific Objective 5 for West Wales and the Valleys:** • Interventions which provide women with the support and skills development to promote career advancement and help to tackle the gender pay gap in the labour market • Actions which raise awareness amongst employers of gender disadvantages in the workforce and support the development of equality and diversity policies

	• Actions which offer flexible and practical working solutions to women to support their increased effectiveness and sustainability within the workplace and allowing then to achieve their full potential. **Actions under Specific Objective 2 for East Wales:** • Interventions which promote gender equality in the workplace, tackle gender stereotypes and address the gender pay gap and career progression opportunities especially amongst women and women at senior levels.

1.2.3.3 Priority Axis 3: Youth Employment and Attainment

This Priority aims to address the rising levels of youth unemployment, poverty and social exclusion and disadvantage. This will be achieved through investing in the development of children (particularly early years) and young people (16-24), particularly in terms of unemployment.

Table 1.3: Youth Employment and Attainment

| **Thematic objective (9)(8): Promoting sustainable and quality employment and supporting labour mobility**	
Investment Priority (ii): Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee.	
Specific Objective 1: To reduce youth unemployment and the number of 16-24 year olds who are Not in Employment Education or Training (NEET)	**Actions under Specific Objective 1:** • Actions to ensure that young people gain the skills, competencies and experience required to access sustainable employment, including self-employment • Actions to support young people to access and maintain sustained employment (including financial support to employers for up to 12 months from the commencement of employment) • Activities with enterprises and educators to challenge traditional assumptions and stereotypes, and to raise participation levels in occupations and sectors where a particular gender or equality group is under represented (West Wales and the Valleys only) • Interventions which remove the barriers to learning, help create independence and provide individual mentoring and advocacy advice to young people from specific groups (East Wales only).
Thematic objective (9)(10): Investing in education, training and vocational training for skills and lifelong learning	

Thematic objective (9)(8): Promoting sustainable and quality employment and supporting labour mobility	
Investment Priority (i): Reducing and preventing early school-leaving and promoting equal access to good quality early-childhood, primary and secondary education including formal, non-formal and informal learning pathways for reintegrating into education and training	
Specific Objective 2: To increase attainment levels and to reduce the number of those at risk of becoming NEET amongst 11-16 year olds.	**Actions under Specific Objective 2 for West Wales and the Valleys:** • Early targeted action to combat disaffection, provide access to a broader and innovative range of learning options supporting the acquisition of both vocational and higher level skills and prevent young people from falling out of education • Actions to equip young people with a range of skills that allow them to be more flexible and adaptable in a fast changing labour market and to gain sustainable employment, encouraging linkages between career choices and longer term labour market trends and tackling traditional gender stereotypes in employment • Supporting the development of practitioners in order to better engage with disadvantaged young people and to improve linkages with, and knowledge of, the private sector • Removing barriers to learning, helping create independence, and providing individual mentoring and advocacy advice to young people. **Actions under Specific Objective 2 for East Wales:** • Actions to help those who are, or at risk of becoming, NEET to continue or re-engage with education, to develop their skills and attainment, to make more effective career decisions and to gain access to the alternative curriculum.
Specific Objective 3: To increase the skills of the Early Years and Childcare workforce. [Only applies in West Wales and the Valleys]	**Actions under Specific Objective 3:** • Supporting the development of skills in the early years and childcare sector including both current and potential childcare practitioners • Activities to promote a better gender balance and diversity across the childcare sector.

1.2.4 ESF 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 dark grey in the figure below, and West Wales and Valleys, highlighted in light grey.

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
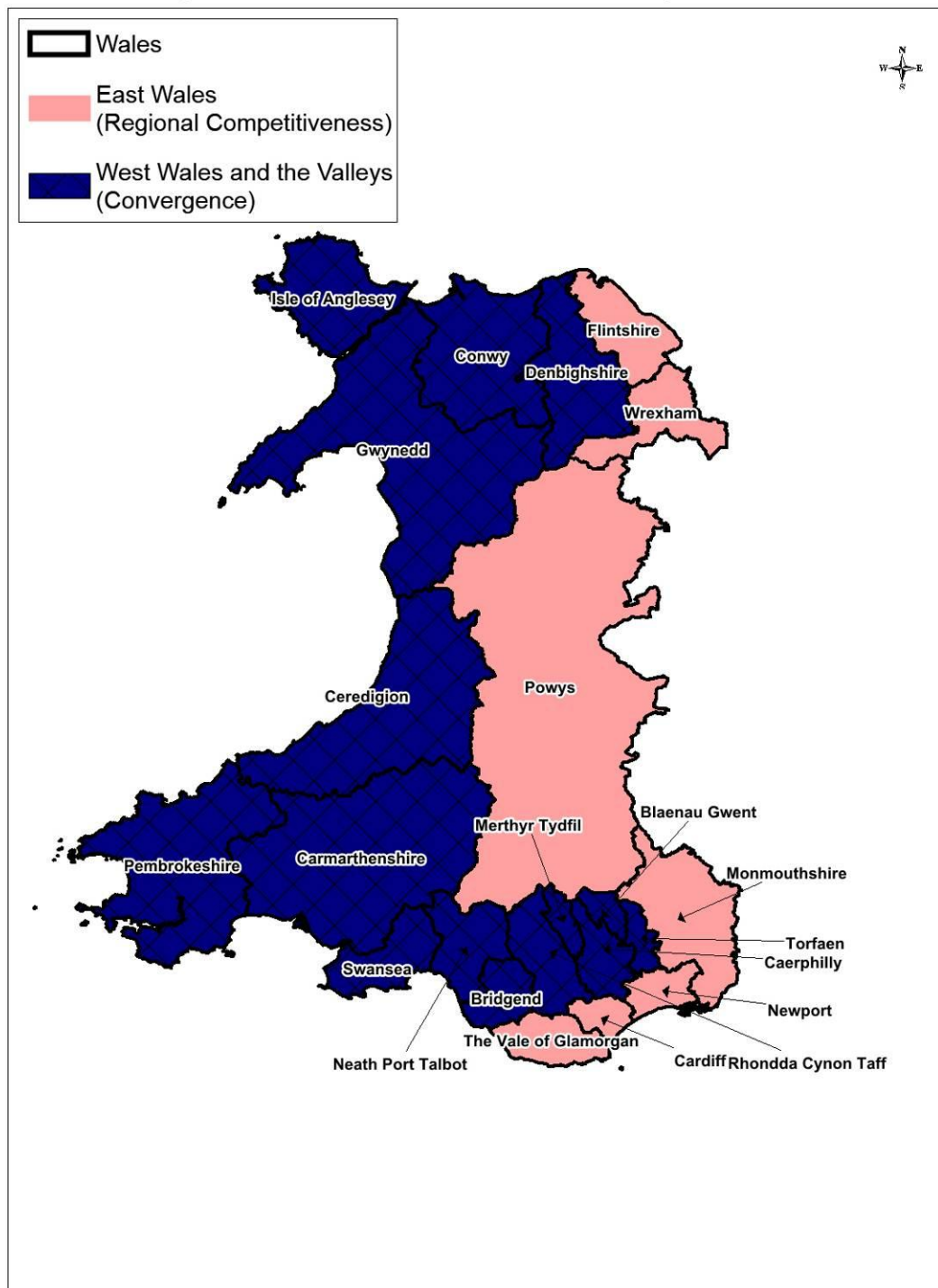
West Wales and the Valleys has been awarded the highest level of financial support from the EU. This is a result of West Wales and the Valleys being given 'less developed region' status. The Programmes for West Wales and the Valleys combine funding from both of the European Structural Funds (i.e. both ESF and ERDF). In terms of ESF, €804 million (around £670 million) has been allocated to tackle economic inactivity, increase skills and employment. Together, with match funding, it is intended that the Convergence Programmes will drive a total investment of £3.5 billion in West Wales and the Valleys over the coming seven years.

East Wales has been identified as a 'more developed region' in receipt of the lower level of support. The Programmes also comprise funding from both ESF and ERDF. In terms of ESF, €204 million (around £170 million) will be used to tackle economic inactivity, and increase skills and employment. Together with match funding from the private, public and voluntary sectors, the total investment of the Programme will be around £340 million.

As identified in the table below, there are some clear differences between West Wales and the Valleys and East Wales in that only some of the Specific Objectives will apply in East Wales.

Table 1.4: West Wales and East Wales Programmes

Thematic Objective	Specific Objective	West Wales	East Wales
Priority Axis 1: Tackling poverty through sustainable employment			
9: Promoting social inclusion, combating poverty and any discrimination	1: To enhance labour market mobility of those who are unemployed and work ready and at most risk of poverty, disadvantage or exclusion	✓	✗
	2: To promote the labour market integration and enhance the employability of the long term unemployed and economically inactive.	✓	✓
	3: To safeguard and increase the labour market participation of those with work limiting health conditions and/or other barriers to effective engagement.	✓	✗
Priority Axis 2: Skills for growth			
10: Investing in education, training and vocational training for skills and lifelong learning	1: To increase the proportion of the employed workforce with intermediate level skills or above.	✓	✓
	2: To increase the number of people with higher level skills to support research and innovation	✓	✗
	3: To increase leadership and management skills to support organisational flexibility,	✓	✗

Thematic Objective	Specific Objective	West Wales	East Wales
	adaptability and growth		
	4: To invest in leadership and management skills to stimulate demand for workforce development, to encourage workforce mobility and increase workforce diversity.	✓	×
9/8: Promoting sustainable and quality employment and supporting labour mobility.	5: To reduce the gender pay gap between women and men, reduce gender inequalities and support the progression of women in the workforce	✓	✓
Priority Axis 3: Youth Unemployment			
9/8: Promoting sustainable and quality employment and supporting labour mobility	1: To reduce youth unemployment and the number of 16-24 year olds who are Not in Employment Education or Training (NEET)	✓	✓
9/10: Investing in education, training and vocational training for skills and lifelong learning	2: To increase attainment levels and to reduce the number of those at risk of becoming NEET amongst 11-16 year olds	✓	✓
	3: To increase the skills of the Early Years and Childcare workforce	✓	×

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 ESF Programmes, namely the EIA was required to:
- 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.

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 the 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 proposing to undergo, are undergoing or have undergone gender reassignment);
- **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, and 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)[1] 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:

"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."[2]

In the early stages of developing the ESF Programme, opportunities have been taken to integrate equality.

Figure 1.3 below outlines the key tasks of this EIA.

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' Horizontal Theme	Providing a critical commentary – applying the evidence collected as part of the literature review – to the draft 'Equal Opportunities' Horizontal Theme chapter of the draft Operational Programmes.

1 The GEO has now been formally incorporated into the UK Home Office.
2 Equality and Human Rights Commission (2011): 'Equality analysis and the Equality Duty'

Task	Description	Processes
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 Wales	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. 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 ESF (and ERDF). 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 review of evidence arising from stakeholder

Task	Description	Processes
	additional and new evidence	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 ERDF and ESF for East Wales and West Wales and the Valleys
Task 11	Revision and finalisation of EIA reports	Final revisions of EIA reports reflecting evidence review, stakeholder consultation and finalised Operational 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 ESF 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 Horizontal 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 ESF Programme.

- **Chapter thirteen** provides an overarching summary of the results of 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 ESF Programme in the context of equality. It highlights the EU policies that drive the equality agenda within the Structural Fund Programmes, alongside the UK and Welsh equality policy. In addition, the chapter outlines the policy background giving rise to the need to include the Welsh language as part of the assessment.

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 ESF Operational Programme documents for East Wales and West Wales in the Valleys, which are currently undergoing finalisation.

2. Age

2.1 Introduction

Because of the nature of the Programmes, this section explores four key 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); and
- 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
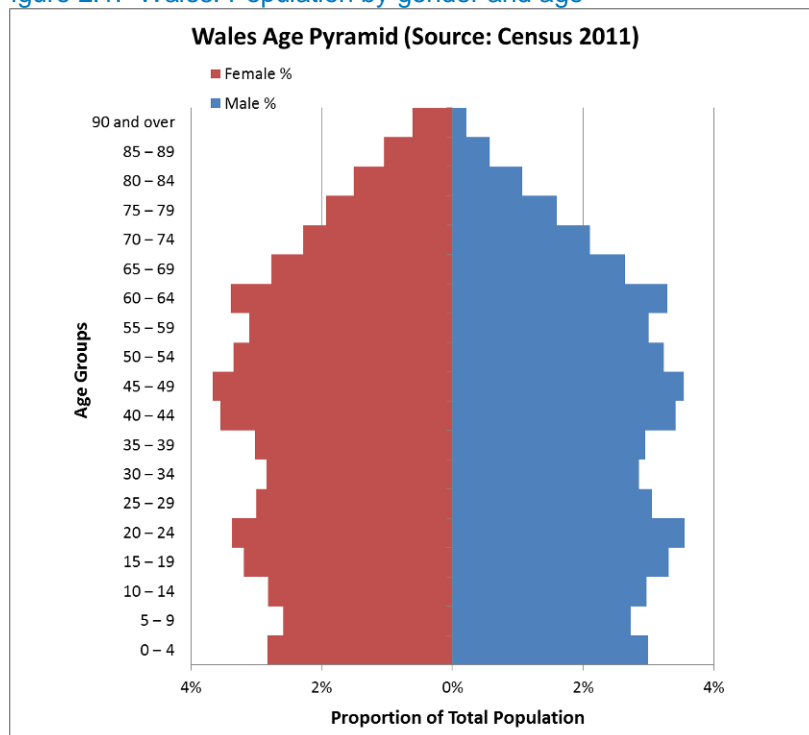
Source: Census 2011

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.
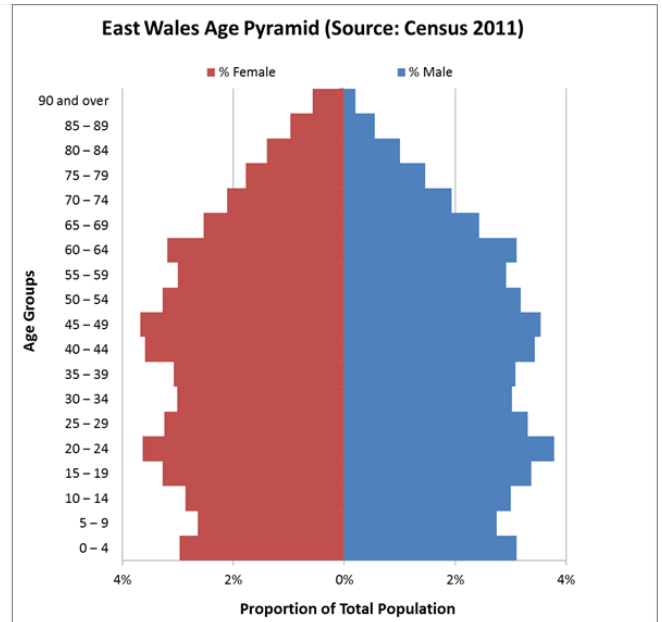- The 20-24 age group is the largest group below the age of 40 for both sexes.

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

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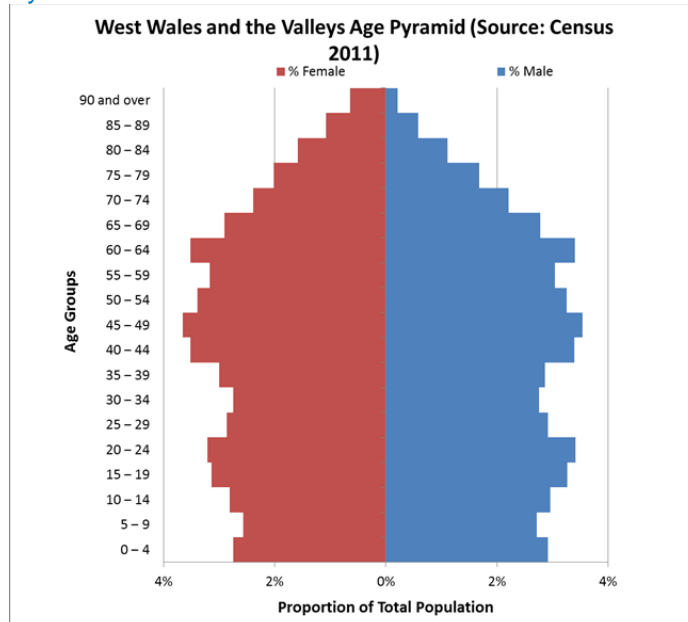
Figure 2.3: East Wales: Age Pyramid

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.

2.2.1 Children

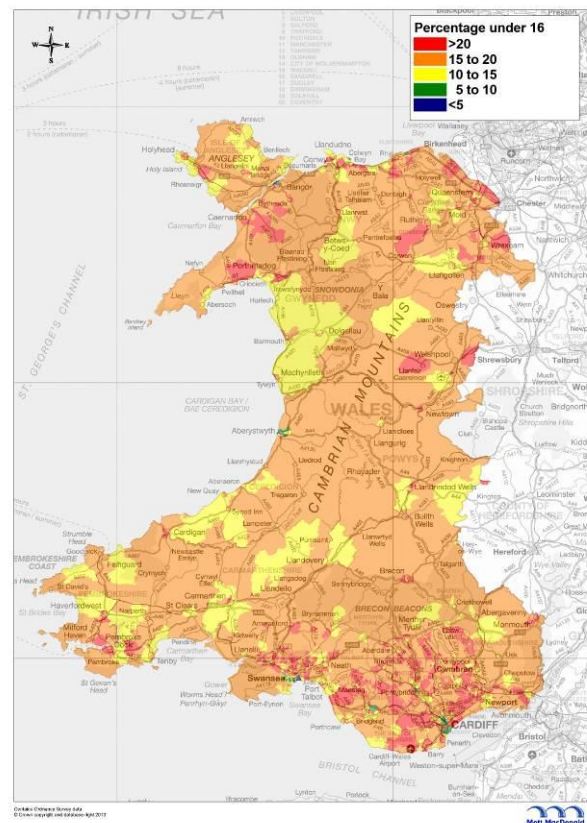The term 'children' includes all persons under the age of 16. The maps below show the density and proportion of the under-16 population in Wales.

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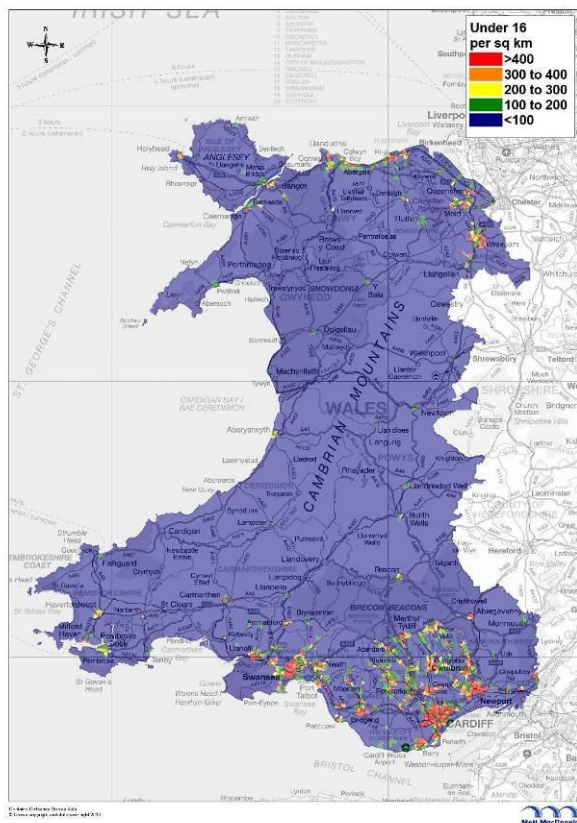
Figure 2.5:   Wales: Under 16 Proportion

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.

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 opposed to 18 per cent)
- This is (not surprisingly) 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.

