

From: Phil Wainwright [Phil.Wainwright@pilgrimsfriend.org.uk]

Sent: 18 April 2011 12:51

To: Specific Duties

Subject: Public Sector Equality Duty Consultation Response

Dear Sirs

I am writing on behalf of the Pilgrims' Friend Society, a group charity that incorporates Pilgrim Homes, founded in 1807 to meet the needs of elderly, Protestant Christians. Our current remit is to provide residential care and nursing homes for older people, as well as sheltered housing, extra care housing and domiciliary care.

Many of our service users are funded by local authorities and so we contract with a number of authorities. Most of our service users choose our services, because they want to live in accommodation and be provided with care from an organisation with a distinctly Christian ethos.

In the past, we have been the subject of over-zealous interpretation of equality legislation by a local authority. Elderly service users funded under "supporting people" arrangements objected to being asked, four times a year, about their sexual orientation. When we conveyed this to the authority in question, we were accused of "institutional discrimination" and had supporting people funding withdrawn. It was only under the threat of legal action that the council backed down, admitted that they had overstepped the mark, had themselves discriminated against our service users, and restored the funding and issued a written apology.

Equality law, even as it stands, has become an excuse to marginalise some faith groups, and Christians in particular. "Equality" and "diversity" have been redefined to mean "conformity." Any local authorities interpret their duty to provide for all sectors of the population as meaning that every service must reflect that diversity; they do not allow for the fact that some services are set-up to provide for a specific group, and that such services can have a place in the overall provision in their area.

Adding yet more equality legislation, targets and monitoring can only serve to make the matter worse, with public bodies forcing so-called "diversity" on every service provider, irrespective of the views, wishes and rights of their service users.

Where faith-based service providers find themselves unable to comply with these forced targets, local authorities will de-commission them from their contracting arrangements, thus denying their service users the right to have service provision within an environment that promotes a particular faith-based ethos. This is not speculation; this is what would have happened to us in the example mentioned above, had we not stood up for the rights of our service users.

The Government claims that it wants to avoid "unnecessarily prescriptive requirements" and have a "flexible, proportionate and light-touch" approach (*Equality Act 2010: The Public Sector Equality Duty: Reducing Bureaucracy. Policy review paper, Government Equalities Office, 17 March 2011, page 7*). I fail to see how adding a further layer of regulation can achieve this end. The power granted, by s153, to ministers to impose specific duties is optional and does not have to be used.

In summary, I submit that the Government's proposed "specific duties" regulations should be dropped, because they will impose further burdens on both public bodies and service providers, will discourage public bodies from working with faith-based providers, and will threaten the work of faith-based welfare organisations, which the Government claims it wants to work with.

Yours sincerely

Phil Wainwright
Director of Human Resources
Pilgrims' Friend Society

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Pilgrims' Friend Society
175 Tower Bridge Road
London SE1 2AL

T: 0300 303 1400

F: 0300 303 1415

E: info@pilgrimsfriend.org.uk

W: www.pilgrimsfriend.org.uk

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