

A More Equal Wales

Preparing for commencement of the Socio- economic Duty

This slide deck provides
general information to
support awareness raising.

Cymru fwy Cyfartal

Paratoi ar gyfer cychwyn y Ddyletswydd Economaid- Gymdeithasol

Mae'r sleidiau hyn yn cynnig
gwybodaeth gyffredinol i helpu i godi
ymwybyddiaeth



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The declaration and intent

A priority for the Welsh Government is to take action to safeguard equality and human rights, particularly in the context of Brexit.

One piece of this work is through commencing the socio-economic duty – a commitment from the First Minister’s election manifesto.

The duty will be a key mechanism in planning Wales’s recovery from the impact of Covid-19, making sure that we support the most vulnerable people in our communities. This will enable us to move towards the reconstruction of a fairer and more prosperous Wales.

Y datganiad a’r bwriad

Un o flaenoriaethau Llywodraeth Cymru yw diogelu cydraddoldeb a hawliau dynol, yn enwedig yng nghydestun Brexit.

Un rhan o’r gwaith hwnnw yw cychwyn y ddyletswydd economaidd-gymdeithasol – ymrwymiad ym manifestio etholiad y Prif Weinidog.

Bydd y ddyletswydd yn feganwaith bwysig ar gyfer cynllunio adferiad Cymru ar ôl Covid-19, i wneud yn siŵr ein bod yn cynnal y bobl fwyaf bregus yn ein cymunedau. Bydd hyn yn ein galluogi i symud ymlaen tuag at ailadeiladu Cymru fwy teg a ffyniannus



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The legal bits

Section 45 of the [Wales Act 2017](#) devolves the power to Welsh Ministers to commence the socio-economic duty to the Welsh Government. This involves enacting Part 1, Section 1 of the [Equality Act 2010](#) – the socio-economic duty.

The Equality Act 2010 is a UK piece of legislation and Welsh Ministers do not have the power to change this.

The duty will apply to eligible public bodies, who are deemed to have satisfied the ‘test’ under section 2(6) of the Equality Act 2010, it will come into force on the 31st March 2021.

Y darnau cyfreithiol



Mae Adran 45 o [Ddeddf Cymru 2017](#) yn datganoli'r pŵer i Weinidogion Cymru gychwyn y ddyletswydd economaidd-gymdeithasol i Lywodraeth Cymru. Mae hynny'n golygu rhoi Rhan 1 o Adran 1 o [Ddeddf Cydraddoldeb 2010](#) ar waith – y ddyletswydd economaidd-gymdeithasol.

Deddf y Deyrnas Unedig yw Deddf Cydraddoldeb 2019 ac nid oes gan Weinidogion Cymru yr hawl i'w newid.

Bydd y ddyletswydd yn effeithio ar gyrff cyhoeddus cymwys sydd wedi bodloni'r 'prawf' o dan adran 2(6) o Ddeddf Cydraddoldeb 2010. Daw i rym ar 31 Mawrth 2021.

The requirement on public bodies

So, what does the socio-economic duty require public bodies to do?

It requires **specified** public bodies, when making **strategic decisions** such as 'deciding priorities and setting objectives', **to consider** how their decisions might help to reduce the **inequalities** associated with **socio-economic disadvantage**.

Y ddyletswydd ar gyrff cyhoeddus

Felly, beth mae disgwyl i gyrff cyhoeddus ei wneud o dan y ddyletswydd economaidd-gymdeithasol?

Mae gofyn i gyrff cyhoeddus **penodol**, wrth wneud **penderfyniadau strategol**, fel 'penderfynu ar flaenoriaethau a gosod amcanion', **ystyried** sut y gallai eu penderfyniadau helpu i leihau **anghydraddoldebau** sy'n deillio o **anfantais economaidd-gymdeithasol**.



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Defining the Key Terms

Over the next couple of slides, we will consider what each of the following key terms mean when implementing the duty.

- Decisions of a strategic nature;
- To consider;
- Inequalities of outcome;
- Socio-economic disadvantage.

Diffinio Termau Allweddol

Yn y ddwy sleid nesaf, byddwn yn ystyried beth yw ystyr y termau canlynol wrth ymdrin â'r ddyletswydd.