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
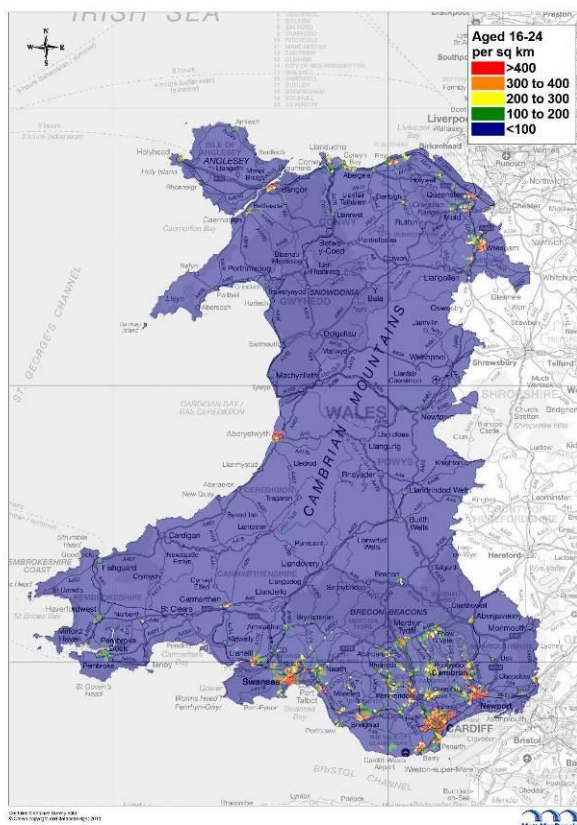
Figure 2.7:   Proportion of Total Population aged 16-24

Source: Census 2011

Source: Census 2011

The maps show:
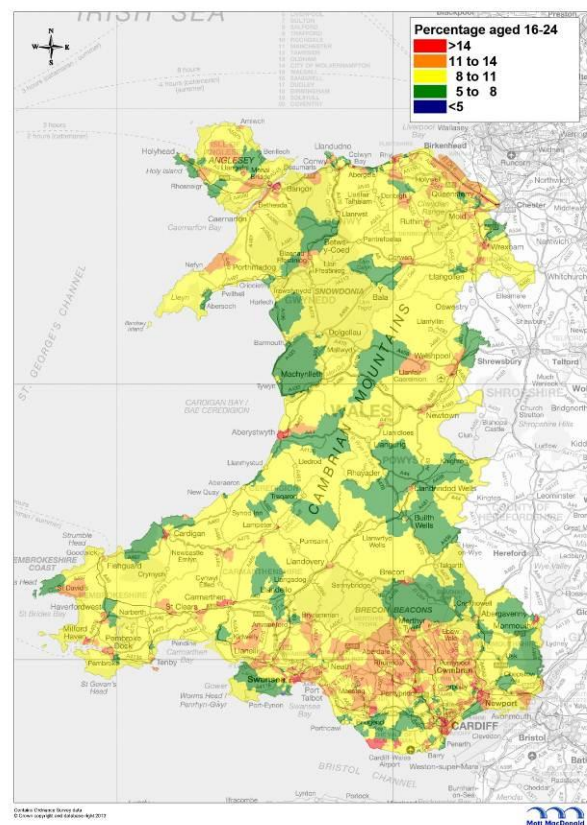- The population density of younger people (aged 16-24 years) in Wales is largest in the south coastal counties, particularly in the south-east around Cardiff, Newport, and in Swansea. Population density is also high in the northern coastal settlements including Wrexham, Rhyl and Bangor. There is also 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:
- 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 of 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 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.

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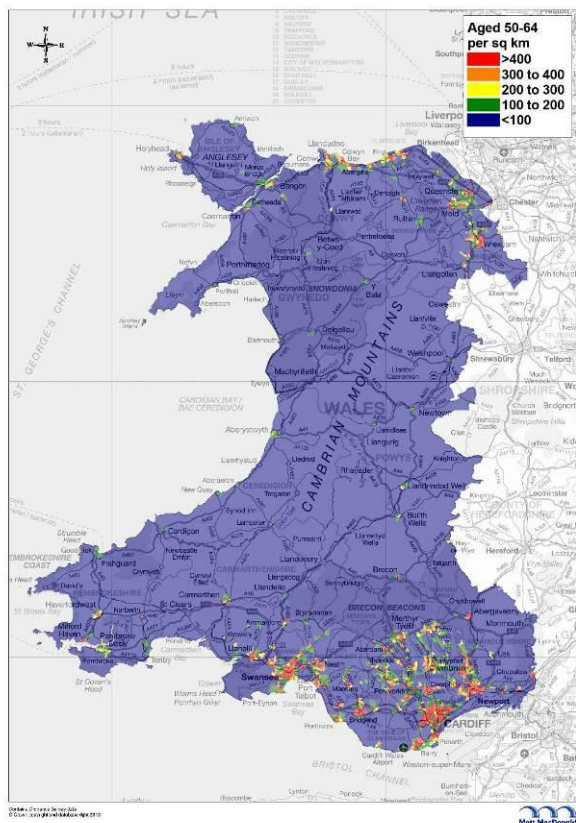
Figure 2.9:   Older working age population proportion
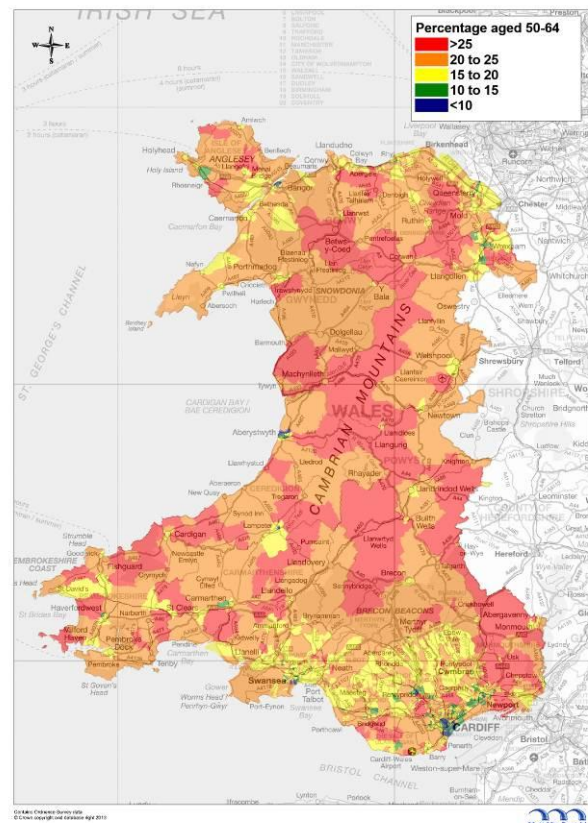
Source: Census 2011

Source: Census 2011

The map above shows:
- 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.

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.
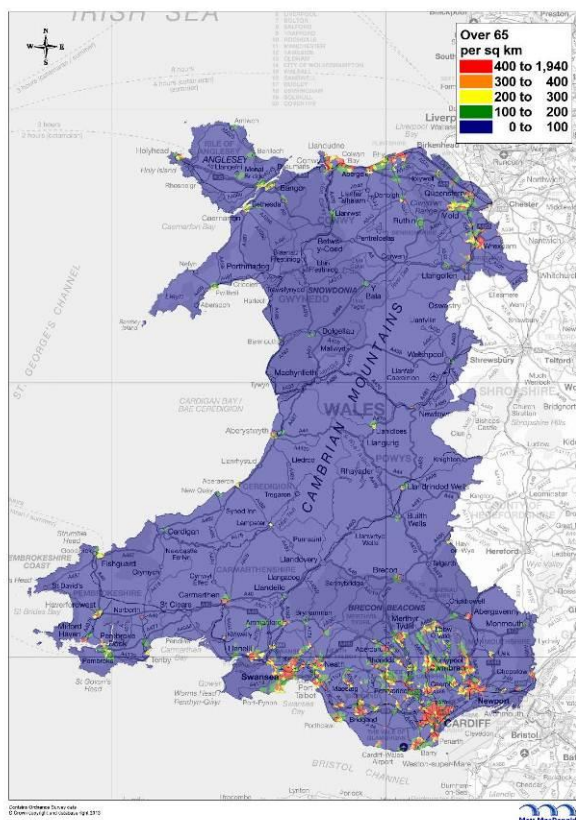
2.2.4 Older people

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
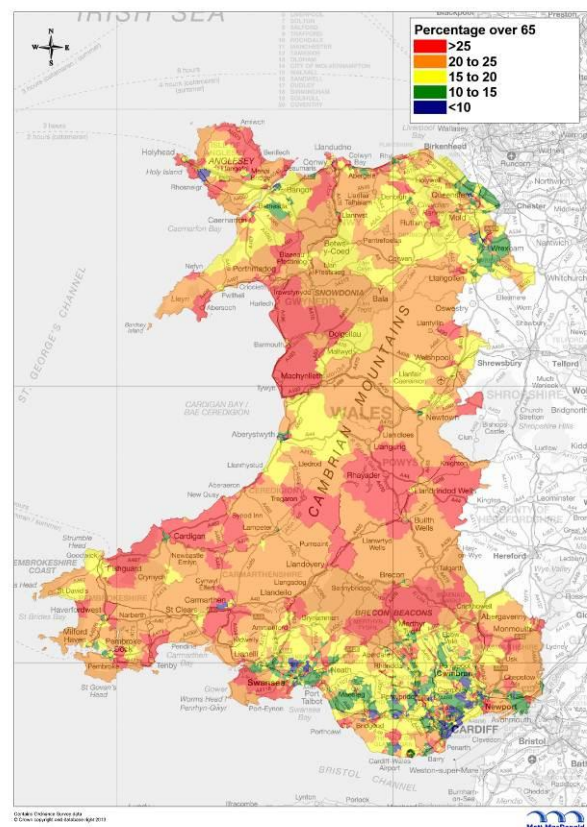
Source: Census 2011

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.

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% in their populations aged 16 – 24 years.
- In contrast Flintshire and Wrexham experienced gains of around one 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.[3]

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:

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3 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for East Wales 2014-2020: Annex A: Socio-economic analysis of East Wales';

- The number of persons aged 16-24 years, 45-64 years and 65 years or older increased between 2001 and 2010.
- Persons aged 0-15 years and 25-44 years declined.

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). [4]

2.3 Priority Axis 1: Tackling Poverty through Sustainable Employment

2.3.1 Impact: Supporting older working age people

The recession has led to people of all ages facing redundancy, unemployment and the subsequent challenges in returning to work. For many older workers, particularly those who have been in employment for 20-30 years, redundancy can represent a substantial life change, and many lack the skills needed to search for new employment in today's environment.[5]

The impact on older working aged people can be acute. Evidence from Age UK suggests that once out of work, it is much harder for the over-50s, particularly men, to find a job again; and the longer they stay out of work, the worse their chances of working again become[6].

That said, women in this age group are also likely to face particular barriers to employment. As recent research by the Institute for Public Policy Research indicates, older working age women are far more likely to provide care – often juggling child care responsibilities (as a grandparent) with care provision for elderly relatives. This potential double care role means that women in this age range are more likely to take a career break to meet care responsibilities and when returning to work, will often struggle to find another job before retirement.[7] For many over-50s this can result in an early and permanent retirement, reducing opportunities to further develop their career and making them more likely to be dependent on state benefits.

Research by the Policy Exchange think tank has identified that support offered to job seekers remains generally insufficient; lacking identification of the barriers people face meaning that support to jobseekers is not delivered in an appropriately targeted way. For

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4 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for West Wales and the Valleys 2014-2020: Annex A: Socio-economic analysis of West Wales and the Valleys';
5 Age Concern, (2010), 'The impact of the recession on older workers'
6 Age Concern, (2010), 'The impact of the recession on older workers'
7 IPPR (2013): 'The sandwich generation: older women balancing work and care'

older workers this problem is made greater by the variety of barriers to work that exist because of their varied experience and expertise. Failing to offer targeted support, dramatically affects the employment prospects of older workers and the chances of older jobseekers working again in the future.[8] In particular, the EIA of the 2007-2013 ESF Convergence Programmes identified research undertaken by the Wales Management Council (WMC). This identified that the internet can be a barrier to older people when seeking work, noting a decline in internet use from the age of 55, with many older workers finding on-line job searching and applications very challenging.[9]

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objective 1 and 2

Activities included:
- Addressing the final barriers to employment for those who are closest to the labour market and those impacted by redundancy
- Targeted support to employers to better link workforce supply with employer demand leading to sustainable jobs.

Interventions could yield potential benefits for older people who need to acquire new skills in order to re-enter the labour market.

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

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2.3.2 Impact: Retaining older working age people in employment

Retaining older working age people in employment can also be challenging. Studies have revealed that for many older working age people, the job market is regarded as highly inflexible.[10] This inflexibility can drive low skilled workers towards early retirement due to ill-health, whereas higher paid workers may opt to retire early in order to pursue other interests. Caring responsibilities, primarily amongst women, are also a key reason for

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8 Policy Exchange (2012): 'Too much to lose: understanding and Supporting Britain's Older Workers'

9 Wales Management Council (2007): 'Older Workers in Wales', p.10. See: http://www.crc-wmc.org.uk/downloads/what_we_say/other_publications/Older_workers_in_Wales%20(2007).pdf

10 Equality and Human Rights Commission (2010): 'Working Better- The over 50s, the new work generation'

voluntary departure from the job market through early retirement[11] or are a key barrier to re-entry after a career break.

Research suggests that flexible employment offers all workers greater control over the commitments of work and home life, encouraging greater mental and physical well-being and better financial outcomes. Flexible working can also accommodate key life events, parallel interests and hobbies and balance general day to day home commitments. Evidence suggests that for older working people in particular, greater availability to flexible employment can have a potential positive impact, providing an opportunity for a greater retention of older working people in employment.[12]

A recent report by Age UK shows that when older workers have access to flexible employment options, this is more likely to lead to positive outcomes particularly with regards to employment and well-being. In contrast, an inability to find flexible work, particularly in retirement or during late career redundancy can affect older workers negatively, specifically with regards to greater reliance on the State and decreased overall well-being.

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objective 3

Activities included:
- Support for workforce development and the promotion of flexible working arrangements, which if inclusive of older working age people could help to encourage a greater retention of this group within the workplace.

Interventions could help to support older working people in employment, encouraging a greater retention of this group within the workplace.

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

2.3.3   Impact: Addressing the challenges facing younger people

Young people in Wales face a number of specific and acute challenges associated with employment and skills including lack of employment opportunities, low skills attainment and high risk of poverty. Most of these are detailed below, under discussion of the impacts of Priority Axis 3. While the Youth Employment and Attainment Priority Axis

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11 UK Commission for Employment and Skills (2011) 'Older People and Skills in a Changing Economy' See: http://www.oph.fi/download/140969_equality-older-people.pdf
12 Age UK (2012) 'Flexible employment: how employment and the use of flexibility policies through the life course can affect later life occupation and financial outcomes.'

focusses on this group, Priority Axis 1 supports and bolsters these objectives, ensuring that this key demographic group remain a priority for the ESF Programmes.

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 2

Activities include:
- Aligning existing skills with available work opportunities via job brokerage, assistance with job search, work experience and careers advice.

Interventions such as these can support return to employment for those who are unemployed or at risk of long term worklessness such as young people (and older people who have found themselves redundant and unable to find work as a result of the recession).

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

2.4 Priority Axis 2: Skills for Growth

2.4.1 Impact: Addressing skills adaptability for older working age people

Older people may also experience significant barriers to accessing skills opportunities. A key area where many face barriers is in engagement with digital technologies. A report by Age UK looking at the use of digital technology by the 55-64 year old age group, has 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.[13]

The use of and access to digital skills amongst older working people does however vary. As suggested by third sector stakeholders during consultation, it depends heavily upon the previous experience and expertise of the older working person. For older working-aged people with little or no digital technological experience or skills, supporting access to basic internet and ICT skills are likely to be most appropriate. While for older professional working-aged people, supporting development of more advanced ICT skills may be more useful, in order to both retain employment and for career progression.

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13 Age UK (2009) 'Introducing another world – older people and digital inclusion'

Priority Axis 2: Skills for Growth

Specific Objective 1

Activities included:
- Targeted interventions to improve access to basic, functional and vocational skills focussed around adaptability and productivity.

Interventions under this objective will focus on breaking down barriers to engagement with new technology. It is likely to have a positive impact on older people and could help to tackle issues such as social isolation, economic exclusion and poverty as a result of lack of work.[14]

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

2.4.2 Impact: Improving younger people's skills

There continues to be a need to develop skills within the economy in order to increase labour market participation. Amongst the many sections of the population who are, to some extent, excluded from the labour market, young people are often the most vulnerable to unemployment in the long and short term.[15]

The Work Foundation has identified that skills are one of the key routes to help young people to avoid or to hoist themselves out of NEET status[16]. The variable skill needs of this group reflect the diversity of the young people that experience this status, and include for example young people who are only short term NEET to young people who have never experienced paid employment. The size of this latter group has continued to grow, reaching 40 per cent of all NEET young people in the UK in 2011. For this group in particular, research has demonstrated that soft skills such as communication, time management and self-motivation are often underdeveloped and yet are of particular importance in helping them to make the transition from education to employment.

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14 Elements of the ERDF and RDP Programmes for 2014-2020 in Wales are also focussed around the development of access to IT and as such, there is scope for additional benefits where proposals in this regard are developed together. See, for example, the findings of the Oxford Internet Survey, published in 2011 which notes that internet use amongst people aged over 65 is around 30 per cent. See: William H. Dutton and Grant Blank (2011): 'Next Generation Users: The Internet in Britain'

15 See: http://ec.europa.eu/social/main.jsp?catId=1006

16 The Work Foundation, (2012): 'Lost in transition? The changing labour market and young people not in employment, education or training'

[17]In addition, the majority of NEET young people also have low or no qualifications. This reflects a wider challenge as reflected in research undertaken by the Welsh Government and analysed by the Poverty Site indicates. In fact, one in four 19-year-olds in Wales lack a basic level of qualification ('Level 2')[18]. This is important, as a report by the Joseph Rowntree Foundation has demonstrated, because the lower a person's qualifications, the more likely they are to be lacking but wanting paid work.[19]

Priority Axis 2: Skills for Growth

Specific Objectives 1, 2, 3, 4 and 5

Activities included:
- Apprenticeships and actions to support apprenticeships
- Targeted and tailored interventions to improve basic and functional skills provision, including literacy and numeracy and soft skills
- Helping younger people within and outside of the workforce to progress to NQF level 2

Interventions can help develop skills within the economy and may increase labour market participation by young people by addressing the various skills challenges they face. Apprenticeships in particular, are likely to support the transition from education into employment for younger people.

Area of Impact:
- Specific Objective 1 and 5: West Wales and the Valleys and East Wales
- Specific Objective 2, 3 and 4: West Wales and the Valleys only

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2.5 Priority Axis 3: Youth Employment and Attainment

2.5.1 Impact: Tackling the youth unemployment impacts of the recession

Between 2008 and 2010 – partly as a result of the global financial crisis and subsequent recession – youth unemployment across Europe increased to more than five million people. At present it remains the case that on average one in five young people in the labour market cannot find a job and, in certain EU Member States, almost half of all young people face this problem.

