



**GEO Policy Review on the Equality Act 2010
The public sector Equality Duty: reducing bureaucracy**

UNITE – the Union Response

April 2011

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Unite the union and the Public Sector Equality Duty

This response is submitted by Unite, the union. Unite is Britain and Ireland's largest trade union with 1.5 million members across the private and public sectors. As the union's members work in a range of industries including manufacturing, financial services, print, media, construction, transport, local government, education, health and not for profit sectors, we have extensive experience of representing men and women workers who are faced with discrimination on all grounds. We believe that the current public sector duties, general and specific, are an important tool for union reps as well as employers to ensure action to prevent and tackle discrimination in employment and in the wider community.

Unite the union Response to the Policy Review Paper

Unite is deeply alarmed by further removal of requirements from the specific duties. As stated in previous responses advancing equality requires adequate information, wide-ranging involvement, clear objectives and monitoring procedures. These are not 'ends' but 'means' and of course must not be empty bureaucratic exercises, but no clear requirement mean no advancement of equality.

These proposals taken with the inclusion of the Equality Act 2010 in the "red tape challenge" implies that the government is not serious about tackling inequalities and eliminating discrimination in our society.

Key Points - In response to this policy review, the following key points are in addition to our submission in November 2010 (attached):

1. Since the publication of the draft specific duties in January, our experience is that already some public sector employers are of the impression that they "do not have to do as much as they used to". This confirms our earlier concerns that the "lighter touch" approach leads to fewer public bodies having "due regard" for equalities.
2. Most public sector workers and service users do not have the means, the know-how or the boldness to challenge public bodies and the reality of these proposals are that it is, they, who will have to carry the "burden".

Further “watering down” of these regulations, as it is now proposed, will make these regulations even less effective to the point that the voice of workers in the public sector as well as service users will not be heard or will be lost. This is a disaster for equalities in our workplaces and communities. This is particularly pertinent at a time when many public sector workers are being faced with redundancies and therefore ensuring that equality impact assessments are adhered to is more vital than ever. Also, with the cuts and reduction in the voluntary sector, service users have many fewer options to seek help and assistance.

3. Removing the requirement to publish evidence, removes the effective way of holding public bodies to account. A clear way of measuring the accountability of public bodies is through the information they provide. This relies on the evidence on why and how their equality objectives are set, why and how workers and service users were consulted and finally how the objectives will be put into practice and monitored which it is proposed to no longer be a requirement.
4. Asking public bodies to only “prepare and publish one or two objectives” will become, as we said in our previous response, a “paper exercise” where they will pick and choose between different areas of equality, often based on which it is easiest to address, instead of taking effective measures to eliminate discrimination as set out in Public Sector Duty.
5. Unite believes that central government has a responsibility to the public and should have a role in laying down its expectations of the public sector with due regard to equalities. The government must be proscriptive and should specify matters for consideration where actions of public bodies can be measured against it. Removing these powers and leaving it to Guidance will take away this important influence and accountability and allows many public sector employers to do as little as possible.
6. We are extremely concerned that these new proposals will lead to a post-code lottery and will put immense pressure on public sector workers, service users and their representatives to ensure public bodies adhere to their equality duty. While in some areas where public bodies have been taking equalities seriously and have been consulting with trade unions and service users will continue their positive work, in other areas they will have an opportunity to do very little, even less than they did before, under this “lighter touch” approach.