- Penderfyniadau strategol;
- Ystyried;
- Canlyniadau anghyfartal;
- Anfantais economaidd-gymdeithasol.



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i) Decisions of a strategic nature

“In general, strategic decisions will be those which effect how the relevant public body fulfils its intended statutory purpose (its functions in regards to the set of powers and duties that it uses to perform its remit) over a significant period of time and will not include routine ‘day to day’ decisions.”

For some public bodies, such decisions may only be taken annually, in other cases, they will come up more often.

The duty will apply to both new **strategic decisions** and when reviewing previous strategic decisions.

i) Penderfyniadau strategol

“Â siarad yn gyffredinol, penderfyniadau strategol yw’r rheini sy’n effeithio ar y ffordd y mae’r corff cyhoeddus perthnasol yn cyflawni’i bwrpas statudol (ei swyddogaethau ar sail y set o bwerau a dyletswyddau y mae’n eu defnyddio i wneud ei waith) dros gyfnod arwyddocaol o amser, heb gynnwys y penderfyniadau ‘pob dydd’ cyffredin.”

Bydd rhai cyrff cyhoeddus ond yn gwneud y penderfyniadau hyn bob blwyddyn. Bydd rhai eraill yn eu gwneud yn amlach.

Bydd y ddyletswydd yn berthnasol i **benderfyniadau strategol** newydd ac wrth adolygu penderfyniadau strategol sydd eisoes wedi’u gwneud.



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ii) To consider:

“Giving weight to a particular issue in proportion to its relevance.”

Due regard is an established legal concept in equalities law. The concept of due regard should be well understood by public bodies in relation to the public sector equality duty. It means giving weight to a particular issue in proportion to its relevance. We would expect the same principles to apply to this duty.

Existing practice for demonstrating consideration should be used. This might include impact assessment processes, systems for engagement and community involvement and use of local evidence and data.

ii) Ystyried:

“Rhoi’r sylw priodol i fater penodol yn ôl ei berthnasedd.”

Mae ‘rhoi sylw priodol’ (*due regard*) yn gysyniad cyfarwydd ym maes cyfraith cydraddoldeb. Bydd cyrff cyhoeddus eisoes yn ei ddeall yng nghyd-destun dyletswydd y sector cyhoeddus am gydraddoldeb. Mae’n golygu rhoi’r sylw priodol i fater penodol yn ôl ei berthnasedd. Byddem yn disgwyl y byddai’r un egwyddorion yn berthnasol i’r ddyletswydd hon.

Dylid defnyddio’r prosesau presennol i brofi bod ystyriaeth wedi’i rhoi, gan gynnwys efallai prosesau asesu effaith, systemau ymgysylltu a chynnwys y gymuned a defnyddio tystiolaeth a data lleol.



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iii) Inequalities of outcome

“Inequality of outcome relates to any measurable differences in outcome between those who have experienced socio-economic disadvantage and the rest of the population.”

Relevant public bodies will be in a position to influence specific socio-economic inequalities – they should understand where they can have the greatest positive impact.

There are a range of ways in which relevant public bodies can build this awareness as they will already have access to a wide range of relevant quantitative data and other evidence including: (not an exhaustive list):

- [The Welsh Government’s Future Trends report](#);
- [The Welsh Government’s Well-being of Wales Report](#);
- [EHRC’s report Is Wales Fairer?](#)

iii) Canlyniadau anghyfartal

“Canlyniadau anghyfartal yw’r gwahaniaeth rhwng canlyniadau’r rheini sydd wedi profi anfantaais economaidd-gymdeithasol a chanlyniadau gweddill y boblogaeth.”

Mae cyrff cyhoeddus perthnasol yn gallu dylanwadu ar anghydraddoldebau economaidd-gymdeithasol penodol – mae angen iddynt ddeall lle gallant gael yr effaith bositif fwyaf.