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[17] Welsh Government (2013): 'Identifying young people at risk of becoming 'Not in education, employment or training' (NEET)'

18 The Poverty Site (2010): 'Education - Without a Basic Qualification at age 19'. See: http://www.poverty.org.uk/w30/index.shtml?2; Welsh Government (2012): 'Educational attainment of young people at age 19'

19 Joseph Rowntree Foundation (2007) 'Monitoring poverty and social exclusion in Wales 2013'

The extent of the challenges and the root causes of youth unemployment vary from one Member State to another, but the following five factors were identified in most states by the EU Youth Opportunities initiative:
- early school leaving without qualifications;
- lack of relevant skills and lack of work experience;
- precarious employment followed by spells of unemployment;
- limited training opportunities; and
- insufficient or inappropriate active labour market programmes.[20]

Lack of relevant experience has been citied as a particular problem in the UK and a recent report by the UIK Commission for Employment and Skills (UKCES) noted that 'recruiters have been found to place a strong emphasis on experience when recruiting, with 29 per cent citing it as 'critical'. But despite the importance of experience of work young people are leaving education increasingly less experienced.[21]

This has led to a continuing issue around NEET young people, with Wales being no exception to wider UK trends. According to Welsh Government Statistics, at the end of 2012 the number of 16-18 year-olds in Wales classed as not in education, employment or training (NEET) was ten per cent, albeit down from twelve per cent the previous year. In addition, almost a quarter (23 per cent) of young people aged 19-24 years old in Wales are also of NEET status.[22]

Importantly, a recent report by the Work Foundation estimates that two thirds of all NEET young people are available to work.

A range of studies, summarised in the Welsh Government research report 'Identifying young people at risk of becoming not in employment, education or training (NEET)'[23] have identified 'risk factors' that indicate and increased risk of becoming NEET at age 16. Primary amongst them are 'school-based factors' such as poor attainment, attendance and behaviour. In addition, the reports identified the following demographic characteristics that are shared by young people who have become NEET:

- are in care, have left care or who are on the edge of care (LAC);
- are carers or are young parents;
- have a physical disability/learning disability/chronic or mental illness;
- experience economic disadvantage;
- have experienced homelessness and/or lived in rented accommodation;
- live in areas with high unemployment, have parents who are unemployed or in unskilled manual occupations; or

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20 See: http://ec.europa.eu/social/main.jsp?catId=1006

21 UK Commission for Employment and Skills (2013): 'The Youth Employment Challenge'

22 WG Statistical First Release (2013): 'Participation of Young People in Education and the Labour Market' (SDR 117/2013)

23 Welsh Government (2013): ''. See: http://wales.gov.uk/docs/caecd/research/131001-identifying-young-people-risk-becoming-not-employment-education-training-en.pdf

- are members of some minority ethnic groups.

In addition, the Work Foundation[24] report has highlighted that young people that fall into the NEET category are diverse. NEET young people were found to fall into three main groups:
- the unemployed and looking for work (about half of all NEETs);
- those with caring responsibilities (of which a quarter will not be actively seeking work); and
- young people experiencing long term sickness and/or disability.

Additionally, Welsh Government research identifies a disproportionately high percentage of young people education otherwise than at school (EOTAS) becoming NEET. In particular, exclusion from school and EOTAS are both associated with educational failure, lack of subsequent employment or training, and offending.[25]

As suggested by a third sector stakeholder during consultation, the diversity within the NEET group reflects the fact that young people also have other protected characteristics including disabled or BAME young people, and younger women. The impact of these characteristics is addressed in subsequent chapters.

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24 The Work Foundation, (2012): 'Lost in transition? The changing labour market and young people not in employment, education or training'

25 Welsh Government (2013): 'Evaluation of Education Provision for Children and Young People Educated Outside the School Setting'

Priority Axis 3: Youth Attainment and Employment

Specific Objectives 1 and 2

Actions to support young people:
- To gain skills, competencies and experience required to access sustainable employment
- To support young people to access and maintain sustained employment.

Interventions within both objectives are likely to benefit younger people with activities designed to support access to new and sustained employment for this group. Interventions could equip young people with a range of skills and experience that will allow them to be more flexible and adaptable in a fast changing labour market.

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

In addition, opportunities for self-employment for young people are identified through the ERDF Programmes and could be signposted through ESF interventions, offering more opportunities and choice for young unemployed people.

2.6   Conclusions

The overall impact of the ESF Programme on this protected characteristic is a positive one. Of all of the age groups, younger and, to a lesser extent, older working people are the two groups that are likely to be amongst the beneficiaries of the ESF Programme through the range of skills development measures to assist with access to employment, particularly for those currently disenfranchised from the education and labour markets.

2.7   Recommendations for implementation

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

- Where appropriate, projects and interventions should be tailored to the protected characteristics and the specific social and economic circumstances of all age groups including young people and older working age people.

- As suggested by a third sector stakeholder during consultation, any interventions aimed at improving opportunities for young people, should recognise that young people also come from other protected characteristic groups, including disabled, LGB and trans, and BAME young people and young people with religion or of faith. The potential for young people to experience compound disadvantage as a result of their intersecting characteristics is particularly prevalent in education, employment and skills - as discussed in subsequent chapters on disability, race and ethnicity and sexual orientation. It is therefore essential that any interventions included under the Youth Attainment and engagement Priority Axis identify and respond to the potential for

multiple sources of disadvantage and equality experienced by different groups of young people.

A previous example of delivery to support younger people is 'Reach the Heights: First Footholds'; an ESF project geared towards raising levels of achievement, stimulating skill levels and the aspirations of young people with the aim of improving attainment. The project provides a range of interventions for young people drawing on international best practice. These activities include workshops, team building exercises and help in achieving qualifications – all of which could form part of interventions going forward if supported by further evidence of their effectiveness. As of June 2012, there were 12,793 participants in the Programme.

- For older working age people, where appropriate, tailored interventions should take account of the previous experience and professional expertise gained throughout their working life. This will maximise engagement and ensure the most effective support is provided. However, it should further be recognised that there is little within the Operational Programmes that *specifically* targets older workers. In addition, past ESF Programmes have often struggled to reach older workers (for example, only six per cent of participants in the skills Priority in the current 2007-2013 Operational Programme are recorded as being older workers against a target of 30 per cent. The Skills for Growth Priority Axes in the new Programmes are focused on all ages and there is a risk that this will lead to a bias in favour easier to reach cohorts who tend to be younger, with more transferrable and specific skills. As such careful tailoring of interventions may be required to secure the older working cohort.

- It will also be essential to consider how different groups access information (and the barriers that they face in doing so) to ensure that, for example, older people are not excluded from the benefits of ESF investment in employment and skills as a result of IT barriers.

- Interventions should include efforts to align existing skills with available work opportunities via job brokerage, assistance with job search, work experience and careers advice.

- It will be important to ensure that implementation of the ESF Programmes takes due socio-demographic regard of where real skills shortages are located. Further analysis of aged-based effects, further disaggregated by gender, ethnicity and educational level will be particularly beneficial.

3. Disability

3.1 Introduction

The following definition of disability is endorsed by the EHRC (and formerly the Disability Rights Commission):[26]

"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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26 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/

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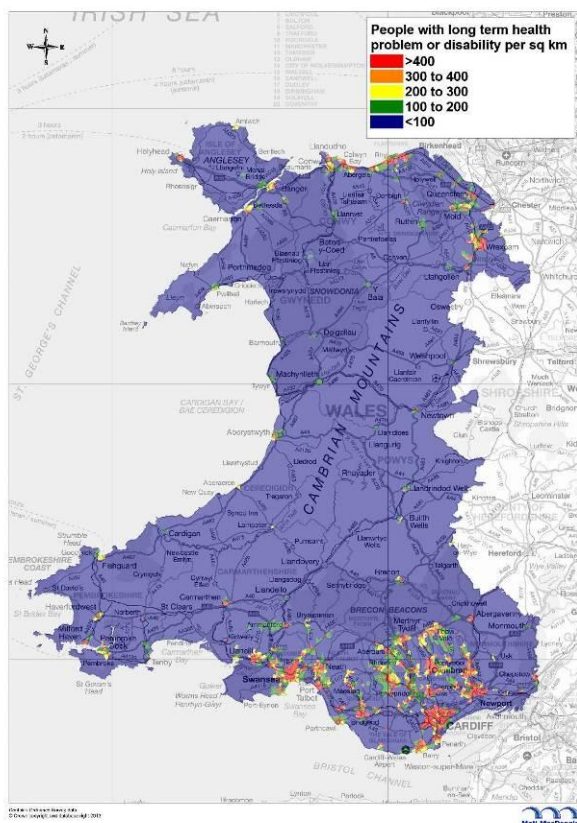
Source: Census 2011

Figure 3.2:   Proportion of population with long term health problems or disability
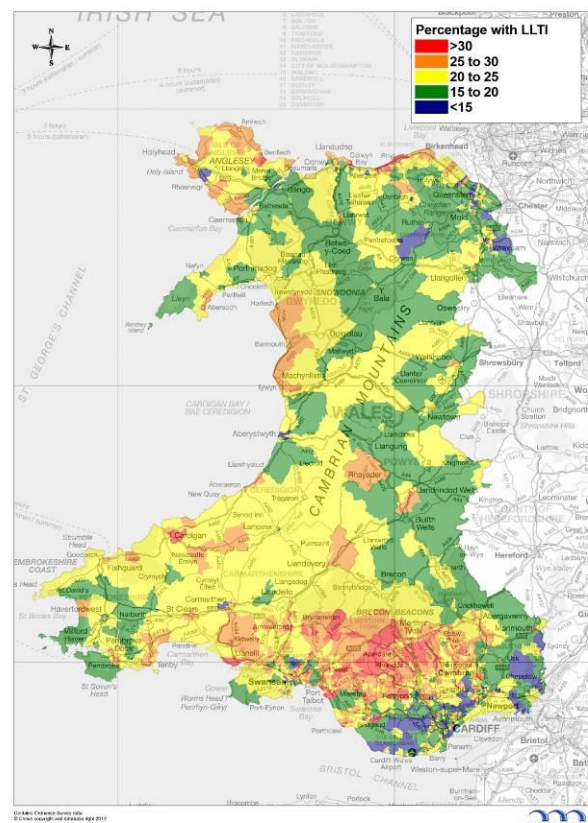
Source: Census 2011

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.

The table below shows the number and proportion of people with a long term health problem or disability 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 disability or long term health problem

Region / area	Long term health problem or disability	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 a long term health problem or disability 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 a long term health problem or disability in both regions and Wales as 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. [27]

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

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[27] Welsh Government (2012): 'Consultation on European Structural Funds Programmes for East Wales 2014-2020: Annex A: Socio-economic analysis of East Wales';

(23,600) in Neath Port Talbot. Employment rates for disabled people are generally low here also. [28]

3.3 Priority Axis 1: Tackling Poverty through Sustainable Employment

3.3.1 Impact: Supporting disabled people to access employment

There are often structural issues within the labour market that prevent disabled people from accessing employment. These can range from discrimination and harassment to issues surrounding ill-health, lack of confidence and physical access barriers.

A 2011 UK Commission for Employment and Skills (UKCES) report found that half of working age disabled people are not in work and that most of those are economically inactive, in that they are not seeking employment rather than simply being unemployed. Significant proportions (30-40 per cent, depending on definition) say, however, that they want to work. Furthermore, despite the Disability Discrimination Act (DDA) and subsequent Equality Act, evidence suggests that discrimination against disabled people persists (this is suggested both by evidence from disabled people themselves, and from the fact that disabled people's employment chances continue to be worse than would be suggested by their personal characteristics, including skills and qualifications).[29]

Disabled young people face a particular set of challenges and barriers to employment. Disabled young people are twice as likely to have no qualifications as their non-disabled peers. They remain underrepresented in apprenticeship schemes and are also more likely to be NEET.[30] Research has shown that this combination substantially reduces disabled people's opportunities for employment[31] and once disabled young people have finished full time education, the employment rate gap with their non-disabled peers starts to widen quickly – from 28 per cent at age 23 to 36 per cent at 24.[32]

28 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for West Wales and the Valleys 2014-2020: Annex A: Socio-economic analysis of West Wales and the Valleys';
29 UK Commission for Employment and Skills (2011): 'Disability and Skills in a Changing Economy' See: http://www.oph.fi/download/140962_equality-disability.pdf
30 Scope (2013) 'Work in Progress: Rethinking employment support for disabled people'
31 Meager, N., Higgins, T. (2011), Disability and skills in a changing economy, UK Commission on Employment and Skills
32 Department of Work and Pensions (2013): ' Building a deeper understanding of disability in the UK today'

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 2

Activities include:
- Aligning existing skills with available work opportunities via job brokerage, assistance with job search, work experience and careers advice.
- Providing access to broader employment opportunities by tackling barriers to employment
- Supporting activities for those suffering from more complex barriers to employment to achieve employability.

Interventions such as these can support a return to employment for those who are unemployed or at risk of long term worklessness. It can also support employers to be more diversity aware by providing targeted training opportunities. Many people with physical, sensory and mental health disabilities (particularly young people) experience such challenges, and interventions specifically focussed on supporting their re-entry into the workplace are likely to result in positive impacts for this group.

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

In addition, opportunities for self-employment for disabled people are identified through the ERDF Programmes and could be signposted through ESF interventions, offering more opportunities and choice for disabled people in gaining employment.

3.3.2 Impact: Supporting disabled people to remain in employment

Once employed, disabled people can face a number of obstacles to remaining in employment. Awareness of existing support schemes to encourage retention amongst disabled people remains low. In addition – as identified by a number of stakeholders during consultation – discrimination, prejudice and instances of hate crime can also constitute key barriers to remaining in employment for some disabled workers.

Knowledge of support for disabled people is often limited. For example, the Access to Work scheme is operated through Jobcentre Plus and is designed to support a candidate if their health or disability affects the way they do their job. It gives them, and their employer, advice and support with additional costs which may arise because of their needs. A survey by third sector disability group 'Trailblazers[33]' found that awareness of the scheme is limited – at least one in three disabled people were unaware of it, including one in five disabled people already in employment.

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33 Trailblazers (2010) 'Right to Work'

The same Trailblazers survey also showed that that one in five respondents felt forced out of a job due to poor disability awareness by their employer, after successfully getting a job. This is further reinforced by research by the Department of Work and Pensions[34], which found that a third of respondents that had left employment as a result of their impairment, felt they could have remained in that job, had support, adaptions or adjustments been made. Further, for the majority of respondents, most adaptions or adjustments were related to support and understanding by employers, rather than the provision of physical aids or adaptation. Disabled people with mental health conditions were particularly likely to feel that employer's attitudes and support constituted a barrier to remaining and staying in employment.

Disabled people are also more likely to be victims of hate crime – with consequences for their mental and physical health as well as ability to maintain and access employment. Hate crime 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 Hate Crime[35]. 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. In 2011, 122 instances of disability hate crime were recorded in Wales, with almost two thirds (62 per cent) of all attacks occurring in South Wales[36]. The experience of hate crimes by disabled people is, however, likely to be more widespread, as a report by disability charity Scope states: 'the overwhelming majority of these incidents are not investigated, prosecuted or sentenced as disability hate crimes'. [37]

Furthermore, victims will often take action themselves to reduce the chance of suffering another hate attack – changing appearance, interactions with others, their accommodation or even daily patterns including their route to work or how often they leave their home. A report by the All Wales Hate Crime Research Project has found that disabled people are particularly likely to suffer multiple impacts and to consider suicide after a hate attack. Disabled people are also the most likely to think about moving from the local area.[38]

In addition, a 2011 study by the EHRC[39] has found that, for disabled people in particular, hate attacks and harassment are more likely to occur on or around public transport. Disabled people rely heavily on public transport, particularly to maintain and access employment and the study found that many disabled people stopped using public transport as a result of harassment, leaving them more isolated, socially excluded and struggling to maintain employment.

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34 Department of Work (2008) 'Experiences and Expectations of Disabled People'
35 Home Office (2009) 'Hate Crime – the cross government action plan'
36 Home Office (2013) 'Tables for 'Hate crimes, England and Wales 2011 to 2012'
37 Scope (2008) 'Getting away with murder'
38 All Wales Hate Crime Research Project (2013) 'All Wales Hate Crime Research Project Research Overview & Executive Summary'
39 EHRC (2011): 'Hidden in plain sight'

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1,2 and 3

Activities include:

- Focused interventions to address final barriers to employment for those in work and activities which provide access to broader employment opportunities by tackling barriers to employment
- Support activities for those suffering from more complex barriers to employment to achieve employability and targeted support to employers to employ disadvantaged individuals
- Activities with employers to support workforce development, flexible working and to address workforce health issues.

Interventions such as these can help to support disabled people to remain within the workplace by supporting both employers and disabled workers. There is also an opportunity under this initiative to work with local transport providers to promote awareness of hate crime and harassment. Access to diversity awareness training for employers, as well as targeted support for disabled individuals facing barriers to remaining in employment is likely to have a positive impact for this group.

Area of Impact:

- Specific Objectives 1 and 3: West Wales and the Valleys only
- Specific Objective 2: West Wales and the Valleys and East Wales

3.3.3 Impact: Preventing people with long term illness or disabilities from falling out of the labour market

The 2010 State of the Nation report acknowledges that there are strong links between disability, welfare dependency and poverty.[40] As noted above, there is a danger that people become trapped within long-term worklessness as a result of ill health or disability. Sickness absence can, in turn, become a long term health condition or disability, which can often lead to benefit dependency, poverty and social exclusion.[41]

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40 Cabinet Office (2010): 'State of the nation report: poverty, Worklessness and welfare dependency in the UK'

41 Department for Work and Pensions (2013): 'Quantifying the Effectiveness of Interventions for People with Common Health Conditions in Enabling them to Stay in or Return to Work: A Rapid Evidence Assessment'

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 2 and 3

Activities include:
- Helping people in the early stages of sickness absence to return to, and remain in, work.
- Working with employers to support workforce development, to promote flexible working arrangements and address workforce health issues.
- Working with enterprises to develop or improve appropriate work place or occupational health programmes, adopting collaborative approaches in the delivery of occupational health services.

Interventions may support people with disabilities and long term illness to secure and remain in employment. In particular, the focus on occupational health can support people with long term conditions to maintain their employment.

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

3.3.4   Impact: Supporting employers to recruit people with disabilities

Employers often face a range of perceived, actual and self-imposed barriers to recruiting disabled people. 2011 research suggests that 'the principal barriers to employing workers with disabilities are lack of awareness of disability and accommodation issues, concern over costs, and fear of legal liability.'[42]

Employment for persons with disabilities is much lower than for persons without disabilities. Common misconceptions about employing disabled people include the following: the costs associated with necessary accommodations will be high; persons with mental illnesses will cause disruption in the workplace; and persons with learning disabilities cannot perform complex tasks.[43] Employers also perceive that the main uncertainties around employing (more) disabled people are the unsuitability of the built environment, risks to productivity, risks to the disabled person, other staff and potentially customers where work is relatively dangerous.

Employers can also lack detailed information and knowledge on specific health conditions and this has made it difficult to guide the potential of a disabled applicant in a

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42 Journal of Occupational Rehabilitation (2011): 'Why Don't Employers Hire and Retain Workers with Disabilities?'
43 Newsweek, (2010): 'Barriers to employing persons with disabilities: Three common misconceptions'

specific role.[44] A telephone survey by the Department for Work and Pensions in 2010 found that just under a third of employers did not know of the Disability Discrimination Act (DDA)[45] and of those that did, a recent report by the EHRC has shown that employers have found the concepts of the DDA (and subsequent Equality Act) difficult to understand.[46]

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objective 1

Activities include:
- Targeted support to employers to better link workforce supply with employer demand leading to sustainable jobs
- Support for employers to employ disadvantaged individuals for example, to employ people with a disability.

Interventions are likely to help maximise benefits of existing skills – e.g. those held by under-employed or under-valued members of the workforce such as disabled people.

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

Interventions to support employers (focussed on employers' skills) are also likely to be supported under Priority Axis 2, Specific Objectives 3 and 4, which are focussed on leadership and management.

