



Breakthrough UK's response to 'The public sector Equality Duty: reducing bureaucracy'. Policy Review Paper

We would like to express our frustration with the decision to review the regulations published on 12th January 2011 on the specific duties of the Public Sector Equality Duty. In particular we are very disappointed with the u-turn on some of the concessions made following last year's consultation on the specific duties.

In our original response to the consultation we, and other organisations of disabled people, made a strong point about the removal of the requirement to meaningfully and actively involve the groups covered by the new Duty. This omission makes the new Duty far weaker than the Disability Equality Duty in our view. We believe that this would make much of the information gathered irrelevant to the real issues and barriers faced by disabled people, and to people from other equality groups, when accessing public services or employed by public bodies.

In January 2011, the government reviewed the plans in the light of the feedback received and made a few small concessions. These concessions included creating a requirement for public bodies to publish details of the engagement they have undertaken when determining their policies and equality objectives. This was not close to the full level of involvement that we were calling for and that we feel is necessary for the Duty to be effective. But even this has now been taken out - a regressive step for the reasons outlined above.

We note also that the objective setting criteria has reverted back to "one or more objectives", rather than "Public authorities must prepare and publish objectives". The latter stance was called for following concerns that saying 'one or more' would open the door to Public

Authorities publishing only one objective every four years. We feel that there is a real danger that such weak reporting requirements could lead to public authorities 'cherry picking' objectives that suit them, ignoring areas which would present more of a challenge. This will inevitably further marginalise social groups who experience significant barriers to engaging with public authorities, especially bearing in mind that the objective setting process is no longer supported by action planning.

We do not believe either that it is right to remove the requirement on public bodies to publish the equality analysis they have undertaken in reaching their policy decisions - and the information they considered when undertaking such analysis.

Reducing bureaucracy should not be done at the expense of measures that allow disabled people, and people from other equality groups, to be meaningfully involved in decision making. Or to be able to see how decisions that affect their lives have been arrived at.

We would like to express our real disappointment about this change of mind, and on how the government do not seem to have taken on board a lot of the original concerns expressed by us - and other organisations of disabled people - on the plans for the specific duties. We ask you to reconsider this position, and at the very least, reinstate the concessions made in January.