Mae sawl ffordd sut y gall cyrff cyhoeddus perthnasol ddod i ddeall hyn gan fod yna lawer o ddata meintiol perthnasol a thystiolaeth arall ar gael iddynt: (nid yw’r rhestr yn gynhwysfawr):

- [Adroddiad Llywodraeth Cymru ar Dueddiadau’r Dyfodol](#);
- [Adroddiad Llywodraeth Cymru ar Lesiant Cymru](#);
- [Adroddiad yr EHRC: A yw Cymru’n Decach?](#)



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iv) Socio-economic disadvantage

“Living in less favourable social and economic circumstances than others in the same society.”

Socio-economic disadvantage can be disproportionate in both **communities of interest** and **communities of place**, leading to further inequality of outcome, which can be further exasperated when considering **intersectionality**.

- **Communities of interest** – those who share one or more of the protected characteristics listed in the Equality Act 2010 can be considered communities of interest.
- **Communities of place** refers to people who are linked together because of where they reside, work, visit or otherwise spend a substantial portion of their time.

iv) Anfantais economaidd-gymdeithasol



“Byw mewn amgylchiadau cymdeithasol ac economaidd llai ffafriol na phobl eraill yn yr un gymdeithas”

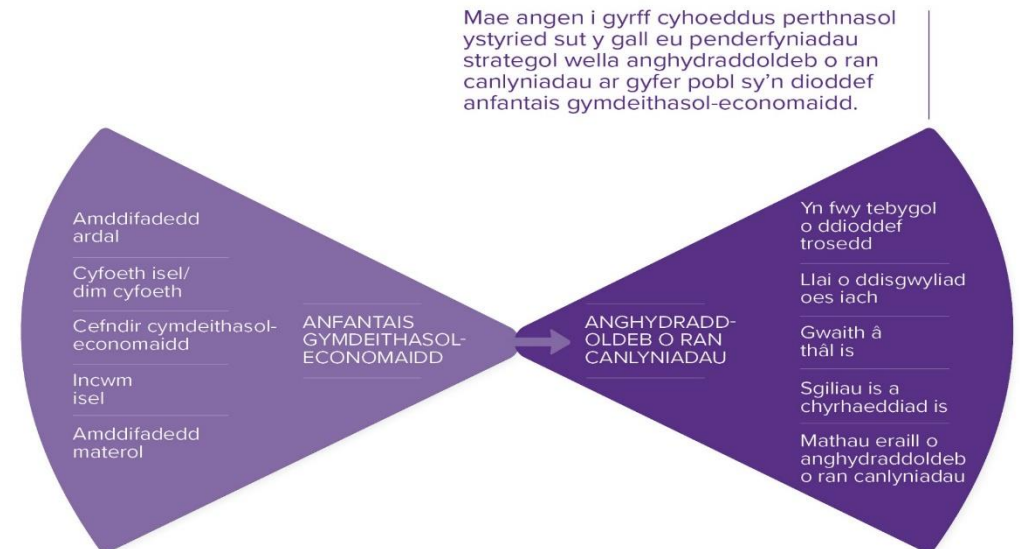
Mae **cymunedau buddiant** neu **gymunedau lle** yn gallu dioddef mwy na’u siâr o **anfantais economaidd-gymdeithasol** a mwy felly o ganlyniadau anghyfartal. Gall cyfuno ffactorau (**rhyngblethedd - intersectionality**) waethygu’r anfantais.

- **Cymunedau buddiant** – pobl sy’n rhannu un neu fwy o’r “nodweddion gwarchoddedig” a restrir yn Neddf Cydraddoldeb 2010.
- **Cymunedau lle** – pobl sydd wedi’u cysylltu â’i gilydd am eu bod yn byw, yn gweithio neu’n treulio cyfran dda o’u hamser yn yr un lle, neu’n ymweld â’r lle hwnnw.

Examples of the inequalities of outcomes arising from socio-economic disadvantage



Enghreifftiau o ganlyniadau anghyfartal sy'n dod o anfantais economaidd-gymdeithasol



Working in a holistic way

There are opportunities to consider the Socio-economic Duty through other duties. For example:

Public Sector Equality Duty

- Setting strategic objectives that relate to protected characteristics and poverty. Including socio-economic status as part of an Equality Impact Assessment.
- Consulting with people living in poverty as part of engagement under the PSED. Data collection identifies what groups of people are most likely to be living in poverty.