3.4   Priority Axis 2: Skills for Growth

3.4.1 Opportunity: Potential for development of disabled people's skills

Links between skills, qualifications, life chances and disability are well established. For example, a 2011 report by the UKCES suggests that disability may result in people acquiring fewer qualifications and that early educational disadvantage can then raise the likelihood of becoming dependent on disability-related benefits later in life.[47]

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44 Department for Work and Pensions, (2011), 'A Qualitative Study Exploring Employers' Recruitment Behaviour and Decisions: Small and Medium Enterprises

45 The DDA was the forerunner to the current Equality Act 2010. Department for Work and Pensions, (2010), 'Organisations' Responses to the Disability Discrimination Act: 2009 Study'

46 Equality and Human Rights Commission (2012) 'The Perfect Partnership'

47 UK Commission for Employment and Skills, (2011), 'Disability and Skills in a Changing Economy'

This is combined with a lack of skills provision for disabled people. A recent report by the disability charity Scope has found that the provision of vocational skills training within mainstream programmes remains limited.[48] The majority of skills provision remains focused instead on 'basic skills' or employability skills such as CV writing or understanding the world of work and reduces the potential impact of these programmes. This is identified as particularly important for young disabled people. The Scope report identifies 'a particularly urgent need for increased and improved skills provision for disabled young people at transition age, many of whom lack opportunities for employment support'.

Priority Axis 2: Skills for Growth

Specific Objective 1

Activities include:
- Improving access to basic, functional and vocational skills to benefit disabled people.

Interventions under this objective have the potential to support the skills development of disabled people and are likely to be of benefit. Specific disproportionate positive impacts will, however, depend on the implementation and delivery of the Programme.

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

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3.5 Priority Axis 3: Youth Employment and Attainment

3.5.1 Impact: Supporting young people with disabilities and special educational needs

Evidence presented in a recent report by the Economic and Social Research Council has shown that many disabled children are also failing to reach their full potential, continuing to be marginalised in education, health and social care.[49] Despite having high aspirations, disabled children are more likely to face a number of barriers to educational attainment including gaps in the provision of support, misconceptions and unsupportive attitudes of educational professionals, segregation as a result of physical access and transport barriers to sport and recreational activities and limited participation in art and creative activities.

Young people with disabilities are often assessed as having special educational needs (SEN), meaning that they tend to have particular requirements that can make

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48 Scope (2013) 'Work in Progress: Rethinking employment support for disabled people'
49 Goodley, DA, McLaughlin, J, (2011): 'Does Every Child Matter, Post-Blair? The Interconnections of Disabled Childhoods. ESRC End of Award Report, RES-062-23-1138'

mainstream education challenging, and resulting in lower levels of attainment for this group. In Wales, the number of pupils with a statement of SEN was 13,591 in January 2012.[50]

Furthermore, a 2012 report (focussed on England, but revealing trends also likely to occur in Wales) prepared by the Department for Education reported that

> 'At Key Stage 4, 22 per cent of pupils with special educational needs achieved Level 2 (i.e. at least five A* to C GCSE grades or equivalent) including English and mathematics at Key Stage 4 in 2010/11, compared to 70 per cent for those with no special educational needs. Pupils with visual impairments were most likely, of all the primary types of special educational need, to achieve this standard.'[51]

The report also notes that pupils with special educational needs were more likely to be absent from school. In 2010/11, pupils with no special educational needs missed on average 5.1 per cent of half school days. Pupils at School Action Plus missed on average 8.9 per cent of half days. Of all the primary types of need, pupils with profound and multiple learning difficulty were the most likely to be absent from school (14.0 per cent of half days missed).[52]

Children with SEN are also more likely to be permanently excluded as a recent report by the Children's Commissioner for England[53] has shown. In 2010-11:
- children with statements of SEN (approximately two per cent) were six times more likely to be formally and legally excluded than children without; and
- children with special educational need without statements (approximately 18 per cent) were nine times more likely to be excluded.

Evidence also shows that disabled children are also more likely to experience or worry about bullying during education[54] with 38 per cent of disabled children reporting feeling worried about being bullied at school.[55] As stated within a 2008 Scope report, bullying of disabled children at school is widespread, and if unchallenged will often lay the foundations for the harassment and disrespect experienced by many disabled people in adult life.[56]

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50 Welsh Government, (2012); 'Pupils with Statements of Special Educational Needs: January 2012'
51 Department for Education (2012): 'Children with Special Educational Needs: An analysis – 2012'
52 Department for Education (2012): 'Children with Special Educational Needs: An analysis – 2012'
53 Children's Commissioner (2013) 'They go the extra mile'
54 Equality and Human Rights Commission (2010) 'How Fair is Britain – The First Triennial Review'
55 Chamberlain, T, George, N, Golden, S, Walker, F and Benton, T (2010) 'Tellus4 national report'. London: Department for Children, Schools and Families (DCSF).
56 Scope (2008) 'Getting away with murder: Disabled experiences of hate crime in the UK'

Young people with learning difficulties were also found to face particular challenges when making the transition from school to further education. A recent Welsh Government report into post-19 provision for disabled young people[57] found a number of practical, organisational and financial challenges which restricted access to existing post-19 provision for young people learning difficulties. In addition, some full-time colleges were found to be unable to offer access to the support many disabled young people need. There was also found to be a lack of choice of learning programmes for young people with learning difficulties, as well as a lack of vocational courses, opportunities to access supported employment, or to continue work experience placements that had started at special school.

Finally, the percentage of disabled people with no qualifications is high, particularly for those reporting that they are both disabled as defined in the Disability Discrimination Act (DDA) and 'work limiting' disabled.[58] In Wales, 35 per cent of males and 37 per cent of females in this group have no qualifications.[59] Disabled young people also remain under represented in apprenticeship schemes and are twice as likely to be NEET (not in education, employment or training)[60].

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57 Welsh Government (2013): 'Post-19 Education Provision for Young People with Complex Learning Difficulties Living in Wales'

58 See: https://www.gov.uk/definition-of-disability-under-equality-act-2010 for definitions of disability under the Equality Act, and formerly under the DDA. Essentially one is disabled under the Equality Act 2010 if one has a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on one's ability to do normal daily activities.

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

60 Department of Work and Pensioners (2013): ' Building a deeper understanding of disability in the UK today'

> **Priority Axis 3: Youth Employment and Attainment**
>
> **Specific Objectives 1, 2 and 3**
>
> Activities include:
> - Providing access to a broader and innovative range of learning options, supporting the acquisition of both vocational and higher level skills.
>
> Interventions such as these may have benefits for groups on the margins of education, such as those with disabilities and special educational needs. For example, young people may be more likely to remain in education (mainstream or specialised) and may, therefore, benefit from interventions. This may, in turn, prevent disabled young people and those with special educational needs from falling out of the education system.
>
> **Area of Impact:**
> - Specific Objective 1 and 2: West Wales and the Valleys and East Wales
> - Specific Objective 3: West Wales and the Valleys only

3.6   Conclusions

The ESF programme is likely to have some disproportionate (positive) impacts for people with disabilities, particularly as a result of activities proposed under the Tackling Poverty through Sustainable Employment Priority Axis, which are likely to assist with access to the labour market and provided support for people with disabilities to remain in employment.

3.7   Recommendations for implementation

The following measures are recommended to ensure that positive impacts are realised by this group;

- The social model of disability, as outlined at the start of this chapter, should be used as the appropriate starting point for addressing the challenges facing disabled people.

- Interventions should be tailored as far as possible to the needs of disabled people and to specific disabilities where appropriate, as well as the specific circumstances in question. Where possible, interventions should be based upon models or principles of intervention that can be easily adapted to meeting different groups' needs. Previous ESF Programmes have particularly struggled to engage with and recruit disabled people. Only three per cent of participants in the current Convergence Skills Priority are recorded as having a work limiting health condition or disability against a target of 13 per cent.

- Occupational health may benefit disabled people, as well as women who may qualify for maternity services, and older people for whom health requirements are greater.

- Specific reference is made to supporting employers to source, recruit, facilitate and support staff from 'disadvantaged groups' such as disabled people – this could include training for employers to better support disabled employees but could also be further extended to other sections of the population including people from BAME communities, women and young people.

- For projects focussed on disabled young people, it will be essential to ensure that effective referral pathways are in place to prevent disengagement. Projects such as the Transition Key Workers and the Regional SEN project (part of the current ESF Programme) are focused on preparing young people with a disability for independent living and employment. The Transition Key Worker project ensured that clear agreements were in place with partners about the characteristics of young people that they wished to work with, so those at risk of disengagement or with particular needs could be identified and referred on.[61]

- In addition, there is an opportunity to support the retention of disabled people in the workplace by addressing discrimination and hate harassment as potential barriers to employment.

- As suggested by a disability-focussed third sector stakeholder during consultation, a key recommendation of a recent report by the EHRC is that training and guidance be provided for managers, who need the skills and confidence to manage disability in the workplace.

- In some areas of work there is a clear business case for supporting equality and diversity, both in terms of securing the most talented staff and maximising the effectiveness of all parts of the workforce.[62] Diversity training could be offered to employers – perhaps citing this business case to encourage uptake – and there is potential to work with, for example, local transport providers to raise awareness of hate harassment.

61 Welsh Government (2012): 'Thematic Evaluation of ESF Convergence Priority One in West Wales and the Valleys – Final Report'

62 Department for Business, innovation and Skills (2013): 'The Business Case for Equality and Diversity: A Survey of the Academic Literature'

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.[63]

4.2   Socio-demographic profile

There are no official or census figures for the number of gender variant people in Wales. The ONS has estimated that the size of the Trans community in the UK could range from 65,000 to 300,000[64]. Figures by the Gender Identity Research and Education Society (GIRES) suggest that up to 2011 some 12,500 people in the UK had transitioned to a new gender role via medical intervention.[65]

Additionally, statistics from the Ministry of Justice also show that between 2004 and April 2013, approximately 3,344 full Gender Recognition Certificates have also been issued[66].

4.3   Priority Axis 1: Tacking poverty through Sustainable Employment

4.3.1   Opportunity: Potential to support transsexual people in employment

There is evidence to suggest that transgender people face barriers and challenges in terms of their participation in the labour market – facing discrimination both when attempting to access employment and also as a part of the existing workforce.

Many transgender people experience discrimination and harassment in the workplace and suffer as a result of their employers' lack of understanding of the issues they face.[67] During consultation, third sector stakeholders provided evidence of transgender discrimination from potential employers during past EU funded Programmes. A lack of knowledge around this protected characteristic from both employers and EU funded support providers resulted in a lack of challenge to discriminatory remarks by employers,

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63 EHRC (2013): 'Transgender: what the law says'. See:
http://www.equalityhumanrights.com/advice-and-guidance/your-rights/transgender/transgender-what-the-law-says/
64 ONS (2009): 'Trans Data Position Paper'
65 GIRES (2011): 'The Number of Gender Variant People in the UK - Update 2011'
66 Ministry of Justice (2013): 'Gender Recognition Certificate statistics - April to June 2013'
67 Welsh Assembly Government, (2009): 'Equality Impact Assessments for Age, Gender, Transgender, Religion and Sexual Orientation: Summary Report'

preventing the progression of transgender individuals into employment and leading to employers retaining discriminatory practices.

Findings from a report for the Equalities Review further reinforce this evidence. It found that 42 per cent of people, not living permanently in their preferred gender role were prevented from doing so because they feared it might threaten their employment status. In the workplace, over ten per cent of transgender people experienced being verbally abused and six per cent were physically assaulted. As a consequence of harassment and bullying a quarter of transgender people have also felt obliged to change their jobs.[68]

In addition, transgender people are also likely to experience instances of hate crime, which can constitute a major barrier to continued work for victims. Moreover, research has found that employment is one of the areas where transgender people face the most severe discrimination. In fact, ten per cent of workplace harassment of transgender individuals would be likely to constitute a hate crime if this behaviour was to be reported. A 2009 report for Press for Change and ILGA Europe has found that 73 per cent of transgender people have experienced verbal hate harassment in public and ten per cent had experienced hate violence.[69]

Hate crime can 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.[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. 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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68 Whittle S et al (2008) 'Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination
69 Turner, L et al (2009) 'Transphobic Hate Crime in the European Union' A Research Project Sponsored by ILGA-Europe and Press for Change
70 Home Office (2009) 'Hate Crime – the cross government action plan'

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 2

Activities include:
- Provide access to broader opportunities by tackling barriers to employment, which could provide an opportunity if activities included focused on discriminatory practices or hate crime as barriers to work for transgender people.
- Targeted support to employers to employ disadvantaged individuals

Interventions under this Priority Axis offer the opportunity to address discrimination towards trans people if activities address discriminatory practices and hate harassment of trans individuals as a barrier to employment and through support for employers.

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

4.4 Priority Axis 2: Skills for Growth

There are no specific activities within the Skills for growth Priority Axis that are likely to result in disproportionate impacts on trans people. This is not to imply that there will be no impacts on this group, merely that they will not be felt disproportionately in comparison with other sections of the population.

4.5 Priority Axis 3: Youth Employment and Attainment

4.5.1 Opportunity: Supporting transsexual young people in education and employment

As the recent action plan by the Home Office on transgender equality has highlighted the experiences of transgender pupils are least likely to be reflected in data and research.[71] However as a number of studies have shown, gender variant pupils are highly likely to experience transphobic bullying at school. 75 per cent of all pupils that had expressed gender variant behaviour had been subject to bullying at school,[72] with perpetrators likely to be both staff as well as other pupils.[73] Research from previous ESF Programmes has also suggested that many transgender young people experience disaffection and under-achievement as a result of transphobic bullying.[74]

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71 HM Government (2011): 'Advancing transgender equality: a plan for action'
72 EHCR (2009) 'Trans Research Review' Report 27
73 Whittle S et al (2008) 'Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination
74 Welsh Assembly Government, (2009), 'Equality Impact Assessments for Age, Gender, Transgender, Religion and Sexual Orientation: Summary Report'

> **Priority Axis 3: Youth Employment and Attainment**
>
> **Specific Objective 2**
>
> Activities include:
> - Early targeted action to combat disaffection.
> - Supporting the development of practitioners in order to better engage with disadvantaged young people
> - Tackling specific barriers to learning for certain groups.
>
> Interventions under this Priority could offer opportunities to support gender variant pupils, and could specifically address transphobic bullying, with the added effect of reducing both disaffection and the risk of underachievement. Disproportionate impacts will only be achieved however, if opportunities to tackle transphobic bullying can be realised and support for educational professionals is provided.
>
> **Area of Impact:**
> - Specific Objective 2: West Wales and the Valleys and East Wales

4.6   Conclusions

Desk research and stakeholder evidence has identified a number of opportunities that could be realised within the Programme, if the activities and interventions identified can target the discrimination, hate harassment and bullying faced by transgender people in employment and education. If the opportunities are realised, the Programme could have a positive disproportionate impact on this group. It is not expected that the ESF Programme will have any negative consequences for this group.

4.7   Recommendations for implementation

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

- Projects should be tailored to suit the particular requirements of this equality group and the specific circumstances they face.

- Activities which provide access to broader employment opportunities by tackling barriers to employment should include training and awareness of transphobic hate crime.

- Targeted support to employers to employ disadvantaged individuals should include transphobic groups. This should include training and support for employers to better help and support transgender people in employment and to raise awareness of discriminatory practices.

54

- This should also be extended to all Programme providers in the form of briefings and training on barriers to employment for transgender individuals, the legislative context, and good practice for employers.

- Early targeted action to combat disaffection should include an awareness of the impact of bullying on pupils and a range of learning options should be identified that re-engages victims reducing the risk of transgender pupils underachieving at school.

- There is a slight risk that this group will not feel the full benefit of intervention without additional activity to support participation – engagement and liaison with representatives of this community may be a suitable starting point. This may help to overcome some of the challenges identified for this group, including issues around transphobic bullying, harassment and discrimination.

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.

Just over 45 per cent of the UK population are married, while just under a quarter of a per cent are in a civil partnership. There is very little data available regarding the employment and skills characteristics of these populations, and they tend to cut across a number of socio-economic groupings.

5.2   Socio-demographic profile

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[75]

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).

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75 Note: the number of married and those in civil partnerships 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 have been calculated using the population over 16.

5.3 Impacts and opportunities across ESF Priority Axes

Across all three Priority Axes there were no clear disproportionate positive or negative impacts of the Programme with regards to the characteristic of marriage and civil partnership.

5.4 Conclusions

There are no Priority Axes which have specific disproportionate positive or negative impacts on this equality group.

5.5 Recommendations for implementation

Apart from working to ensure that illegal discrimination against people who are married or in a civil partnership are not included in project practices, there are no specific recommendations regarding implementation for this protected characteristic.

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'.[76]

The Work and Families Act 2006 and associated regulations introduced a number of changes to mothers' maternity leave and pay entitlements which took effect from 1 April 2007:

- the Statutory Maternity Pay (SMP) period increased from 26 to 39 weeks;
- the Maternity Allowance (MA) period increased from 26 to 39 weeks;
- the eligibility requirements for Additional Maternity Leave (AML) were removed, which enabled all employed mothers to take up to one year's Statutory Maternity Leave; and
- the introduction of Keeping In Touch days enabled women to agree with their employers that they would work for up to ten days during their maternity leave.

The Act did not make changes to fathers' entitlements. At the time of writing, fathers could take two weeks of Statutory Paternity Leave after their baby was born. During the leave, most fathers are entitled to flat rate Statutory Paternity Pay.[77]

6.2 Socio-demographic profile

Data availability for this protected characteristic is limited, and there are no single specific data sets that capture the proportion or distribution of this group. We have therefore used crude birth rate as a proxy measure for this protected characteristic, as it provides a reasonable metric of the number of women likely to be pregnant or on maternity leave in an area in the absence of specific data for each of these characteristics.

Wales has a declining birth rate. Nonetheless, National Childbirth Trust statistics indicate that over 35,000 babies were born in Wales in 2010.[78]

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

77 As affirmed by: Department for Work and Pensions, (2011), 'Maternity and Paternity Rights and Women Returners Survey 2009/10'

78 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

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 were a higher number of births in West Wales and the Valleys than in East Wales (22,012 as opposed to 13,586), the birth rate is broadly similar (11.4 per cent as opposed to 12.0 per cent)
- The birth rate for all of Wales (11.6 per cent) is slightly below the percentage for England (13.0 per cent)
- This indicates a broadly similar prevalence of people who would have this protected characteristic in each part of Wales.

6.3   Priority Axis 1: Tackling Poverty through Sustainable Employment

There are no specific activities within Priority Axis 1 that are likely to result in disproportionate impacts on people with this protected characteristic. This is not to imply that there will be no impacts on this group, merely that they will not be felt disproportionately in comparison with other sections of the population.

6.4   Priority Axis 2: Skills for Growth

6.4.1 Opportunity: Supporting women to stay in employment during and after pregnancy

The inclusion of pregnancy and maternity as a protected characteristic under the Equality Act is primarily intended to reinforce employment rights during pregnancy and whilst women are on maternity leave. Evidence indicates however, that women are still discriminated against at work, as a result of being pregnant or taking maternity leave.

In 2011, 1,900 cases of pregnancy related discrimination were accepted by employment tribunals in the United Kingdom.[79] Research suggests that actual instances of discrimination are likely to be much higher, with estimates that at least half of all pregnant

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79 Ministry of Justice (2012): 'Claims Accepted by Employment Tribunals'

women in the United Kingdom will experience some form of discrimination at work, with as many as 30,000 women subsequently forced out of their jobs.[80] As a result of lost employment, it is estimated that women lose as much as £12 million in statutory maternity pay each year and will on average return to hourly earnings five per cent lower than they could have expected, 14 per cent less for those on lower incomes.

