

North West Lesbian, Gay, Bisexual and Trans (LGB&T) voluntary and community sector groups respond to the Specific Duties Policy Review

On 7th April 2011, 30 representatives from LGB&T groups across the North West met at the Lesbian & Gay Foundation for an event: 'Influencing Parliament for LGB&T Communities'.

As part of the event, the groups and individuals present were given the background to the Equality Act 2010, the general public sector equality duty now in force, and the Specific Duties Policy Review. Attendees were told:

"The key differences of the new draft regulations are, in brief, the removal of requirements on public bodies to publish details of the:

- *engagement they have undertaken when determining their policies;*
- *engagement they have undertaken when determining their equality objectives;*
- *equality analysis they have undertaken in reaching their policy decisions; and*
- *information they considered when undertaking such analysis."*

Attendees were then asked, in small groups, to discuss two main questions:

1. Did they agree or disagree with the proposed changes?
2. Did they have any alternative solutions?

The responses captured were as follows:

- Risk of not meeting minimum standards by removal of requirements
- Much harder for LGB&T communities and the public to hold bodies to account
- The general duty gives an opportunity to challenge everything the public bodies do – opened up much wider to scrutiny
 - But these new specific duties give no legislative framework to back up this new opportunity. In the current financial

situation this framework must be legislative, not in codes of guidance

- It's correct that results should be measured by positive outcomes
- A legislative minimum framework for working with community is needed
- [Re: previous Government consultation about the specific duties] Consultation not necessarily useful if its just for the sake of it, ideas are not listened to
- Good practice should be shared
- Good that 'tick box' mentality is to be changed, but needs to be replaced with something better, not replaced with nothing
- If we can't see evidence for particular decisions, how can we challenge?
- Are there smarter ways to do things?
 - Could we adopt KPI principles?
 - But we need data/information to inform outcomes?
- Term 'removal' sounds alarm bells!
- The active word is 'publishing' – but if no requirement how can you establish it has been done?
- This appears to be a dilution of general duty? – Even if Government does not mean that, and backs up the general duty with strong guidance – public authorities may not go beyond what is in the legislation.
- How do you effectively move from process to results – isn't there an interdependence between both – you can't have one (meaningfully) without the other
- Public Authorities Should publish:
 - How they're doing inclusion
- It holds [public bodies] more accountable to LGB&T people
- How else could results be assured?
 - Survey with Council Tax, included with other feedback options
- Consultations must be listened to, or else there is a risk people may start to ignore them, especially LGB&T people who are have often been marginalised
- Hidden characteristics like sexual orientation or gender identity are easier for public authorities to ignore/find excuses to ignore
- Too much complexity/subjectivity for tick boxes, people are more than one protected characteristic

Adam Winter

Partnership & Collaboration Co-ordinator

Tel: **0845 3 30 30 30** Mobile: 07825 254898 Email:

adam.winter@lgf.org.uk

Number 5, Richmond Street, Manchester M1 3HF

Fax: **0161 235 8036** Helpline: **0845 3 30 30 30**