

University of Bedfordshire Response to GEO on Employment Policy and Law (Public Sector Equality – Specific Duties) as Requested by UCEA

Though we understand the Government's intentions to reduce bureaucracy and waste as part of its range of overarching policies, and can see that there is some justification in doing this, it is with some concern that we view the current withdrawal, at least in the meantime, of the specific duties altogether and the association of the specific duties, and more recently, the Equality Act itself, with 'red tape' and terms such as 'lighter touch'.

We realise that there was a need to place greater emphasis on the outcomes of equality impact assessments as opposed to the mere procedural aspects of the exercise, however, it is also acknowledged that the requirements to carry these out and publish them was also a motivational factor for ensuring that equality considerations were built into many issues where this was not previously the case.

One criticism we had of the previous specific duties was that fact that the whole procedural framework attached to them, though not prescribed in detail, did not in many cases take into account the reality of how policies and functions are developed in practice (e.g. the speed, complexity and quantity, in some cases). Suggesting and emphasising to organisations that it would be just as acceptable to incorporate equality and diversity dimensions and considerations about impact into their existing structures and channels would, in our opinion, have been the most appropriate way to reduce bureaucracy rather than creating the impression that equality impact assessments or equality analysis as they were next going to be known as before they were suspended were merely just another wasteful exercise which prevented organisations from carrying out their core business effectively, efficiently and economically.

A further criticism we had of the previous equality impact assessment/analysis requirement and in fact, many other equality and diversity requirements, was the lack of visible enforcement measures on a consistent and robust basis from relevant external organisations such as the Equality and Human Resources Commission (EHRC) and various inspectorates who carry out audits of organisations. The requirement to publish equality information and the results of equality analysis we saw as a means of ensuring that organisations like ours continued to have a focus to maintain, advance and expand on our current levels of equality and diversity achievement to date which we have consistently progressed with over a number of years.

Our understanding is that the Government has only suspended the proposed new specific duties with a view to revising them to ensure their full effectiveness can be felt by the organisations required to implement them and the public who will benefit as result. We look forward to the re-introduction of these duties and would hope that it is also recognised how essential equality and diversity legislation (currently mainly reflected in the new Equality Act 2010) which has been developed by an innumerable of people over many years is to the fabric of society as a whole, not just locally and nationally but on a global scale as well where applicable.

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