Priority Axis 2: Skills for Growth

Specific Objective 5

Activities include:
- Raising awareness amongst employees of gender disadvantages in the workforce and supporting the development of equality and diversity policies.
- Flexible and practical working solutions to women to support their increased effectiveness and sustainability within the workplace.

Interventions under these objectives provide an opportunity to support employers through targeted training interventions that could promote awareness of pregnancy and maternity related employment issues. In addition opportunities to support flexible and practical working solutions may support women during pregnancy and on return to employment. This may support the retention of women in the workforce during pregnancy and on return from maternity and would be likely to have a positive impact on this group.

Area of Impact:
- Specific Objective 5 [2 in East Wales]: West Wales and the Valleys and East Wales

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6.5 Priority Axis 3: Youth Employment and Attainment

As with Priority Axis 1, there are no specific activities within Priority Axis 3 that are likely to result in disproportionate impacts on people with this protected characteristic. This is not to imply that there will be no impacts on this group, merely that they will not be felt disproportionately in comparison with other sections of the population.

6.6 Conclusions

There is an opportunity for potential differential impacts for women who are pregnant or on maternity leave under the 'Skills for Growth' priority. Through increased employer awareness and support and more flexible working arrangements, there is an opportunity to reduce discriminatory employment practice, helping to retain more women in the workforce during and after pregnancy.

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80 Equal Opportunities Commission (2005): 'Greater Expectations'

6.7 Recommendations for implementation

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

- Projects should be tailored to ensure that they work to eliminate discrimination against pregnant women and those on maternity leave and that they improve equality of opportunity for this group. Addressing labour market mobility and flexibility is key to this, and provision should be made to accommodate the particular needs of women planning to start a family and when appropriate actions which offer flexible and practical working solution should be included.

- Specific reference is made within the Priory Axes to supporting raising awareness amongst employers of gender disadvantages in the workforce and support for the development of equality and diversity policies – this could include training for employers to help better support pregnant employees and to avoid discriminatory practice.

- It will be important to emphasise that, while their needs and characteristics in many ways overlap, the needs of pregnant women and those on maternity are not the same as women generally.

7. Race and ethnicity

7.1   Introduction

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

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 markedly from their White British counterparts. Despite the separation into these two groups for the purposes of this EIA, it should be recognised that BAME communities are not a homogenous group and wherever possible data needs to be disaggregated by individual ethnic groupings 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.
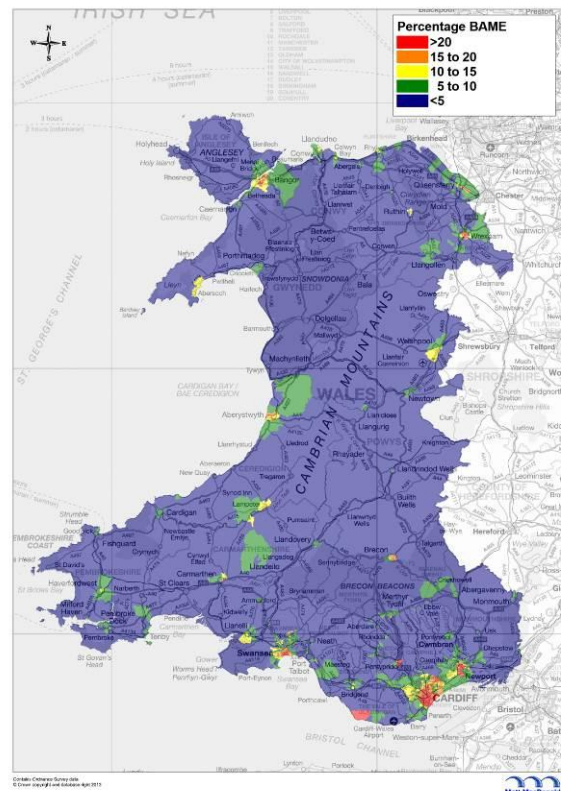
Figure 7.1:   Wales: BAME Density
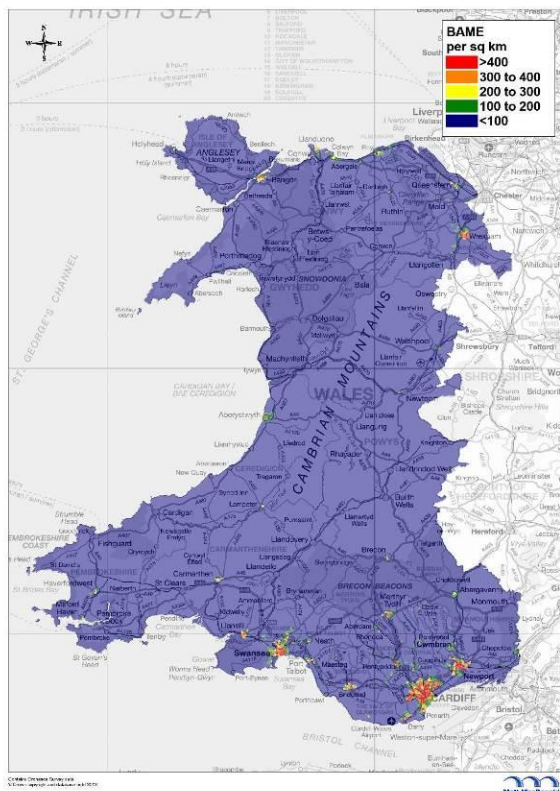
Figure 7.2:   Wales: Proportion of Total Population BAME

Source: Census 2011

Source: Census 2011

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 five per cent)
- The overall population of people from BAME communities in Wales is seven per cent.
- This figure is significantly below the percentage for England and Wales, which is 20 per cent.

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

People from ethnic minorities[81] account for a relatively small proportion of the population in Flintshire, Wrexham, Powys and Monmouthshire. This ranges 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).[82]

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81 It should be noted that the definition of 'ethnic minority' used within the socio-demographic analysis differs from that used above and as such these figures are not comparable.

82 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for East Wales 2014-2020: Annex A: Socio-economic analysis of East Wales'

7.2.2 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. [83]

7.3 Priority Axis 1: Tackling Poverty through Sustainable Employment

7.3.1 Impact: Addressing unemployment and poverty in BAME communities

The Institute for Race Relations recognises that BAME groups in the UK are disproportionately affected by unemployment.[84] This is confirmed in a recent report by the TUC, which has demonstrated that young people from Black, Bangladeshi and Pakistani communities have been consistently disadvantaged in employment before, during and after the recent recession.[85] As recent ONS figures[86] illustrate, the highest unemployment rates have been experienced by the Pakistani (20 per cent), Bangladeshi (16 per cent) and Black communities (16 per cent) – with unemployment rates that are more than double that of white communities (seven per cent) in the United Kingdom.

This increased risk of unemployment is often accompanied by an increased risk of poverty and social exclusion. Analysis undertaken by the New Poverty Institute in 2007 shows that ethnicity is closely linked to income poverty,[87] with income poverty varying substantially between ethnic groups: Bangladeshis (65 per cent), Pakistanis (55 per cent) and Black Africans (45 per cent) have the highest rates; Black Caribbean (30 per cent), Indians (25 per cent), White Other (25 per cent) and White British (20 per cent) have the lowest rates.[88] Furthermore, research conducted in 2011 by the Joseph Rowntree Foundation indicated that the proportion of people from BAME groups living in deprived neighbourhoods is about twice as high as those living elsewhere.[89]

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83 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for West Wales and the Valleys 2014-2020: Annex A: Socio-economic analysis of West Wales and the Valleys';

84 See: http://www.irr.org.uk/research/statistics/poverty/

85 TUC (2012) 'Youth ethnicity and employment'

86 ONS (2013) 'Labour Force Survey: A09: Labour Market status by ethnicity' January - March 2013

87 A household is defined as in 'income poverty' if its income is less than 60% of the contemporary Great Britain median household income

88 Joseph Rowntree Foundation (2007): 'Poverty among ethnic groups: How and why does it differ?'

89 Joseph Rowntree Foundation (2011): 'Poverty, Ethnicity and Place'

Mott MacDonald

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1, 2 and 3

Activities include:
- Support for access to employment (job-search, employment brokerage or achievement of work relevant skills),
- Support activities for those suffering from more complex barriers to employment and targeted support to employers to employ individuals facing additional barriers.

Interventions under this objective are likely to increase access to employment opportunities for BAME communities and are likely to have positive impacts on this group.

Area of Impact:
- Specific Objective 1 and 3: West Wales and the Valleys only
- Specific Objective 2: West Wales, the Valleys and East Wales.

7.3.2 Impact: Addressing transport barriers to work for BAME people

Car ownership within households from different ethnic backgrounds varies enormously and, as such, the risk of social exclusion due to public transport provision (or lack thereof) is a significant risk based on this characteristic.

The 2012 National Travel Survey (NTS), which covers England, Scotland and Wales, 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).[90]

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).[91]

As a result, people from BAME communities and people from Black backgrounds in particular, are often higher than average users of bus services. Numerous studies have confirmed that bus use amongst non-White groups is proportionately high[92].

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90 Department for Transport (2013): 'National Travel Survey 2012: Travel by car availability, income, ethnic group'
91 Department for Transport (2013): 'National Travel Survey 2012: Travel by car availability, income, ethnic group'
92 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):

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1, 2 and 3

Activities include:
- Providing access to broader employment opportunities by tackling specific barriers to employment such as transport
- Targeted support to employers to employ disadvantaged individuals.
- Innovative activities which work with employed participants to help address barriers to mobility in the labour market

Interventions under this objective may support access to employment opportunities for certain BAME groups. Certain BAME groups are less likely to have access to private transport, potentially inhibiting their prospects of securing and remaining in employment, this Priority has the potential to broaden employment opportunities for this particular group.

Area of Impact:
- Specific Objective 1 and 3: West Wales and the Valleys only
- Specific Objective 2: West Wales, the Valleys and East Wales.

7.3.3 Impacts: Supporting BAME people into employment

Members of BAME groups still remain more likely to experience discrimination and prejudice when looking for work and once employed. According to statistics by the Ministry of Justice, in 2011 a total of 4,800 cases of racial discrimination were accepted by employment tribunals in the United Kingdom.[93]

A recent report by the All Party Parliamentary Group (APPG) on Race and Community[94] has highlighted the continued impact of discrimination for ethnic minority females. The report identified a number of barriers to Black, Pakistani and Bangladeshi employment and found discrimination at every stage of the recruitment process, including when assessing applications, during interviews, at recruitment agencies and also in the workplace itself. At the application stage, studies have shown that discrimination can occur based upon name and accent of the applicant.[95]

'Transport Statistics Bulletin: National Travel Survey 2004'

93 Ministry of Justice (2012) 'Statistics on Employment Tribunals and Employment Appeal Tribunals'.

94 All Party Group on Race and Community (2013) 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'

95 Wood, M et al (2009) 'A test for racial discrimination in recruitment practice in British cities' DWP Research Report No 607; All Party Group on Race and Community (2013) 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'

Research by the Department of Work and Pensions[96] has found that applicants with traditional British-sounding names are twice as likely to be invited to interview as applicants from ethnic minority backgrounds. In addition, research has also found evidence of prejudice towards White applicants by recruitment agencies. A report by the third sector stakeholder 'Race for Opportunity[97]' has found that in 2011 only 57 per cent of ethnic minority applicants were invited to interviews through a recruitment agency, compared to 73 per cent of White candidates. In contrast to direct applications to employers, where the outcomes were found to be more equal – with 29 per cent of both White and ethnic minority applicants securing jobs.

At interview, the APPG report also found that women from ethnic minorities in particular were more likely to be asked questions about intentions regarding marriage and children, intersecting prejudices around gender and race.[98]

In addition, BAME individuals are also more likely to experience hate crime and hate harassment, with potentially severe impacts on both the physical and psychological health of the individual.[99] In Wales, in 2011, almost four fifths of all reported hate crimes were race related (76 per cent) – with 1,368 reported incidents. As research by Race Equality First on Racist Hate Crime in Cardiff has demonstrated, hate crime can occur in an array of environments including the workplace[100].

Hate crime 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.[101] 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.

Gypsy and Traveller challenges may be altogether different. A long term, intergenerational emphasis on self-reliance and self-employment means that Gypsy and Traveller families (and young people in particular) experience a whole range of challenges which are rarely reported or even properly seen. However, there is an increasing recognition that several of the traditional opportunities for self–employment

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96 Wood, M et al (2009): 'A test for racial discrimination in recruitment practice in British cities' DWP Research Report No 607
97 Race for Opportunity (2011): 'Race and Recruitment: Exposing the Barriers'
98 All Party Group on Race and Community (2013): 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'
99 All Wales Hate Crime Research Project (2013): 'All Wales Hate Crime Research Project Research Overview & Executive Summary'
100 Race Equality First (2009): 'Race Hate Crime in Cardiff 2009'
101 Home Office (2009): 'Hate Crime – the cross government action plan'

are in decline, and that, without qualifications, Gypsy and Traveller young people may have very limited and low paid employment choices.[102] Also, a recent JRF report notes that care arrangements can often be different for Gypsy and Traveller communities, where women play an even stronger caring role than in other communities and care of older people is kept within family groups. All of which can impact strongly on the economic participation, particularly of women.[103]

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 2

Activities include:
- Focused interventions to address final barriers to employment for those in work
- Targeted support to employers to employ disadvantaged individuals

Interventions under this objective could increase access to employment opportunities for BAME groups. Specifically activities that supported employers to address diversity awareness within the workforce would benefit this group. There is also an opportunity to address wider race harassment as part of this objective.

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

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7.3.4 Impact: Addressing in work poverty and barriers to career progression

Progressing in work can be challenging, but studies show it can be more difficult for some groups than others. In particular, research has shown that BAME individuals are more likely to face barriers to career progression than their White British peers. As research by Race for Opportunity[104] 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[105] and less than one in 15 BAME workers in the UK hold a management position.[106]

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102 Welsh Government (2013): 'Travelling to a Better Future: Gypsy Traveller Framework for Action and Delivery Plan'

103 Joseph Rowntree Foundation (2012): 'Perspectives on Ageing in Gypsy Families'
104 Race for Opportunity (2011) 'Race to progress'
105 Sealy, R and Vinnicombe, S (2012) 'The Female FTSE Board Report, Milestone or Millstone 2012' Cranfield International Centre for Women Leaders
106 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

The research also found that prospects for promotion are more limited for BAME individuals. BAME employees will on average be promoted just two and a half times during their career compared to British White colleagues who are likely to receive on average nearer four promotions during the same period.[107] Perceived barriers to career advancement include a shortage of promotion opportunities, a lack of support or poor relationships with their manager, rather than worries over their own qualifications or experience.

For BAME individuals in low pay work, barriers to career progression also prevent individuals from moving out of in-work poverty. Several ethnic groups are known to have a high proportion of minimum wage workers, particularly Bangladeshis, Pakistanis and other migrant workers.[108] A recent report by the Joseph Rowntree Foundation has identified that BAME workers in particular face additional barriers to career progression and routes out of low paid employment. They include:
- weak English language skills;
- a lack of self-confidence;
- an absence of ethnic minority role models in leadership positions;
- weak cultural understanding of those from ethnic minority communities by employers; and
- informal work cultures that may discriminate against specific BAME groups.

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 3

Activities include:
- Focused interventions to address final barriers to employment for those in work and those impacted by redundancy.
- Innovative activities which work with employed participants to help address barriers to mobility in the labour market and causes of underemployment

Interventions under this objective could support progression for BAME individuals. Specifically activities that helped to address diversity awareness in the workforce and support for skills development could help address barriers faced by BAME groups in employment, providing opportunities to move out of in-work poverty.

Area of Impact:
- Specific Objective 1 and 3: West Wales and the Valleys only

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107 Race for Opportunity (2011) 'Race to progress'
108 Joseph Rowntree Foundation (2013): 'In-Work Poverty, Ethnicity and Workplace Cultures'

7.4 Priority Axis 2: Skills for Growth

7.4.1 Impact: Improving skills amongst people from different BAME groups

Studies show that low human capital is a major barrier to employment for individuals from BAME groups and a particular challenge is focussed around skills. A report for the National Audit Office[109] has identified Pakistani, Bangladeshi and Black Caribbean communities in particular, as among the key groups who, in general, lack skills.

Studies have shown that weak English language skills in particular act as a major barrier to employment for some BAME groups – including ethnic minority refugees, members of Pakistani and Bangladeshi groups[110] (particularly older women)[111] and women from Somali communities.

Further, given the larger prevalence of some BAME groups in low paid work – specifically Bangladeshi, Pakistani and other migrant workers – low skill levels also prove an obstacle to escaping in-work poverty, as noted above.[112]

In addition, employers are sometimes unsupportive of opportunities to develop skills. UK-born employees from ethnic minority groups often face under-recognition of their skills and experience, while recent migrants often encounter non-recognition of their overseas qualifications.

Priority Axis 2: Skills for All

Specific Objective 1

Activities include:
- Targeted interventions to improve access to basic and functional skills provision (numeracy and literacy) and vocational skills for employed individuals, with a focus on progression to an intermediate level NQF qualification or above

Interventions under this objective will support skills development for participants which may facilitate access to employment opportunities, career progression, improved income levels and could help to address in-work poverty.

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109 National Audit Office (2008): 'Increasing Employment for Ethnic Minorities: a summary of research findings'

110 Tackey ND et al (2006): 'Barriers to employment for Pakistanis and Bangladeshis in Britain, DWP Research Report No 360'

111 All Party Group on Race and Community (2013): 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'

112 Joseph Rowntree Foundation (2013): 'In-Work Poverty, Ethnicity and Workplace Cultures'

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

7.4.2 Impact: Improving good equality and diversity practice within businesses

Businesses, especially SMEs, often lack capacity to deliver on good practice with regards to equality. Specific Objective 4 of the 'Skills for Growth' Priority Axis will support actions which raise awareness amongst providers and employers and support the development of equality and diversity policies. Going forward, this may help to impact people from BAME groups, who will benefit from employers and service providers being more aware and responsive to their needs.

Priority Axis 2: Skills for Growth

Specific Objective 4

Activities include:
- Supporting leaders and managers to develop skills to increase workforce diversity

This intervention may impact people from BAME groups, who will benefit from diversity aware employers. If this is combined with targeted support to employers included under Priority Axis 1, this could also benefit BAME individuals looking to access employment as well as individuals already in the workplace.

Area of Impact:
- Specific Objective 4: West Wales and the Valleys only

7.5 Priority Axis 3: Youth Employment and Attainment

7.5.1 Impact: Addressing poor attainment amongst young BAME people

Studies have highlighted the existence of attainment gaps for pupils from certain ethnic groups. National test data reveals that at ages seven, 11 and 14 and in public examinations at 16, mean scores of Black Caribbean, Black African, Black Other, Pakistani, and Bangladeshi students are generally found to be below the mean for children from White British backgrounds.[113]

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113 Strand. S. (2011): 'The limits of social class in explaining ethnic gaps in educational attainment'. British Educational Research Journal (No.2). pp. 197-229

At secondary level, Black Caribbean children in particular, are continually identified as under-performing, with a marked decline in academic performance during secondary school education.[114] Children from Gypsy, Roma and Irish Traveller communities are also more likely to under-achieve, with poor attendance particularly in secondary education and girls' attainment generally fairing worse than boys.[115] In addition, Bangladeshi males and Pakistani and Bangladeshi females are also the most likely groups to achieve the fewest qualifications.[116]

There is also a great chance of exclusion from education for some BAME young people. As a recent Children's Commissioner for England report has demonstrated, in 2010-11, the highest rates of permanent exclusion were amongst children from Gypsy and Roma Traveller backgrounds, Irish Travellers, Black Caribbean and Mixed White/Black Caribbean groups.[117] This was also the case for rates of fixed-term exclusion with 17 per cent of Irish Traveller children, 15 per cent of Gypsy and Roma Traveller children and 11 per cent of Black Caribbean children excluded, in comparison with less than five per cent of all children as a whole.

