

## Consultation Response

This is a response from Merseyside Disability Federation (MDF) to the policy review paper, *The public sector Equality Duty: reducing bureaucracy*.

MDF is an infrastructure organisation based in Merseyside and established for over 10 years, that has contact with over 400 organisations of and for disabled people. MDF has long experience of working with public bodies and putting forward the views of disabled people and their organisations, through its presence on consultative forums and other meetings at local authority and regional level.

MDF is supportive of the Equality Act 2010 and the Equality Duty associated with it. However, we can see problems with the new draft regulations imposing specific duties to support better performance of the public sector Equality Duty, mentioned in the paper.

If measures taken by local authorities are to be fair, then they need to not damage the lives of disabled people. Access issues are complex because disabled people have a wide range of different impairments, and an even greater number of access requirements as a result.

The best, quickest and cheapest way of finding out if a proposed measure might have a disproportionately negative effect on disabled people is to ask a range of disabled people for advice.

A similar principal applied to other excluded and disadvantaged groups in society: they are the experts on what might have a damaging effect on their lives. This consultation is mentioned in the review paper as: “engaging with people, staff, service users and others and considering the effect of what they do on the whole community”.

1. Our first issue is transparency, If we do not know who public bodies have asked about a particular issue, how do we know that they asked the right people? In general, in order to be able to support public bodies to do things better, we need to know how they are doing things. MDF feels we should be able to know who public bodies are consulting with . One particular worry is based on our past experience of being quoted as a source of consultation, when no such consultation with us has taken place.

As a result we feel that the Duty should include the requirement for authorities to say broadly

- how they went about collecting evidence; and
- what they took into account when setting policies and objectives.

2. Our second issue relates to our certainty that each decision needs to be assessed transparently in terms of its impact on equality. It is dangerous to set overall objectives, and set overall policies, but to and create no clear mechanism to make sure they are applied in each case. Decision-makers need to actively apply objectives in each decision according to those individual circumstances, and it must be transparent that they have done so.

If in, in each decision, they can't show how they are following the priorities they have set themselves, demonstrating that they are doing what works, then the public cannot hold them to account in the way that the government sees as so important.

This process need not burden authorities. If anything, impact assessments give structure to decisions. They act as an efficient checklist to ensure that established policy and the interests of all citizens are being taken into account.

MDF calls on the Government to keep transparency about who and what councils are taking into account when they make decisions that might impact on fairness.