

Steering Group: Strengthening and Advancing Equality and Human Rights in Wales

Cathays Park – Caerdydd 3

17th July 2019 9:00am – 11:00am

Attendees

Jane Hutt AM, Deputy Minister & Chief Whip (Chair)
Elizabeth Flowers (Office of the Children's Commissioner for Wales)
Keithley Wilkinson (Cardiff and Vale University Health Board)
Kelly Davies (Office of the Older People's Commissioner for Wales)
Cllr Mary Sherwood (Swansea Council)
Daniel Hurford (WLGA)
Fran Targett (WVCA)
Catherine Fookes (WEN Wales)
Hannah Wharf (Equalities and Human Rights)
Rhian Davies (Disability Wales)
Dr Emily Kakoullis (Cardiff University)
Aled Edwards (Cytun)

Welsh Government Officials in Attendance

Alyson Francis – Deputy Director, Communities Division
Uzo Iwobi – Specialist Policy Advisor
Paul Dear – Head of Equality (outgoing)
Emma Bennett – Head of Equality (incoming)
Rae Cornish – Head of Gender Equality
Shane Williams – Head of Disabled People's Employment and Socio Economic Duty Implementation
Dr Steven Macey – Senior Research Officer
Sarah Jones – Equality and VAWDASV Team Support

Apologies

Sally Thomas (Betsi Cadwaladr University Health Board/North Wales Public Sector Equality Network)

Sean O'Neill (Children in Wales)

Rhian Pritchard – Equality Legislation Manager

Welcome and Introductions – Deputy Minister & Chief Whip (DM&CW)

All attendees were welcomed to the inaugural Steering Group meeting for Advancing and Strengthening Equality and Human Rights.

The main purpose of this inaugural meeting was to clarify the aims, objectives and Terms of reference of the Steering Group. The Welsh Government and all attendees at the meeting are aware of the direct impact of current situation of austerity and Brexit on human rights, particularly in relation to protected characteristics. The DMCW noted the Welsh Government must rise up and do everything in its power to safeguard equality and human rights as this is embedded in its founding legislation.

Overview of Aims and Approach

All attendees were asked in turn to speak about their expectations for this group. The group was wholly positive about the establishment of the group and its overarching purpose. Some of the specific points made were raised:

- Hannah Wharf commented that in order for the Human Rights Act to be incorporated in Wales, further research is needed to fill the gaps. Hannah also raised whether this group would explore treaty accountability.
- Catherine Fookes referenced the Bill of Rights for Women, which would act as a protector of women's rights after Brexit. Catherine suggested this steering group could help with the work carried out by WEN Wales on this Bill. There is a need for gaps to be identified and legal structures put in place regarding the introduction of the Bill.
- Fran Targett raised the importance of looking beyond the legislation; there should be a push towards action and engagement with real people. She suggested behavioural change is also needed and particularly around socio-economic duty. Kelly Davies agreed with Fran that there is a need to look at action behind legislation.
- Cllr Mary Sherwood expressed concern about a lack of meaningful commitment to fulfilling equality duties in Wales. Cllr Sherwood raised how councils, for example, will do the statutory minimum due to intense pressure on resources. However, if this duty is undertaken properly and done well then there is a lot of potential for positive outcomes. Cllr Sherwood also highlighted the implementation of GDPR, with wide publicity and strong emphasis on the risks of non-compliance as a good case study for how we could prepare for implementing the socio-economic duty.
- Daniel Hurford suggested a standing body of public sector organisations would be welcome.

- Keithley Wilkinson highlighted that intersectionality is important when looking at equality issues. Keithley also advocated for simplicity of language and clear communication for this group.
- Dr Emily Kakoullis informed the group her research focuses on human rights at an international level. She hoped to be able to use this to inform the work of the group and is interested in feeding in on questions and exploring how UN conventions are implemented on the ground.
- Elizabeth Flowers is supportive of further incorporation of UN Conventions, building on the experience gained since the Children's Rights Measure was introduced in Wales.
- Rhian Davies advised people feel their existing rights are not being met and that 25 years on from the Disability Discrimination Act, people with disabilities still face discrimination.

Agree Terms of Reference

The draft terms of reference which had been circulated before the meeting were discussed and the following amendments were agreed by the group:

- The language of the terms of reference to be simple and easy to understand.
- The DMCW is keen for openness - the group should be as transparent as possible. Member will be encouraged to share development and outcomes with their colleagues in their organisations.
- The Terms of Reference should explicitly state that we will share our work with other equality forums and AMs.
- The Purpose of the group needs to specify the various streams of work to be covered– including socio-economic duty, reviewing the Public Sector Equality Duty, research, and alignment to the national milestones for the Wellbeing of Future Generations Act.
- The Principles of the group should link with the Gender Equality Review and Social Partnership Legislation.
- Challenge and Learning should be Principles for the group.
- Alicja Zalesinska of Tai Pawb had expressed interest in joining the group. This was agreed.
- Members discussed inviting other organisations and individuals to join the Steering Group, including: VAWDASV National Advisors, the Welsh Language Commissioner's Office, Wales TUC, Andrew White from Stonewall Cymru, Jenny-Anne from Unique Transgender Wales, Professor Robert Moore from NWREN, Rocio Cifuentes from EYST, and Sunil Patel from Show Racism the Red Card.