Following secondary education in England (though there is little reason to suspect that trends will differ in Wales), there remains a limited take up of apprenticeships and vocational qualifications by BME young people, with poor progression on completion for those who do follow this educational route.[118]

Priority Axis 3: Youth Employment and Attainment

Specific Objectives 1 and 2

Activities that:
- Ensure young people gain the skills, competencies and experience required to access sustainable employment and challenge traditional assumptions and stereotypes to raise participation levels for underrepresented equality groups.
- Through early targeted action combat disaffection, equip young people with skills for sustainable employment and support practitioners to better engage with disadvantaged youth and remove barriers to learning.

The range of interventions included under this Priority Axis may have benefits for groups

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114 Djan Tackey, N, Barnes H & Khambhaita P, on behalf of the Joseph Rowntree Foundation (2011): 'Poverty, ethnicity and education'

115 Welsh Government (2013): 'Travelling to a Better Future: Gypsy Traveller Framework for Action and Delivery Plan' (Chapter 5 - Education)

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

117 Children's Commissioner (2013): 'They go the extra mile'

118 Strand, S. on behalf of the Department for Children, Schools and Families (2008): 'Report DCSF-RR029. Minority Ethnic Pupils in the Longitudinal Study of Young People in England'

partially marginalised within education at secondary and post 16 routes – including sub-groups amongst the BAME population at greater risk of low attainment.

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

7.5.2 Impact: Supporting an ethnicity balance in the early years childcare sector

The early years and childcare workforce is one of the most imbalanced of any sector in the UK. A report by the Care Council for Wales has highlighted that the childcare workforce in Wales remains overwhelmingly white and female – with men making up only one per cent of the workforce and non-white ethnic minority practitioners constituting only 0.9 per cent.[119]

Priority Axis 3: Youth Employment and Attainment

Specific Objectives 3

Activities that:
- Promote a better gender balance and diversity across the childcare sector.

Interventions under this Priority Axis may have a positive disproportionate impact on childcare and early years professionals from BAME communities.

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

7.6 Conclusions

The overall impact of the ESF Programme on this particular equality group is a positive one. Particular benefits are likely to accrue for those sub-groups within the BAME population which have a higher propensity to be under-represented in the labour market and experience socio-economic poverty (notably those from Bangladeshi, Pakistani and some Black backgrounds). In addition, it is expected that young people from BAME groups where educational attainment has been historically poor, will also disproportionately benefit from the proposed ESF activities.

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119 Care Council for Wales (2010):'The Early Years and Childcare Workforce in Wales: 2010'

7.7   Recommendations for implementation

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

- Projects should be tailored as far as possible to meet the specific and divergent needs of different BAME individuals, and to be sufficiently adaptable to the socio-economic circumstances as they change over time.

- It will be important to ensure that all communications are accessible to people from different BAME groups, as language challenges can inhibit accessibility. Skills development for participants can facilitate career progression, improve income levels and address in-work poverty and it will be important for interventions to address themselves to the actual challenges faced by BAME groups.

- A number of the potential employment impacts have identified the importance of stronger English language skills for sub-groups of the BAME community. Projects could seek match funding from the Welsh Government to provide ESOL sessions for groups where English Language constitutes a strong obstacle to BAME employment and career progression.

- Targeted support to employers to employ disadvantaged individuals should include BAME groups. This should include training and support for employers to better help and support BAME people in employment and to raise awareness of discriminatory practices. Support could encourage mentoring, support networks and support to progress in the workplace to improve access to employment progression for BAME groups.

- Specific interventions should be considered to face the particular challenges of Gypsy and Traveller groups.

Two key examples of bespoke support for Gypsy and Traveller Groups can be found below:

- **The Swansea Traveller Education Service:** The Service operates from a mobile classroom where groups of Gypsy and Traveller secondary pupils are taught for whole days. This has made a difference to the teaching activities which can be provided and increased the teaching time available to members of these groups. Pupils have been shown to make good progress within the limited time available and have gradually accepted the rules and expectations of conduct and general behaviour expected in a classroom.

- **The Gypsy Traveller Learning and Future Employment' project:** The objectives of the project are: to improve levels of participation in education by young people aged 11 to 19 from Gypsy and Traveller communities (the target group); to improve levels of educational attainment amongst the target group throughout West Wales and the Valleys; to improve levels of positive outcomes for the target group, in the form of people entering employment, FE or training; to reduce discrimination

> against the Gypsy and Traveller population by countering stereotypes through, for example, role models.[120]

- As with other proposed interventions, it will be important to undertake further analysis to properly understand which cohorts of young people are particularly at risk of falling out of education (including members of some BAME groups, and those in households experiencing unemployment or deprivation).[121] Interventions should include activities to promote better diversity across the childcare sector.

- Again, as with other interventions, understanding the nature of disadvantage and how it affects young people (and particularly those from BAME and other communities) will be essential.

- Work may need to be undertaken with employers to ensure that UK-born employees from ethnic minority and recent migrants are able to make best use if the skills and qualifications that they already have. This could be complimented with support to employees to help them convert any unrecognised qualification from overseas.

> An example of a pervious intervention is The Minority Ethnic Learning and Achievement Project[122], which aims to improve opportunities for young BAME people through strengthening the existing targeted language, learning and support provision and adopting a range of approaches for ensuring engagement with education via holistic support both within and out of the school environment. It has so far helped over 3,000 young people through a tailored set of skills development methods.

- Finally, it should be recognised that not all BAME groups have the same needs and there are many wide-ranging social and economic differences between *and within* ethnic groups that will need to be addressed as projects are implemented.

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120 Welsh Government (2013): 'Travelling to a Better Future: Gypsy Traveller Framework for Action and Delivery Plan'

121 Welsh Government (2013): 'Identifying Young People at Risk of becoming 'Not in Employment, Education and Training''. See: http://wales.gov.uk/docs/caecd/research/131001-identifying-young-people-risk-becoming-not-employment-education-training-en.pdf

122 See: http://wefo.wales.gov.uk/programmes/progress/searchprojects/80304?lang=en

8. Religion and 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: Percentages of religion, faith and belief

	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: Number of religion, faith and belief

	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
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).
- Islam is the largest religious group identified with after Christianity in both East and West Wales.
- The majority of those who identify as being Muslim live in East Wales (2.9 per cent); this is 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 1: 'Tackling Poverty through Sustainable Employment'

8.3.1 Impact: Addressing unemployment in Muslim communities

According to Census data,[123] the proportion of all Muslim people in Wales who are economically active (53 per cent) remains lower than that of the general population (59

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123 ONS (2013): 'Census 2011: DC6205EW - Economic activity by religion by sex by

per cent). Muslims are much less likely to be in employment (44 per cent) compared to all groups (55 per cent) and experience an unemployment rate (nine per cent) that is almost double the average (five per cent).

In addition, research by the EHRC[124] has identified that Muslim men and women were likely to experience an adverse (and in the case of Muslim women the highest) wage gap in comparison to other religious and non-religious groups. A report for the Open Society Institute has also found that nearly a quarter of all Muslims are employed in the wholesale or the retail trade. 40 per cent of all Muslims remain in the lowest occupations groups.[125] Muslim men in particular are more likely to work part time (13 per cent) than men in other groups (six per cent) and are less likely to be in full time employment (22 per cent) than other males (40 per cent) in Wales.[126]

Muslim women however experience particular disadvantage within employment in Wales. A much lower proportion of Muslim women are economically active (37 per cent) in Wales compared to all women (54 per cent). They also much less likely to be in employment (29 per cent of Muslim women in Wales are in employment) than women belonging to other religious groups (86 per cent are in employment). This is reflected in the proportion of Muslim women that are economically inactive (63 per cent) and the higher percentage that stay at home to look after family or relatives (27 per cent) than women in other religious groups (six per cent).[127]

Studies have indicated that Muslim women face disadvantage as a result of a number of intersecting barriers. Predominant amongst them are gender,[128] ethnicity[129] and religious belief. The latter in particular can result in Muslim women experiencing discrimination in both accessing and progressing in employment.

During the application process, for example, research has highlighted the discrimination faced by Muslim women at interview as a result of wearing the hijab or niqab,[130] and who are more likely than their non-Muslim counterparts to be asked about future plans for

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age'
124 Equality and Human Rights Commission (2009): 'Integration in the workplace: emerging employment practice on age, sexual orientation and religion or belief'
125 Open Society Institute (2005): 'British Muslims and the Labour Market'
126 ONS (2013): 'Census 2011: DC6205EW - Economic activity by religion by sex by age'
127 ONS (2013): 'Census 2011: DC6205EW - Economic activity by religion by sex by age'
128 London Development Agency, Mayor of London (2008): 'Valuing family, valuing work: Muslim women and the labour market'
129 All Party Parliamentary Group (APPG) on Race and Community (2012): 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'
130 London Development Agency, Mayor of London (2008): 'Valuing family, valuing work: Muslim women and the labour market'; Tower Hamlet Council (2012): 'APPG Inquiry into Ethnic Minority Female Unemployment'

marriage and children.[131] In employment, evidence also points to faith-based discrimination. For example, 50 per cent of British Muslim women surveyed in 2008 felt that their career progression opportunities have been limited because of religious discrimination and, in part, to the wearing of the hijab and/or niqab.[132] Other difficulties have included convincing employers to allow time in the day for Muslim prayer and lack of attendance at work social occasions in locations that serve alcohol, which limits networking opportunities and may act as a disadvantage for future job prospects.[133]

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objective 1 and 2

Activities include:
- Aligning existing skills with available work opportunities via job brokerage, assistance with job search, work experience and careers advice
- Targeted support to employers to employ disadvantaged individuals

Interventions such as these can support a return to employment for those who are unemployed or at risk of long term worklessness. It can also support employers to be more diversity aware by providing targeted training opportunities.

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

8.4   Other Impacts and opportunities across ESF Priority Axes

Research evidence reviewed by WEFO indicates that a higher proportion of people, when engaged in education, from Muslim, Sikh and Hindu organisations reported 'unfair treatment' than Christian, Jewish, Buddhist or Baha'i organisations. Key areas of unfair treatment in relation to the experiences of religious groups in education included curriculum content, dress code and holidays.[134]

However, 22 per cent of Muslim males living in Wales had no formal qualifications; while a quarter also reported that they have foreign qualifications, this is likely to reflect the high percentage of immigrants amongst this group. While females indicating that they

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131 ' All Party Parliamentary Group (APPG) on Race and Community (2013): 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'
132 London Development Agency, Mayor of London (2008): 'Valuing family, valuing work: Muslim women and the labour market'
133 All Party Parliamentary Group (APPG) on Race and Community (2013) 'Ethnic Minority Female Unemployment: Black, Pakistani and Bangladeshi Heritage Women'
134 Welsh Assembly Government, (2009): 'Equality Impact Assessments for Age, Gender, Transgender, Religion and Sexual Orientation: Summary Report'

were of Sikh/Hindu, Buddhist or were of other religious belief (including Jewish) were far more likely than Christians to have a degree, this is not true for Muslim females living in Wales. Furthermore, around a third of Muslim females reported that they had no qualifications and almost a quarter that they had other qualifications. These patterns are generally in accordance with those observed in other parts of the UK.[135]

Of the working population in Wales, over 71 per cent report being Christian and 26 per cent report no religion, with the final 2.6 per cent representing other religions, mainly Islam.[136]

There are likely to be some limited benefits for some religious groups in helping them to address skills and education gaps. In general, however, our analysis suggests that the ESF Programme is unlikely to result in any measurable disproportionate positive or negative impacts for people with this protected characteristic in these areas.

8.5   Conclusions

The ESF Programme could potentially have a positive benefit on Muslim men and women in Wales if the opportunities identified within the Programme are realised. There is also through implementation, opportunities to maximise benefits in education and employment in education and skills. It is however unlikely to have discernibly different impacts on other religious groups in Wales.

8.6   Recommendations for implementation

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

- Projects should wherever possible include interventions tailored to the needs of different religious groups (including Christians, 'minority' and 'other' religions, as well as humanists, atheists and others professing no religion) and the specific and diverse socio-demographic circumstances they face in practice.

- In particular, the needs of Muslim men and women, as the largest 'minority' religious group in Wales and as a group which faces particular barriers to employment and skills development, should be factored into Programme design, not only for projects focussed specifically on this group, but also for those focussed on BAME communities with large religious sub-communities and the general public as a whole.

- It should be recognised that not all religious groups have the same needs with regards to social and economic participation and the links to ethnicity and culture are often strong.

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135 Equality and Human Rights Commission, (2011), 'An Anatomy of Economic Inequality in Wales'
136 Equality and Human Rights Commission, (2011), 'An Anatomy of Economic Inequality in Wales'

9.   Sex / gender

9.1   Introduction

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

The table shows that there is very little variation between the proportions of males and females in Wales.

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 increased by 4.1 per cent.
- Notable changes in the sex/gender profile of Wales include the larger increase in women aged 65 years and more (up 18.2 per cent) than men (up 14.0 per cent).[137]

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137 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for East Wales 2014-2020: Annex A: Socio-economic analysis of East Wales';

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:

- 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 remains 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.[138]

9.3 Priority Axis 1: Tackling Poverty through Sustainable Employment

9.3.1 Impact: Supporting women to progress in employment

There remain a number of substantial gender differences with regard to employment in Wales and in the UK. Two-thirds of all women in Wales work, although they are still less likely to work than men.[139] Women can face multiple disadvantages regarding economic activity, employment, and skills. These can range from discrimination to child care arrangements, both of which tend to affect women to a greater extent than men.[140] For younger women in particular, caring responsibilities can, for example, lead to a greater possibility of becoming NEET. A fifth of all young people who experience NEET status do so due to caring responsibilities such as parenthood and caring for a family member, and the vast majority of them are young women.[141]

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138 Welsh Government (2012): 'Consultation on European Structural Funds Programmes for West Wales and the Valleys 2014-2020: Annex A: Socio-economic analysis of West Wales and the Valleys'

139 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'

140 Equality North East (2006): 'Barriers to Employment Report 2004 – 2005'

141 The Work Foundation, (2012): 'Lost in transition? The changing labour market and young people not in employment, education or training'

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 3

Activities include:
- Provide access to broader employment opportunities by tackling barriers to employment
- Support innovative activities to help address barriers to mobility in the labour market such as caring responsibilities.
- Supporting workforce development and promoting flexible working arrangements

Interventions within this Priority Axis are likely to have a positive impact on women – supporting increased access to employment and retention of women in the workplace. Additionally, opportunities for self-employment amongst women included under the ERDF Programmes could also be signposted through ESF interventions, offering more opportunities and choice for women in employment.

Area of Impact:
- Specific Objective 4: West Wales and the Valleys and East Wales
- Specific Objective 3: West Wales and the Valleys only

9.4 Priority Axis 2: Skills for Growth

9.4.1 Impact: Addressing gender inequality in the labour market through skills development

A 2012 report from the Bevan Foundation found that women continue to earn less than men across Wales, although the gender pay gap is closing as women's earnings have risen faster than men's. However, inequalities remain.[142]

Inequalities in the labour market can, in part be traced back to issues around skills. A 2011 report by UKCES entitled 'Gender and Skills in a Changing Economy' explored gender equality in relation to skills, including both formal qualifications and 'uncertificated' competences acquired in or out of employment. The overall picture is one where women are doing increasingly well when compared to their male counterparts in acquiring qualifications at all levels. For example, women take part in more training than men, at every age, and report less under-utilisation of their skills.[143]

However, much of this general progress derives from the strong representation of women in public sector employment, which has been steadily growing but which is currently under threat from cuts to public spending. Moreover, the gender pay gap continues to

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142 The Bevan Foundation (2012): 'Women, work and the recession in Wales'
143 UK Commission for Employment and Skills (2011): 'Gender and Skills in a Changing Economy'. See: http://www.oph.fi/download/140963_equality-gender.pdf

exist, and women's skills are not being equally rewarded.[144] In 2012, the Annual Survey of Hours and Earnings (ASHE) found that women's median hourly pay in Wales was only 80 per cent of men's and that the gender pay gap remained evident throughout the income distribution.

Evidence provided by Chwarae Teg[145] shows that horizontal segregation is particularly marked in Wales compared to other UK nations – with women and men working in different types of occupations and industries. Men are ten times more likely to be employed in skilled trade occupations than women, while more than half of all Welsh women work in public administration, education and health sectors compared to just a fifth of men. While there has been an increase in women's participation in professional occupations, over 80 per cent of administrative roles in Wales are undertaken by women.

Vertical segregation also remains a prominent feature of the Welsh Labour Market. Women remain under-represented in senior positions and are concentrated in lower level roles. As research by the EHRC[146] has demonstrated, very few of the top positions in Wales are held by women. Only two of the top 50 companies in Wales had female chief executives in 2011 and women held the minority of top jobs in the majority of public sector bodies. Expectations about long hours, job mobility and cultural issues around behaviour were identified by Chwarae Tag[147] as preventing women's progression into senior positions in wales. In addition, women also perceived a lack of jobs, a lack of training, family responsibilities (particularly childcare), age and, in a few cases, sex discrimination as barriers to promotion.

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144 UK Commission for Employment and Skills (2011): 'Gender and Skills in a Changing Economy'. See: http://www.oph.fi/download/140963_equality-gender.pdf

145 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'

146 Equality and Human Rights Commission (2012) 'Who runs Wales?' The journey towards gender equality: International Women's Day 2012 Update

147 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'

Mott MacDonald

Priority Axis 2: Skills for Growth

Specific Objective 5

Activities include:
- Support and skills development for women to promote career advancement and help to tackle the gender pay gap in the labour market and actions which raise awareness amongst employers of gender disadvantages in the workforce and support the development of equality and diversity policies.

This intervention has the potential to disproportionately benefit women by fostering skills amongst women increasing employability. In addition supporting employers to be aware of gender disadvantage may help to address the gender pay gap.

Area of Impact:
- Specific Objective 5 [2 in East Wales]: West Wales and the Valleys and East Wales

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9.4.2 Opportunity: Supporting women in STEM subjects

Science, technology, engineering and mathematics (STEM) skills are identified within the ESF Programmes as key areas of future growth and employment. However, women are often underrepresented in these areas both in employment and in higher education.

A 2012 UKRC - WISE report notes that, 'despite the economic downturn, 43 per cent of UK STEM employers report difficulty recruiting staff and more than half (52 per cent) are expecting difficulty over the next three years.' Only nine per cent of STEM employees in the UK are women.[148]

Research also shows that poor careers advice and a lack of female role models are barriers to young women joining STEM professions.[149] 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).[150]

Priority Axis 2: Skills for Growth

Specific Objectives 2

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148 CBI, (2011): 'Building for Growth- Business Priorities for Education and Skills'
149 CBI, (2011): 'Building for Growth- Business Priorities for Education and Skills'
150 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'.

Activities include:
- To support higher skills and research based activity responding to the needs of, and embedded within, the private sector.

This intervention has some potential to benefit women, depending on whether activities seek to widen participation in research activity around STEM subjects. This potential will depend on how this Priority is implemented.

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

The role of women in research and innovation activity is discussed in greater detail in the corresponding Equality Impact Assessment of the ERDF Programme in Wales for 2014-2020.

9.4.3 Impact: Overcoming women's barriers to employment

Women are more likely than men to be economically inactive, often as a direct corollary to them having children and subsequent childcare or other caring responsibilities.

