

From: Murdoch Helen Ms (ACAD) [H.Murdoch@uea.ac.uk]

Sent: 06 April 2011 13:06

To: Specific Duties

Subject: Public Sector Equality Duty -Comment on Policy Review Paper

Dear Harshbir

Having read the document 'Equality Act 2010: The PSED: Reducing Bureaucracy, Policy Review Paper, I would like to submit the following comments as part of the consultation process:

The government emphasises they want to remove processes from public bodies 'to eliminate discrimination, advance equality of opportunity and foster good relations for public sector workers and service users, not to ensure that public bodies comply with bureaucratic processes.' While I understand the point being made, the report (conveniently?) ignores the fact that the processes proscribed provided internal leverage for proactive change. My view based on a thirty years careers worth of experience in a variety of organisations is that it is simply not enough, it is limp and ineffective, to introduce or maintain a law which is not 'policed' other than by the victims of its breach. Although the previous 'processes' set out under the existing duties did need reform, refinement and improvement their almost complete removal greatly reduces the likelihood of achieving equitable outcomes. If such an extent of will already existed in the corridors of power there would be no need for legislation in the first place and there would be no tribunal cases to answer.

By removing internal leverage for change provided by specific duties the third of the governments four key stated objectives: 'Focusing on measurable results' (page three of the document), in fact has much less, not greater, chance of success. A more flexible approach is welcome but removing the means by which much-needed and required change can be pushed for and proactively achieved FROM WITHIN an organisation effectively removes responsibility for real change and takes us a decade or more back to the situation whereby individuals who suffer discrimination have to rely solely upon their own courage and energy to challenge the power of, in the main, huge organisations. Many victims do not defeat their Goliaths, many victims cannot face the thought of this kind of challenge and those that do face the fight often also face damaged careers and lives. Surely the aim needs to be to eliminate more effectively the chances of service users or workers having to challenge in this way, not to make it a greater part of the process. The burden of pushing for change should not rest externally but the locus and pressure of responsibility needs to be keenly felt within an organisation by those with the power to effect actual change. The General Duty alone does not provide sufficient pressure to achieve this. At the same time as removing these requirements/responsibilities the government is also attacking the Commission which provides a potential avenue for 'policing' and/or encouraging performance towards satisfying the General Duty.

In my view, the reduction of internal organisational responsibility in this way renders the legislation far less fit for purpose.

Yours sincerely

Helen Murdoch

Helen Murdoch
The Registry, Room 3.22
University of East Anglia
Norwich, Norfolk, NR4 7TJ

Tel: 01603 591898
Email: h.murdoch@uea.ac.uk

www.uea.ac.uk/equality