



Dear Mr Sangha

Regional Equality and Diversity Partnership submission in response to the Public Sector Equality Duty: Reducing Bureaucracy Consultation.

I am writing on behalf of the Regional Equality and Diversity Partnership in response to the Government's call for comments on the Equality Act Policy Review Paper in relation to the draft regulations imposing specific duties to support delivery of the general duty of the act. This response follows our discussions within the Regional Equality and Diversity Partnership. The response is based on our extensive experience working within the voluntary sector and working in partnership with public bodies.

The Regional Equality and Diversity Partnership

The Regional Equality and Diversity Partnership (REDP) is a partnership of Voluntary and Community Sector organisations working across the East Midlands. REDP is made up of 25 organisations representing all protected characteristics, working to agreed terms of reference.

We work to ensure that equality, diversity and human rights are embedded in decision-making processes followed regionally, nationally and locally. We support the development of infrastructure voluntary sector bodies within the regional and the efficiency and effectiveness of frontline organisations. We adopt a collective and collaborative approach to equality and diversity practice.

Moreover, we have a successful track record of having worked widely with public bodies and voluntary sector organisations in the management of equality and diversity for more than 15 years. Our extensive experience of working in the field has informed this submission to yourselves. It is important to note that we are also liaising with other relevant agencies with a direct interest in these matters.

Our Comments

- Whilst it is recognised that the government is attempting 'to reduce burdens and bureaucracy on public bodies', using a 'lighter touch' approach, there is concern that this shift in approach will make it substantially difficult for the public bodies to be held to account. We agree to the extent that public bodies must take responsibility for their own action, however performance in an equalities context has to be based on a model where scrutiny and accountability by the public is key and moreover that a standardised process is a pre-cursor to this in order that the public body can demonstrate the measures taken to advance equality.
- The purpose of the specific duties are a prescriptive means supporting public bodies to meet their legislative requirements under the General duty. The equalities field have worked hard to ensure that equalities are mainstreamed into public sector thinking and at a time where leaders in the public sector are starting to grapple with the need to consider equalities in all that they do, there is a danger that a significantly new approach will lose the gains made. It has taken ten years to get this far and our concern is that a shift in approach will set equalities back. To this end, an approach which is far less prescriptive concerns us that public bodies will be given too much discretion leading to a situation where general duty requirements are not met.
- From our experiences a lack of prescriptive processes in supporting public bodies to achieve under the duty will lead to a situation where the wider public, including the crucial role that the VCS play within civil society, does not have the available evidence to be able to scrutinise and hold accountable public bodies. There has to be a universal standardised process that must be adhered to for equality improvements to happen.
- What is being described as 'bureaucratic processes' in the documents have been very useful for civil society to date

in holding public to account. These processes have produced the very evidence needed to demonstrate that at the least equality has been considered.

- A new approach adopted by the government in relation to social policy on life chances, has been based on the Field, Allen and Tickell reviews. These reviews have been commissioned on the basis that policy must be evidenced based to move towards a position of a fair and socially mobile society. Our argument here is that evidence in relation to equality is the key driver when determining what priorities a public body sets for itself to ensure that equality outcomes are achieved. Here, our concern is that that what is proposed in the policy review paper flies in the face of what is being said in the 'Opening doors, Breaking barriers' report.
- A lighter touch transparency requirement based on our extensive experience is a regressive step. We know that public bodies have not published sufficient information under the previous legislation even when there has been regulation to do so. What is being proposed will lead to a situation where even less resources will be dedicated to ensure equalities is embedded and mainstreamed within organisational thinking, undoubtedly leading to less equality outcomes.
- The specific duties should build on the strengths of the previous duties and on the principle that the specific duties are intended to promote better performance of delivering the general duty.
- We already have evidence that the number of jobs relating to equality issues have been substantially reduced in the last few months and whilst this on its own may not be a major problem it would only be appropriate if the concept of inclusion and equality was bedded within the everyday work of Managers and decisions makers – regrettably this has not been the case in so many ways.

- The Equalities minister recently stated that everybody knew about the equality act so Government needed to let local bodies get on with the work that they were required to do. This on the one hand is fine, but how will the government deal with the end position where inequality rises to disproportionate levels and creates increased pressures on the state? What mechanisms will you have to ensure that the situation does not get worse? Recently the government was forced to produce guidance to stop local authorities from impacting cuts disproportionately on the VCS – if public bodies cannot be held accountable locally then the burden of challenge will fall more heavily on government as judicial reviews and court actions seek bigger implication in their determined actions.

To this end and in summary, we agree with the Government's objective to, 'ensure that the specific duties which support (the general equality duty) are effective and deliver real transparency and democratic accountability' and we recognize on the drive to focus on improving outcomes but we strongly disagree that these proposed regulations will achieve this.

Finally, we hope you see your way clear in addressing the concerns raised here.

Yours faithfully

Kelly Jussab

On behalf of the Regional Equality and Diversity Partnership

REDP Members

- * Age UK
- * Derby and Derbyshire Race and Equality Commission
- * Derbyshire Friend
- * Derbyshire Gypsy Liaison Group
- * East Midlands Racial Equality Consortium
- * Faith Forum for the East Midlands
- * Leicester Council of Faiths
- * Leicester Deaf Action Group
- * Leicester Lesbian Gay Bisexual and Transgender Centre
- * Leicestershire Centre for Integrated Living
- * Lincolnshire Association of People with Disabilities
- * National Forum for People with Learning Difficulties
- * Nottingham and Nottinghamshire Refugee Forum
- * One East Midlands
- * South Lincolnshire Mind
- * Speak Up 4 Urself
- * The Race Equality Centre