A 2012 report by the Cranfield School of Management indicated that childcare was by far the most important factor keeping women from returning to work after giving birth and the reason why women were under-represented on FTSE 100 company boards.[151] For older working women, care responsibilities also remain a barrier to returning to the workforce. As demonstrated by a recent report by the Institute of Public Policy Research, women in the over 50s age group are far more likely to provide care giving roles – often balancing the dual demands of grandparent child care responsibilities with care provision for elderly relatives. Women in this age group are also more likely to have taken or will take a career break to meet their care responsibilities.[152]

Chwarae Tag[153] has found that both access to childcare and opportunities for flexible employment are key to overcoming barriers to employment for women with care responsibilities and specifically for lone parents. Two-thirds of families with children in Wales use some form of childcare, but take up is discouraged by the cost – particularly for lower income families. For lone parents in particular, childcare remains a major barrier to work[154] – one fifth of lone parents want to work but are unable to, often on account of childcare issues. In 2011, 92 per cent of all lone parents were women.[155]

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151 Cranfield School of Management (2012): 'The Female FTSE Board Report 2012: Milestone or Millstone?' See: http://www.som.cranfield.ac.uk/som/ftse
152 IPPR (2013): 'The sandwich generation: Older women balancing work and care'
153 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'
154 The Bevan Foundation (2009) 'Equality issues in Wales'
155 Office of National Statistics (2012) 'Lone parents with dependent children' Labour

Access to flexible working allows women to combine paid employment with caring for children and other family members. Childcare and other care responsibilities account for 76 per cent of all requests for flexible working arrangements to employers.[156] Despite this, one in five women surveyed by Chwarae Tag had no access to flexible working, while other respondents reported difficulties negotiating arrangements with employers. Lone parents were found to be particularly affected.[157]

Priority Axis 2: Skills for Growth

Specific Objectives 4 and 5

Activities include:
- Support for workforce development and the promotion of flexible working arrangements
- The adoption of flexible and practical working solutions for women to support their increased effectiveness and sustainability within the workplace, interventions which provide women with support and skills development to promote career advancement and actions which raise awareness amongst employers of gender disadvantage in the workforce.

Interventions such as these are likely to benefit women, who may be subject to inequality of opportunity and even discrimination regarding pregnancy and maternity rights, or, as noted above, the need to provide childcare.

Area of Impact:
- Specific Objective 4: West Wales and the Valleys only
- Specific Objective 5 [2 in East Wales]: West Wales and the Valleys and East Wales

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9.5   Priority Axis 3: Youth Employment and Attainment

9.5.1 Impact: Improving the gender balance in early years provision

As noted above, gender stereotyping with regards employment remains a substantial issue. Men tend to be under-represented in health, social and childcare roles, as well as primary and nursery education.

Force Survey
156 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'
157 Chwarae Teg (2013) 'A Woman's Place… A Study of Women's Roles in the Welsh Workplace'

As noted in the previous chapter on race and ethnicity, a 2010 report by the Care Council for Wales highlighted the imbalances in the childcare workforce in Wales (with men making up only one per cent of the workforce).[158]

Priority Axis 3: Youth Employment and Attainment

Specific Objectives 3

Activities that:
- Promote a better gender balance and diversity across the childcare sector.

Activities under this Priority Axis may have a positive disproportionate impact on childcare and early year's professionals from BAME communities.

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

9.5.2 Impact: Improving attainment for young white British Males

Girls generally outperform boys in primary and secondary school educational attainment.[159] This gap in attainment opens up by age five, with evidence showing that overall, boys outnumber girls as low achievers by a ratio of three to two at primary age. They are also likely to have weaker reading and writing skills.[160] By secondary school age, this gap continues;[161] by key stage four there exists a four per cent difference between boys and girls attainment of level one[162] which rises to ten per cent for those achieving level two.

This gap is particularly pronounced for young White British males from deprived socio-economic backgrounds. Research has shown that they account for around half of all low-achieving school leavers[163] and when all socio-economic factors are taken into account, are also likely to make the least progress over the course of their secondary education.[164]

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158 Care Council for Wales (2010): 'The Early Years and Childcare Workforce in Wales: 2010'

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

160 Goodman, A. and Gregg, P. (2010): 'Poorer Children's Educational Attainment: How important are attitudes and behaviour?' York: Joseph Rowntree Foundation.

161 Welsh government (2012): 'Academic achievement by pupil characteristic 2012'

162 Key Stage four includes all qualifications approved for pre-16 education

163 Cassen, C. and Kingdon, G. on behalf of the Joseph Rowntree Foundation (2007): 'Tackling Low Educational Achievement'.

164 Strand, S. on behalf of the Department for Children, Schools and Families (2008): 'Report DCSF-RR029. Minority Ethnic Pupils in the Longitudinal Study of Young People in England'

Priority Axis 3: Youth Employment and Attainment

Specific Objectives 2

Activities include:

- Early targeted action to combat disaffection, providing access to a broader and innovative range of learning options supporting the acquisition of both vocational and higher level of skills.
- Supporting the development of practitioners in order to better engage with disadvantaged young people
- Removing barriers to learning, helping to create independence and providing individual mentoring and advocacy advice to young people.

Interventions under this Priority Axis may have a positive disproportionate impact on young (white) British males, particularly those from deprived socio-economic backgrounds. Interventions may increase attainment through different learning options and support for practitioners.

Area of Impact:

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

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9.6   Conclusions

There are considerable opportunities for the ESF Programme to deliver disproportionate benefits to women, particularly due to proposed measures to address the gender pay gap and tackle barriers to employment through, for example, addressing women's role in childcare and promoting gender and diversity policies. There is also the potential for the Programme to deliver benefits to men through the positive action on addressing gender imbalance in the early years educational provision and youth attainment interventions.

9.7   Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the Priority Axes are realised by people with this protected characteristic:

- Overall, the extent of activity required to address the issues around sex / gender is substantial. It will be essential in implementing the Priority Axes under the ESF Programme to ensure that activity is targeted appropriately.

- Projects should be tailored where possible to ensure that they address gender issues and the different socio-economic circumstances that are faced by men and women.

- It will be essential in implementation of this Priority to ensure that initiatives intended to increase uptake of STEM subjects at HE level, and in employment are appropriately targeted. This will help to ensure that both men and women are able, and encouraged, to take advantage of the opportunities provided.

■ 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.

■ Overcoming barriers will be a key task at implementation stage, it will be important to ensure that women are not prevented from accessing the benefits of interventions because of childcare and other caring responsibilities or other factors. Promotion of flexible working practices, and in-work, readily available or flexible childcare as part of project development could help to achieve this.

> A good example of previous intervention is the WILD young parent's project; a partnership between WILD and Cornwall College, to deliver high quality, tailored training to young mothers across Penwith, Kerrier and Carrick who are currently disengaged from mainstream training, learning and employment opportunities. One of the specific aims of the group is to encourage young parents to be more self-reliant rather than just use services provided by others. This has proved very successful, with 36 per cent of young parents going on to some form of further education, 31 per cent into work and many of the remainder becoming volunteers within the group continuing the support for other young parents.[165]

■ Interventions which support the delivery of flexible and practical working solutions to women to support their increased effectiveness and sustainability within the workplace, allowing them to achieve their full potential should be encouraged

■ Women who also have other protected characteristics – such as older women, disabled women, or women from BAME groups are likely to experience compound disadvantage in terms of pay and employment and, as such, this should be taken into account as part of the implementation of this Priority.[166]

■ Finally, it should be recognised that most childcare practitioners are women. As such, supporting the skills of childcare professionals will have positive benefits for women. However, it will be important to encourage gender diversity in childcare roles, and to challenge traditional professional roles.

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165 See: http://www.wildproject.org.uk/

166 See, for example, Equality and Human Rights Commission (2011): 'An anatomy of economic inequality in Wales', pp.77-87 and 170

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.[167] Conversely, experimental statistics published by the ONS from the results of the Integrated Household Survey (undertaken from April 2011 to March 2012) indicated that around 90 to 95 per cent of the UK population identify as heterosexual.[168]

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

Source: ONS: Integrated Household Survey April 2011 to March 2012: Experimental Statistics

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167 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

168 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

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 Priority Axis 1: Tackling Poverty through Sustainable Employment

10.3.1 Opportunity: Supporting people from LGB groups in employment

Members of LGB (as well as trans) groups still remain more likely to experience discrimination and prejudice when looking for work and once employed, in the workplace.

A survey by the European Union reveals that one in five (or 19 per cent of) people from LGB groups in the United Kingdom have within the last 12 months felt discriminated against when looking for a job.[169] Research by Stonewall, also reveals that bullying at work remains a problem for LGB individuals – four million people (13 per cent of the national workforce) have witnessed homophobic bullying at work[170] and one in five (19 per cent) LGB individuals have experienced verbal bullying from colleagues, customers or service users in the last year.[171]

Evidence by the Ministry of Justice further demonstrates the continuance of discrimination based on sexual orientation, with 610 cases on the grounds of sexual orientation by employment tribunals between 2011-2012 employment tribunals in the United Kingdom.[172] For some LGB employees, fear of discrimination or harassment may also provide a further barrier to career progression if it means that the employee has to change jobs, even within the same organisation. Stonewall has shown, that the experience of discrimination may be particularly pronounced for lesbian and gay women, who may experience both gender and sexual orientation as a double barriers to work and further progression.[173]

In addition, LGB individuals are also more likely to experience hate crime and hate harassment. With potentially severe impacts on both the physical and psychological health of the individual, this can be a further barrier to accessing and continuing employment. In Wales, in 2011 there were 244 recorded hate crimes according to Home office statistics.[174] However, Stonewall has estimated this could be much higher due to the instances of unreported hate crimes – with one in eight gay men and lesbian and gay women; and one in 20 bisexuals having experienced a hate crime incident.

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169 European Union Agency for Fundamental Rights (2013) 'EU LGBT Survey – European Union Lesbian, Gay, Bi-sexual and Transgender Survey'
170 Stonewall (2012): 'Living together: British attitudes to lesbian and gay people'
171 Stonewall (2013): 'Gay in Britain: Lesbian, gay and bisexual people's experiences and expectations of discrimination'
172 Ministry of Justice (2012): 'Employment Tribunals and EAT Statistics, 2011 – 2012'
173 Stonewall (2008): 'The double glazed ceiling: Lesbians in the work place'
174 Home Office (2013): 'Tables for 'Hate crimes, England and Wales 2011 to 2012'

As noted in previous chapters, hate crime can have considerable physical and/or psychological impacts on victims and their families. Whilst these impacts can vary, several effects appear to be common and include anger and fear of repeat attacks, depression, worsening of any existing mental or physical health conditions and increased financial burden, particularly as a result of income lost through time off work. The impacts of hate crime therefore could constitute a barrier to LGB individuals continuing in existing employment.[175]

As a result, many LGB people face a more challenging employment environment. Many will select particular career paths, particularly where an occupation provides (or is perceived to provide) a more tolerant environment in which to work. Public sector career paths are particularly identified in this regard, leading to a relative level of occupational 'segregation' based on sexuality.[176]

Priority Axis 1: Tackling Poverty through Sustainable Employment

Specific Objectives 1 and 2

Activities include:
- Provide access to broader opportunities by tackling barriers to employment,
- Targeted support to employers to employ disadvantaged individuals

Interventions under this Priority Axis offer the opportunity to address discrimination towards LGB people if activities address discriminatory practices and hate harassment of LGB as a barrier to employment and through support for employers. Other activities could provide an opportunity if activities included focused on discriminatory practices or hate crime as barriers to work for LGB people.

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

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10.4   Priority Axis 2: Skills for Growth

No disproportionate impacts have been identified for this protected characteristic under the Skills for Growth Priority Axis. It is likely that some impacts will be felt by this group, but that they will not be to a greater or lesser degree than other sessions of the population.

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

[176] Welsh Government (2007): 'Sexual orientation equality impact assessment for the 2007-2013 Convergence Programme in Wales' See: http://wales.gov.uk/docs/wefo/publications/developingguidance/eia/110803sexualorientationconvergenceen.pdf

10.5   Priority Axis 3: Youth Employment and Attainment

10.5.1 Opportunity: Improving attainment for LGB Young People

A major survey of Britain's secondary schools by Stonewall has revealed that more half of LGB pupils (55 per cent) have been victims of homophobic bullying and nearly all (96 per cent) have heard the use of homophobia language in the school environment.[177] Research has also shown that most teachers currently do not feel equipped to meet the needs of LGB young people or provide them with the information they need in order to stay safe, with nine out of ten school staff having not received any training on how to tackle homophobic bullying.[178.]

A 2004 study notes a growing body of research evidence to suggest that homophobic bullying is more severe than general bullying and homophobic bullying is not always taken as seriously as other forms of bullying by teachers, even being seen as a 'natural' reaction of young men.[179] Similarly, in a 2006 Stonewall survey 92 per cent of lesbian and gay pupils reported that nothing happened to the bully after reporting an incident of homophobic bullying.[180]

Homophobic bullying has wide-reaching negative consequences for LGB pupils including on the quality of their learning and engagement at school, as well as on their mental well-being. Just under half of all (43 per cent) LGB pupils who experience homophobic bullying don't feel that they are achieving their best at school and are more likely to skip school (70 per cent) at some point. In addition, young LGB people who are victims of homophobic bullying are also more likely to have suicidal thoughts, with almost one in four having tried to take their own life at some point.

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177 Stonewall (2012): 'The School Report: The experiences of young gay people in Britain's schools'

178 Stonewall (2009): 'The Teacher's Report: Teachers' perspective on homophobic bullying in Britain's primary and secondary schools'

179 Adams, N et al (2004): 'I am the hate that dare not speak its name: Dealing with homophobia in secondary schools' in *Educational Psychology in Practice* (Vol.20. No.3, pp.259-269)

180 SHEU, 2006, p.8 Schools Health Education Unit for Stonewall (2006): 'The experiences of young gay people in Britain's Schools: The School Report'

Priority Axis 3: Youth Employment and Attainment

Specific Objective 2

Activities include:
- Early targeted action to combat disaffection. This could be beneficial for LGB young people.
- Supporting the development of practitioners in order to better engage with disadvantaged young people.
- Tackling specific barriers to learning under this objective to focus on bullying and specifically address homophobic bullying.

Interventions under this Priority offer opportunities to support LGB young people, reducing both disaffection and the risk of underachievement. Disproportionate impacts will only be achieved however, if opportunities to tackle LGB bullying are realised and support for educational professionals is provided.

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

10.6   Conclusions

The EIA has not identified any specific disproportionate positive or negative impacts for LGB individuals, although there could be opportunities to maximise benefits for this group during implementation, particularly around addressing prejudice in the workplace and in education.

10.7   Recommendations for implementation

The following measures are recommended to ensure that the opportunities presented by the Priority Axes are realised by this group;

- The implementation of interventions will be the key determinant of their impact on members of this group.

- Younger LGB people in particular may often face particular issues with engagement and disaffection, as well as particular challenges as a result of homophonic bullying, harassment at school or in the workplace. All of which may inhibit securing and/or sustaining employment. Projects and project sponsors will need to be mindful of these issues and concerns when designing projects.[181]

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181 Welsh Assembly Government (2009): 'Equality Impact Assessments for Age, Gender, Transgender, Religion and Sexual Orientation: Summary Report'

- Primarily, projects should be tailored wherever possible to maximise accessibility by members of the LGB community.

Previous good practice in this field includes:

- The *Gay Business Association (GBA),* a strategy to help strengthen the LGB (and trans) business community. By joining GBA, companies related to the LGB and T community either through its employees or its customers receive a free listing on the 'Support the Pink Pound' website, facilitating business opportunities. There are now several hundred companies listed with the GBA and it has proved to be an important element in the growth of many LGB businesses.

- The *Stonewall Employers Initiative*. Stonewall maintains a number of resources for and about employers. It includes a Top 100 list of employers and a workplace Equality Index, updated annually. It also includes a number of workplace guides which provide good practice and advice for employers focussed on supporting an inclusive workplace.

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 being able to speak Welsh; this represents almost one fifth of the Welsh population.[182] 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 document, A Bilingual Future[183] includes 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.[184] 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.[185]

- 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.[186]

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182 Welsh Government, (2012); '2011 Census: First Results on the Welsh Language'

183 Welsh Government (2002a) Bilingual Future: A Policy Statement by the Welsh Government. Cardiff: WAG.

184 Further details of the Welsh Language Commissioner can be found here: http://www.comisiynyddygymraeg.org/english/Pages/Home.aspx

185 Welsh Assembly Government (2010): 'The Proposed Welsh Language Measure 2010: Explanatory Memorandum'. See: http://www.assemblywales.org/ms-ld7944-em-e.pdf
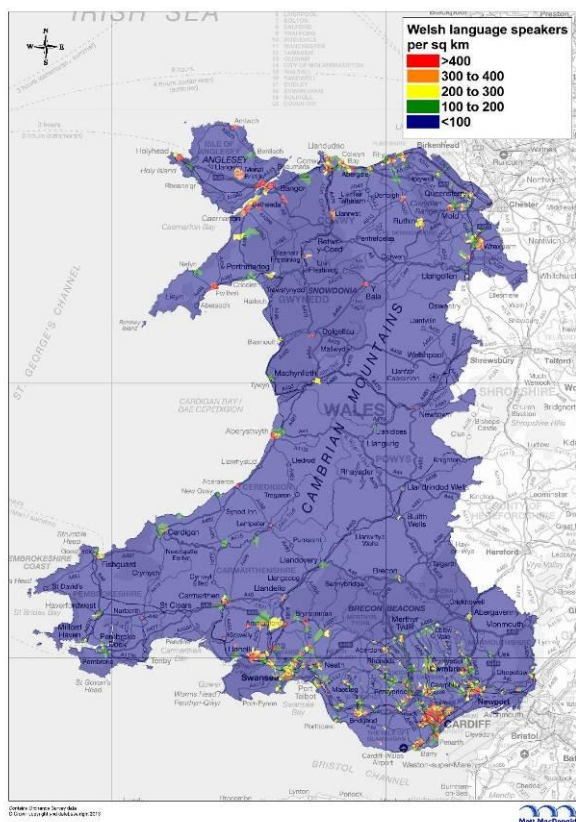
186 Equality and Human Rights Commission (2011): 'An Anatomy of Inequality in Wales'

- Unemployment rates are lower for Welsh speakers relative to those who only speak English.[187]
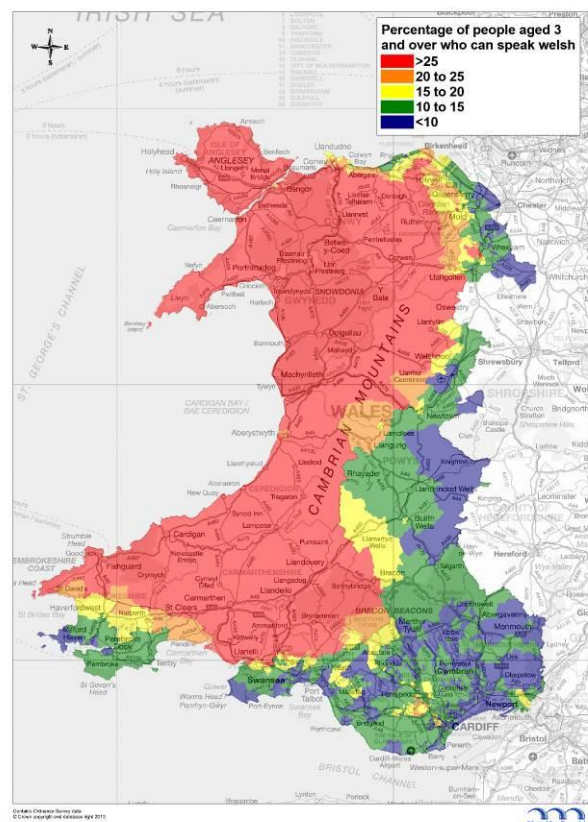
11.2   Socio-demographic profile

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

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 and Opportunities across ESF Priority Axes

11.3.1 Opportunity: Supporting delivery in the Welsh language

Across the three Priority Axes, there is a stated intention to ensure that English and Welsh are treated with parity within the Programmes. The Welsh language was included within the Horizontal Theme material in the Programmes and is included in this EIA. The consultation document for the 2014-2020 ESF Programme states that in implementing the Structural Funds Programmes, the Welsh Government will reflect a commitment to the Welsh Language Measure. The aim is to see the Welsh language thriving in Wales, and to treat Welsh no less favourably than English.