Well-being of Future Generations (Wales) Act

- Application of the 5 ways of working.
- Setting objectives that contribute to A More Equal Wales.

Gweithio mewn ffordd holistig



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Gellir mynd i'r afael â'r Ddyletswydd Economaidd-Gymdeithasol trwy ddyletswyddau eraill hefyd. Er enghraifft

Y Ddyletswydd Cydraddoldeb yn y Sector Cyhoeddus (PSED)

- Gosod amcanion strategol i ddelio â nodweddion gwarchodedig a thlodi, gan gynnwys statws economaidd-gymdeithasol fel rhan o'r Aseiad o'r Effaith ar Gydraddoldeb.
- Ymgynghori â phobl sy'n byw mewn tlodi fel rhan o brosesau trafod y PSED. Trwy gasglu data, gwelir pa grwpiau o bobl sy' fwy' tebygol o fod yn byw mewn tlodi.

Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru)

- Y 5 ffordd o weithio.
- Gosod amcanion sy'n cyfrannu at greu Cymru fwy Cyfartal.

In summary...

The overall aim of the duty is to deliver better outcomes for those who experience socio-economic disadvantage.

The Socio-economic Duty will support this through ensuring that those taking strategic decisions:

- ✓ take account of evidence and potential impact through consultation and engagement
- ✓ understand the views and needs of those impacted by the decision, particularly those who suffer socio-economic disadvantage
- ✓ welcome challenge and scrutiny
- ✓ drive a change in the way that decisions are made and the way that decision makers operate

I grynhoi...

Prif amcan y Ddyletswydd Economaidd -Gymdeithasol yw sicrhau canlyniadau gwell i bobl o dan anfantais economaidd-gymdeithasol.

Bydd yn gwneud hyn trwy sicrhau bod y bobl sy'n gwneud penderfyniadau strategol yn:

- ✓ ystyried y dystiolaeth a'r effeithiau posibl trwy ymgynghori a thrafod
- ✓ deall barn ac anghenion y bobl y bydd y penderfyniadau'n effeithio arnynt, yn enwedig os ydynt yn dioddef anfantais economaidd-gymdeithasol
- ✓ croesawu cael eu herio a bod yn destun craffu
- ✓ sbarduno newid i'r ffordd y mae penderfyniadau'n cael eu gwneud a'r ffordd y mae penderfynwyr yn gweithio



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Preparing to meet the duty

In preparing for the duty, it is recommended that the relevant public bodies follow the steps below:

STEP 1

Identify their strategic decisions and when they are taken.



STEP 2

Identify those involved in the strategic decision-making process.

Paratoi ar gyfer y ddyletswydd

Wrth baratoi ar gyfer y ddyletswydd, rydym yn cynghori cyrff cyhoeddus perthnasol i ddilyn y camau canlynol:

CAM 1

Nodi pa rai yw eu penderfyniadau strategol a phryd maen nhw'n cael eu gwneud.



CAM 2

Nodi pwy sy'n rhan o'r broses o wneud penderfyniadau strategol.



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Preparing to meet the duty

In preparing for the duty, it is recommended that the relevant public bodies follow the steps below:

STEP 3

Ensure that those involved in the strategic decision-making process understand the statutory requirement of the duty, particularly giving due regard and the requirements of their role in relation to this.

STEP 4

Take steps to integrate consideration for inequality of outcome caused by socioeconomic disadvantage into existing processes for understanding and evidencing the likely impact of strategic decisions

For example, impact assessment processes, plans for engagement and processes for developing a business case

Paratoi ar gyfer y ddyletswydd

Wrth baratoi ar gyfer y ddyletswydd, rydym yn cynghori cyrff cyhoeddus perthnasol i ddilyn y camau canlynol:

CAM 3

Sicrhau bod y bobl sy'n gwneud penderfyniadau strategol yn deall gofynion statudol y ddyletswydd, yn enwedig o ran 'rhoi sylw priodol' a gofynion eu rôl yn hynny o beth.

