

Specific Duties – Policy Review
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Dear Harshbir Sangha,

Equality Act 2010: The Public Sector Equality Duty - reducing bureaucracy

Westminster City Council supports the change in the draft specific duties regulations as set out in the above policy review paper.

We agree that the new approach goes some way towards removing unnecessary burdens and bureaucracy for public bodies. We support the following requirements for public bodies being removed:

- to publish details of engagement undertaken when determining policies;
- to publish details of engagement undertaken when determining equality objectives;
- to publish details of equality analysis undertaken in reaching policy decisions;
- to publish information considered when undertaking such analysis;
- to consider certain equality matters as specified by the Secretary of State.

The new draft regulations take away some unnecessarily prescriptive requirements, such as the need to publish evidence of analysis or the need to publish details of engagement. The new approach will be better for outcomes on the front line because it will focus more on the delivery of results rather than on the performance of bureaucratic processes. We want to be judged on what we achieve, not on how we got there.

We agree with the removal of the clause that would have allowed the Secretary of State to specify certain equality matters which public bodies must consider. We are pleased that in this respect our concerns from the 2010 Public Sector Equality Duty consultation have been taken into consideration, as the removal of priorities set by the centre will allow us to focus on responding more effectively to local issues.

Whilst we agree with the amendments to the draft specific duties, the government must endeavour to ensure that the aims of the policy are accurately and clearly reflected in the Equality and Human Rights Commission (EHRC) guidance. The current guidance issued by the EHRC for local authorities is overly prescriptive and burdensome. Furthermore it is difficult to differentiate between the statutory and best practice elements of the guidance. If fully applied, this guidance involves an approach to equalities which is both unnecessarily onerous and hugely resource-intensive, and one that is not in line with the coalition government's policy of reducing statutory burdens on local authorities. In the revised EHRC guidance to be issued we would therefore welcome an approach which is not prescriptive and where there is a clear distinction between statutory guidance and best practice guidance to ensure that our responsibilities are unambiguous, and that our approach can be tailored to local needs.

Yours sincerely,

John Dimmer