- Aled Edwards suggested the group needs to be fleet of foot in identifying and responding to issues and be the ears and eyes for people and the protected characteristics they represent.

Action 1: Terms of Reference to be amended and shared to members, AMs and other WG Equality forums.

Action 2: Secretariat to revisit the membership of the Steering Group taking into account the suggestions put forward by its existing members.

Updates on Related Work

Social Partnership

The DMCW referenced the statement made by the First Minister in the preceding work relating to Social Partnership in Wales.

Socio-Economic Duty (Paul Dear)

The group were informed there has been progress on the Socio-Economic Duty since February with a clear commitment from the First Minister and DMCW to commence the implementation of this.

There are two main elements to the commencement: legal procedure and guidance. The legal process is relatively straight forward since the Equality Act 2010 has already been enacted. The Guidance which will be required, however, is a more substantial piece of work. Officials have met with counterparts in the Scottish Government to discuss the implementation of the Socio-Economic duty there. Alyson detailed her recent visit to Scotland where she met with legal representatives to discuss the challenges they faced and their process for developing guidance. Scotland is currently at the point of implementation and embedding the Duty. The Wellbeing of Future Generations Act (WFGA) gives Wales a 'leg up' on implementing the socio-economic duty and guidance but the Welsh guidance will need to take careful account of the WFGA and other existing Welsh legislation, as well as the Welsh context generally.

Members of the group raised concerns that the socio-economic duty needs integration with other reporting mechanisms (e.g. Strategic Equality Plan). It cannot be just another ticking boxes exercise, people need to be encouraged to think more deeply about outcomes.

Review of the Public Sector Equality Duty (PSED) Welsh regulations (Paul Dear)

The Welsh Government is working closely with the EHRC on how to improve compliance with the PSED. The recent symposium held on 11th July provided positive feedback from public sector organisations on exactly how the Welsh regulations might be improved. Work is also underway on reporting – annual reports from public bodies need to be easy to find and the data they provide needs to be accessible and consistent in format. A project to achieve these improvements is well underway.

Aled Edwards discussed how, particularly within the Faith sector, he finds it is the narrative that matters. It is important to tell stories of how these systems like the PSED hold organisations to account. Stories are understandable to people. Following on from this point, Cllr Sherwood discussed how the Poverty Truth Commission in Scotland has helped inform the Scottish Government. The Poverty Truth Commission has created discussions between decision-makers and real people affected by the decisions made. There is a Poverty Truth Commission starting in Swansea which will be first one in Wales. Mary will keep the group informed on its work.

Action 3: Cllr Mary Sherwood to keep the group updated on work of the new Poverty Truth Commission in Swansea.

Gender Equality Review (Rae Cornish)

Rae Cornish informed the group that the Gender Equality Review is almost finalised. Phase 2 of the Review serves as a report and a roadmap for Gender Equality. Rae mentioned there is good alignment between the work on the PSED and the Gender Equality Review. The Welsh Government will be considering the Review over the Summer, with Cabinet expected to make a statement on the Review in Autumn. The Welsh Government is expecting lots of recommendations from the Review – both immediate recommendations and long term recommendations. Rae also noted that the Review has an intersectional approach – this was welcomed by members of the group. Rae is happy to share the report when it's published.

Action 4: Secretariat to share the Gender Equality Review with members of the group when published.

Wellbeing of Future Generations Act and Equality (Alyson Francis)

Alyson Francis discussed how the Welsh Government is thinking about meaningful involvement – specifically how to connect with individuals and bring new voices into the conversation. The Wellbeing of Future Generations Act will be picked up in the Gender Equality Review, which will also feed into further research. The national milestones for the Wellbeing of Future Generations Act are due to be published; this will be relevant to the group and should be included in the Terms of Reference.

Alyson also noted that Dr Alison Parken's research on Mainstreaming Equality (which is part of the Gender Equality Review) is also due to be published shortly. Members of the group will be sent links when this research is published.

Action 5: Secretariat to send links to Dr Alison Parken's research when published.

Future Research (Dr Steven Macey)

Dr Steven Macey explained how the broad aim of his research is to address issues raised in February (during a workshop for this steering group). There is a need for better understanding for legislation framework. Steven has drafted a research specification, which organisations can bid to undertake, that will explore the means and value for strengthening equality and human rights within existing legislation or

possible new legislation (Welsh Human Rights Act). This research project would create scope to revisit the PSED regulations upon its completion. Steven confirmed that the person undertaking the research will publish interim reports on their findings. Due to potential conflicts of interests there are constraints on how far it is possible to share the details of the research specification with members of the steering group; however Steven and Paul agreed to meet with members who would not be potential bidders after the main meeting to discuss this in more detail.

Action 6: Follow up meeting to discuss the specification to follow immediately – complete.

AOB/Next Steps/Future Meetings

The next meeting will be in early Autumn.