CAM 4

Cymryd camau i sicrhau bod canlyniadau anghyfartal sy'n deillio o anfantais economaidd-gymdeithasol yn ystyriaeth yn y prosesau ar gyfer deall a darparu tystiolaeth o effaith debygol penderfyniadau strategol

Er enghraifft, prosesau asesu effaith, cynlluniau ymgysylltu a phrosesau datblygu achos busnes



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The following slide shows an example of a 5 stage approach that the relevant public bodies can take to meet the duty on a day-to-day basis.

Mae'r sleid nesa'n dangos enghraifft o'r 5 cam y gall cyrff cyhoeddus perthnasol eu cymryd i wneud y ddyletswydd yn eu gwaith pob dydd.



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Meeting the duty on a day-to-day basis

STAGE 1: Planning

Is the decision a strategic decision? →

STAGE 2: Evidence

What evidence do you have about socio-economic disadvantage and inequalities of outcome in relation to this decision?

Have you engaged with those effected by the decision?

Have you considered communities and places of interest?

Gwneud y ddyletswydd yn eu gwaith pob dydd

CAM 1: Cynllunio

A yw'r penderfyniad yn un strategol →

CAM 2: Tystiolaeth

Pa dystiolaeth sydd gennych am yr anfantais economaidd-gymdeithasol a'r canlyniadau anghyfartal sy'n gysylltiedig â'r penderfyniad?

Ydych chi wedi trafod â'r bobl y bydd y penderfyniad yn effeithio arnynt?
Ydych chi wedi ystyried cymunedau buddiant a lle?



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Meeting the duty on a day-to-day basis

STAGE 3:

Assessment and improvement

What are the main impacts of the proposal? →

How can the proposal be improved so it reduces inequalities of outcome as a result of socio-economic disadvantage?

STAGE 4:

Strategic decision making

This stage is for decision makers (for example, executives, non-executive directors, board and committee members) to confirm that due regard has been given.

They should be satisfied that the body has understood the evidence and the likely impact, and has considered whether the policy can be changed to reduce inequality of outcome as a result of socioeconomic disadvantage.

Gwneud y ddyletswydd yn eu gwaith pob dydd

STAGE 3:

Asesu a Gwella

Beth yw prif effeithiau'r cynnig? →

Sut gallech chi wella'r cynnig er mwyn lleihau'r canlyniadau anghyfartal sy'n deillio o anfantais economaidd-gymdeithasol

CAM 4:

Gwneud penderfyniad strategol

Yn y cam hwn, bydd angen i benderfynwyr (e.e. uwch swyddogion, cyfarwyddwyr anweithredol, aelodau bwrdd a phwyllgor) gadarnhau eu bod wedi 'rhoi'r sylw priodol'.

Bydd angen iddynt fod yn fodlon bod y corff wedi deall y dystiolaeth a'r effeithiau tebygol, ac wedi ystyried a oes angen newid y polisi i leihau canlyniadau anghyfartal sy'n deillio o anfantais economaidd-gymdeithasol.



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Meeting the duty on a day-to-day basis

STAGE 5:

This stage is how the process of evidencing and recording how 'due regard' has been given.

At this stage changes to the decision should be made and recorded

Gwneud y ddyletswydd yn eu gwaith pob dydd

CAM 5:

Cofnodi, gyda thystiolaeth, sut mae'r 'sylw priodol' wedi'i roi.

Yn y cam hwn, dylid gwneud a chofnodi newidiadau i'r penderfyniad.



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Further information

In order to support relevant public bodies prepare for the duty, [guidance](#) has been co-produced between Welsh Government, relevant public body representatives, and other key stakeholders including EHRC and the Future Generations Office.

Communication should be directed to:

SocioeconomicDuty@gov.wales

Rhagor o wybodaeth



Er mwyn helpu cyrff cyhoeddus perthnasol i baratoi ar gyfer y ddyletswydd, mae Llywodraeth Cymru, cyrff cyhoeddus perthnasol a rhanddeiliaid eraill fel yr EHRC a Swyddfa Cenedlaethau'r Dyfodol, wedi cyd-gynhyrchu [canllawiau](#).

Os oes gennych ymholiadau, e-bostiwch: SocioeconomicDuty@gov.wales