The Programme aims to look for ways to mainstream linguistic issues, including the need to include appropriate conditions with regard to the use of Welsh as funding is awarded. In addition, the ESF Programmes will look to support economic development in areas where the Welsh language is in decline.[188]

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188 Welsh Government (2013): 'Consultation on European Structural Funds Programmes for West Wales and the Valleys 2014-2020'; Welsh Government (2013): 'Consultation on European Structural Funds Programmes for East Wales 2014-2020'

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'.[189]

The (then) 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.[190] It will clearly be important that the work of the group and any resulting strategy is used to underpin and inform the design of ESF (as well as ERDF, and RDP) interventions that could both stimulate the economy of Wales as well as supporting Welsh speakers.

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

11.4 Conclusions

The overall impacts of the ESF Programmes on Welsh speakers will be dependent on how the Priority Axes are implemented in the two Welsh regions. That the Welsh language remains a priority for the Welsh Government suggests that there is potential for positive impacts on Welsh speakers, if the considerations within the Programmes are fully integrated into implementation.

11.5 Recommendations for implementation

The following measures are recommended to ensure that the positive impacts of the Priorities are realised by Welsh speakers;

- As with other Priorities, WEFO need to explore how interventions can be specifically tailored to fit a bi-lingual Wales, as well as the specific linguistic circumstances facing each Welsh region.

- All projects and project information, including the use social networking websites, will need to be developed bi-lingually to ensure that the benefits are open to English and Welsh speakers alike.

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

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

- Proactive steps should be taken to identify and build on good practice under the 2007-2013 ESF Programmes 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 Minister for Enterprise, Science and Transport via the Welsh Language and Economic Development task and finish group.

- Championing of services delivered for the benefit of Welsh speakers through a dedicated liaison service within WEFO could help to ensure that the Welsh language is integrated as successfully as other equality considerations.

- An example of previous interventions where Welsh has become a key part of service delivery are the Mentrau Iaith;[191] community-based organisations which help to promote the Welsh language in specific areas. A Menter Iaith usually services a particular county, reflecting the wishes of local people to make more use of the language. A Menter Iaith will offer advice and assistance to individuals, organisations and businesses, and will organise activities to raise the profile of the Welsh language. They hold over 13,000 events annually with 160,000 participants.

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191 See: http://www.mentrauiaith.org/cymraeg/index.php

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 ESF Programme 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 promote equality of opportunity; and
- 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; and
- 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 has complied with the public sector equality duty to show 'due regard' to equality in the development of the ESF programme.

Ensuring a detailed understanding of equality requirements

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

  WEFO has a team dedicated to the Horizontal Themes (formerly Cross Cutting Themes, CCTs), 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 team have been engaged with the development of both the ESF and ERDF Programmes. Draft proposals for the suggested Priorities have been shared with the team and an equality perspective has been given, leading in some instances to changes being made. The Equality Adviser from within the Horizontal Themes team has met on a one-to-one basis with those drafting the Programmes and with the Implementation Manager to ensure equality was embedded at the outset.

In addition, the paper detailing the proposals for the Horizontal Themes, including the integration of equality and the Welsh Language, was presented to the Programme Monitoring Committee (PMC), the European Partnership Group and the internal Policy Working Group. In the main the proposals were well received. The 2014 -2020 Programme Strategy was altered in light of discussions with the Equality Adviser, with the Horizontal Themes having a more strategic focus within the overall strategy. This process was enhanced by the 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 Themes.
  - Minutes of meetings highlighting the emphasis placed on equality by WEFO when dealing with project sponsors.

- In addition, the ESF Programmes for East Wales and West Wales and the Valleys contain mandatory aspects addressing gender discrimination and equality of opportunity. Therefore acknowledging the differential impacts of Programmes on certain groups – such as women, disabled people and younger people – is in this respect built into the process. WEFO has actively sought to keep existing areas of activity, such as gender mainstreaming priorities, wherever possible to ensure momentum is maintained in these areas.

- There is evidence that the inclusion of equality in the development of the Programmes goes beyond the minimum requirements demanded by the Commission. The team has sought out opportunities to support and enhance opportunities for equality.
  - WEFO has, in certain circumstances, also adopted a proactive approach to securing equality outcomes. A particular ESF Project – Women Adding Value to the Economy (WAVE) – WEFO actively went out and found a sponsor to deliver on this aspect of the programme. The lessons from this process were recorded and used in the development of the 2014-2020 Programme.

Incorporating equality into the evidence base

- Equality was included in the development of that evidence base to support the proposed ESF Programme in the following ways:
  - It was purposefully incorporated into the strategies and summaries, with dedicated section on how each priority contributed to the achievement of the Horizontal Themes.
  - 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 European Programmes delivered in Wales. Assessments of a range of projects have been undertaken from the perspective of the Equal Opportunities Horizontal Theme 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.
  - The evaluation of an ESF Convergence Priority 1[192], which focussed on younger people, used a range of methods to communicate equality messages that emerged from the delivery of the project. A series of meetings and presentations to stakeholder groups were used to communicate the equality lessons learned, and in particular lessons about this particular cohort.

- In addition to evaluating both projects and Priorities from an equality perspective, the 2007-2013 Programmes for both ESF and ERDF were subject to an extensive EIA process. Initially covering the two public sector equality duties covering ethnicity and disability[193], and later expanded to cover gender, age, religion, sexual orientation, and transgender[194], 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 were also incorporated into future programme design processes. Participant data have been disaggregated by equality group, generally covering age, gender, disability, and ethnicity wherever possible.[195] Within the previous Programme no such data were recorded and this therefore represents a significant step forwards in terms of capturing monitoring and evaluation data.

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192 The Evaluation of ESF Convergence Priority 1 report can be found here:
http://wefo.wales.gov.uk/publications/publications/monitoringevaluation/programmeeval
uations/esfpriority1evaluation/?lang=en

193 The race and disability EIA reports can be found here:
http://wefo.wales.gov.uk/developing/impactassessments/westwalesvalleysrdeia/?lang=
en and
http://wefo.wales.gov.uk/developing/impactassessments/eastwalessrdeia/?lang=en

194 These EIA reports can be found at:
http://wefo.wales.gov.uk/developing/impactassessments/eias/;jsessionid=1DAE850CE6
341E7919DA6187991C6FDB?lang=en

195 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. Some equality data is made publicly available on the WEFO website via the PMC paper 'Implementation of Equal Opportunities' See:
http://wefo.wales.gov.uk/programmes/allwalespmc/dec2012pmc/?lang=en >

– Furthermore, the evaluation of the Effectiveness of Programme Implementation Report identified that the Horizontal Themes were well integrated into the 2007-2013 Programme at the strategic level – for example, in project proposals and business plans – but that this level of integration has not always effectively flowed down to project delivery activities.[196]

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 Horizontal Theme was assessed by an independent equality practitioner with a track record of undertaking equality analysis. There is clear evidence that commentary from the Ex-Ante Evaluation of the Programmes, including the Horizontal Themes has been incorporated into the final ESF Operational Programmes. 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 '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 Themes 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 team has delivered training to WEFO staff on the integration of equality into Programme development and delivery, as well as how to use the Horizontal Theme guidance (also developed by the team) to assess project plans. The Horizontal Theme team also run work shadowing days for all new WEFO staff to give them an understanding of how the 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 Horizontal Themes chapter of the Operational 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.

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196 Welsh Government (2011): 'West Wales and the Valleys ESF Convergence Programme 2007-2013: Annual Implementation Report 2011', p.26

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, as well as 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). The team at 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 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 Horizontal Themes are integrated into the current programme.

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 ESF Priority Axis;
- a set of **conclusions** across all protected characteristics regarding the 2014-2020 ESF 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 ESF 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.

Table 13.1:   ESF Impacts by Protected Characteristic and Priority Axis

Protected Characteristic	Priority Axis 1: Tackling Poverty through Sustainable Employment	Priority Axis 2: Skills for growth	Priority Axis 3: Youth Employment and Attainment
Age	Impact: Addressing the specific challenges of younger people	Impact: Improving younger people's skills	Impact: Tackling the youth unemployment impacts of the recession
	Impact: Supporting older working age people	Impact: Addressing skills adaptability for older working age people	
	Impact: Retaining older working age people in employment		
Disability	Impact: Supporting disabled people to access employment	Opportunity: Potential for development of disabled people's skills	Impact: Supporting young people with disabilities and special educational needs
	Impact: Supporting disabled people to remain in employment		
	Impact: Preventing people with long term illness or disabilities from falling out of the labour market		
	Impact: Supporting employers to recruit people with disabilities		
Gender reassignment	Opportunity: Potential to support transsexual people in employment		Opportunity: Supporting transsexual young people in education and employment
Marriage and civil partnership			
Pregnancy and maternity		Opportunity: Supporting women to stay in employment during and after pregnancy	
Race and ethnicity	Impact: Addressing unemployment and poverty in BAME communities	Impact: Improving skills amongst people from different BAME groups	Impact: Addressing poor BAME attainment
	Impact: Addressing transport barriers to work for BAME people	Impact: Improving good equality and diversity practice within businesses	Impact: Supporting early years practitioners to support BAME young people

Protected Characteristic	Priority Axis 1: Tackling Poverty through Sustainable Employment	Priority Axis 2: Skills for growth	Priority Axis 3: Youth Employment and Attainment
	Impacts: Supporting BAME people into employment		
	Impact: Addressing in work poverty and barriers to career progression		
Religion and belief	Impact: Addressing unemployment in Muslim communities		
Sex	Impact: Supporting women to progress in employment	Impact: Addressing gender inequality in the labour market through skills development	Impact: Improving the gender balance in early years provision
		Impact: Supporting women to progress in the labour market	Impact: Improving attainment for young white British Males
		Opportunity: Supporting women in STEM subjects	
		Impact: Overcoming barriers to employment	
Sexual orientation	Impact: Supporting LGBT groups in employment		Impact: Improving attainment for LGB Young People
Welsh language speaker	Impact: Supporting delivery in the Welsh language		
	Impact: Supporting Welsh speakers through economic development activity		

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 ESF Programmes. The Programmes are directed towards the alleviation of poverty (experienced by many members of equality groups) through increased participation in the labour market, skills development and early intervention 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 be beneficial overall.

This EIA has identified that some protected characteristics are particularly likely to be beneficiaries of the ESF Programmes. Sometimes this is because they are the specific intended recipients of support. For example children and young people are the target recipients of support under Priority Axis 3 (Youth Employment and Attainment), while women are the target of Specific Objectives 4 and 5 of Priority Axis 2 (Skills for Growth).

In other cases they are likely to benefit disproportionately due to their propensity to experience certain economic, social or physical barriers. For example, older people and disabled people who are more likely to experience social and economic exclusion and those from certain ethnic or religious groups, who may face language barriers or discrimination.

It is important to note that for those groups identified as being amongst the principal beneficiaries, but also for other protected characteristics, that there exist many opportunities to maximise potential benefits of the ESF Programme. It will be important that these opportunities are not missed. This is discussed further in the recommendations below.

13.2.2 Impacts by Priority Axis

13.2.2.1   Priority Axis 1: Tackling Poverty through Sustainable Employment

Priority Axis 1 will have a range of positive impacts for people with protected characteristics through addressing the exclusion and marginalisation many face, particularly from the labour market. Key elements of the Priority Axis will help to tackle many of the traditional barriers to tackling poverty, such as getting people into work, helping them stay in work and helping them to progress in work.

Addressing the various barriers to work will have potentially substantial benefits for several of the protected characteristic groups. Many of these barriers are experienced disproportionately by people with protected characteristics, including poor skills, childcare responsibilities, financial constraints and poor health.

The clear emphasis on addressing problems around unemployment and gender equality will be particularly beneficial in delivering benefits to people with disabilities, BAME people, women and, to a lesser extent, younger people.

13.2.2.2 Priority Axis 2: Skills for Growth

The links between skills, employment, and poverty are well established, with many equality groups experiencing a lack of skills, unemployment or underemployment and, as a consequence, poverty. There are a number of themes within the Priority that address these challenges.

In particular, the development of both transferrable and technical skills is a key route for young people out of NEET status as well as ensuring that older people and women are not excluded from employment and progression due to skills gaps. Skills for Growth has the potential to facilitate this through Strategic Objectives focussed around numeracy and literacy, barriers to technological engagement, and supply of people with higher level skills.

Further, the relationship between employment, skills and gender is recognised within the priority, enhancing the scope for positive impacts on women. Women are underrepresented in research and innovation focussed activities (and STEM in particular), in spite of having comparable (and often higher) levels of skills or qualifications, and stand to benefit from interventions in this area.

13.2.2.3 Priority Axis 3: Youth Employment and Attainment

Priority Axis 3 is focussed on the attainment and subsequent employment of younger people – the only Priority Axis across both the ESF and ERDF Operational Programmes to specifically focus on a particular protected characteristic. It is therefore well positioned to focus attention on a group particularly hard hit by the recent recession.

The Youth Employment and Engagement Priority Axis recognises the multiple disadvantages faced by children and young people who are disabled, members of BAME communities, trans or LGB – many of whom are also living in poverty – and provides activities that can help to tackle those disadvantages.

The primary focus is on effectively addressing youth unemployment: early interventions; increasing educational attainment; and facilitating the transition to employment. This is likely to have substantial positive impacts on younger people. However, recognising that not all young people face the same challenges, and that those who are disabled, from BAME or minority religious backgrounds, or those who are LGB or trans may face additional barriers that will need to be addressed in implementation.

Supporting young people along less traditional employment pathways – to address gender imbalances such as in the care sector, or around uptake of STEM subject careers – will also support the Europe 2020 priorities around closing the gender pay gap and delivering initiatives to support progression later in people's careers.

13.3 Conclusions

The development of the ESF 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

It is the conclusion of the EIA team that the ESF 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.

13.3.2 Contribution to policy and strategic goals

The 2014-2020 ESF Operational Programmes have the scope to contribute in an important way to the achievement of European, UK and Welsh political and strategic 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 explicit measures within the Programmes – including Specific Objectives focussed around gender equality within Priority Axis 2 (Skills for Growth), and the majority of measures within Priority Axis 3 (Youth Employment and Attainment) – designed to directly address the needs of people with particular protected characteristics. If implemented appropriately they could help to address the substantial issues facing some members of these groups and as such result in long term positive impacts.

The Programme also has the potential to contribute to the achievement of the Europe 2020 goals by supporting the Thematic Objectives for 'Inclusive Growth' for 2014 including the following:
- (8) Promoting employment and supporting labour mobility
- (9) Promoting social inclusion and combating poverty
- (10) Investing in education, skills and lifelong learning[197]

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

In particular the Programme has the potential to help raise the employment rate, particularly 'amongst women, young people and older workers', and support 'people of all ages with access to skills and training'.

Overall, the draft ESF Programme documents for 2014-2020 shows due regard to the protected characteristics as required by the PSED 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 ESF Programmes is via the Horizontal Themes. By adopting 'Equal Opportunities' alongside 'Sustainable Development' as the Horizontal Themes for the 2014-2020 ESF 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 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 are achieved.

13.3.4 Implementation arrangements

It is the view of the EIA team that the Programme has the potential to realise substantial 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. The Welsh Government 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 ESF Programme itself.

13.3.5 Impacts across East Wales and West Wales and the Valleys

The impacts of the ESF Programmes are not shared evenly across the two Welsh regions of East Wales and West Wales and the Valleys. The 2014-2020 Programmes place far greater emphasis (and are set to invest far greater levels of resources) on West Wales and the Valleys, which is likely to receive around four times the level of funding that East Wales looks likely to receive.

This level of focus inevitably means that several of the impacts discussed in this assessment (and particularly some of those around employment) will not necessarily be felt across Wales; they will be more limited, albeit to the parts of the country designated as 'less developed' due to their more substantial socio-demographic 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 ESF Programmes 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 diverse needs of people with protected characteristics in the further development of the Programme.**

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

   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

   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 ESF 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, stakeholder urged that all 'standard' information pertaining to the Programmes be provided in Plain English and Cymraeg Clir.[198] 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.

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

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 ESF investment in employment and skills. 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 ESF 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.

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 easily 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.**

Finally, 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 in 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.

13.5 Summary

The Welsh Government has a strong track record in integrating equality, which has been recognised by the European Commission. With a focus now on ensuring that its projects deliver on its ambitions for closing the gap between different sections of society, the 2014-2020 ESF Programmes have every chance of delivering an improved employment and skills offer for the people of Wales.

Appendices

Mott MacDonald

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 ESF 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 ESF Programme in East Wales and in West Wales and the Valleys.

Equality, in Europe, the UK[199] 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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199 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 ESF 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.[200]

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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200 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.[201]

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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201 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 aimed 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.[202]

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.[203]

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

203 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.[204]

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 Horizontal Themes 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.'[205]

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.'[206]

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.'[207]

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

205 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

206 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

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

The CSF sets the wider context for the ESF Programme, and as such its objectives must be reflected in Programme design, and in particular, within the Horizontal 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 significant 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.[208]

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 proposing to undergo, are undergoing or have undergone gender reassignment);
- **Pregnancy and maternity** (including pregnant women and nursing mothers);

2020', p.11. See:
http://ec.europa.eu/regional_policy/sources/docoffic/working/strategic_framework/csf_part1_en.pdf
208 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.

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.[209]

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) has published an 'essential guide'[210] 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.

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.

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209 The Office for Disability Issues provides information about how to make information accessible to disabled people. See: www.odi.gov.uk/formats
210 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

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[211]. In addition the Government Equalities Office (GEO – a part of the UK Home Office) has also released a general 'Quick start guide for public sector organisations'[212] which again breaks down the implications of the Equality Act 2010 to make it easy for authorities to comply with their duties.

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211 Equality and human Rights Commission (2011): 'New Equality Act Guidance'. See: http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/
212 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

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:

9. To strengthen advice, information and advocacy services to help people with protected characteristics understand and exercise their rights and make informed choices.
10. To work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences.
11. To reduce the numbers of young people not in education, employment or training (NEET).
12. To reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse.
13. To tackle barriers and support disabled people so that they can live independently and exercise choice and control in their daily lives.
14. 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.
15. To improve the engagement and participation of under-represented groups in public appointments.
16. 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.[213]
- 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.[214]

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 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.

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213 Here IPM directly correlates with the content of the PSED
214 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

- 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 no 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.[215] 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".[216]

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)
- Facilitating a supportive infrastructure for the Welsh language

The Commissioner has the authority to require organisations comply with relevant language requirements and can impose a civil penalty should requirements not be met. [217]

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.

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

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

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

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.[218]

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. [219]

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. [220]

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.[221]

218Welsh Government (2011): 'Welsh Language (Wales) Measure 2011'
   http://wales.gov.uk/legislation/programme/previouslegislation/assemblymeasures/welsh languagemeasure/?lang=en
219Welsh Government (2012): 'A living language: a language for living- Welsh Language Strategy 2012-17' http://wales.gov.uk/docs/dcells/publications/122902wls201217en.pdf
220 Welsh Government (2011): 'Welsh Language Scheme 2011-2016'
   http://wales.gov.uk/docs/drah/policy/20110331wlseng.pdf
221 Welsh Government (2010): ' The Welsh Medium Education Strategy'
   http://wales.gov.uk/docs/dcells/publications/100420welshmediumstrategyen.pdf

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.