

FAO: Harshbir Sangha

Draft response to policy review 'Equality Act 2010: The public sector Equality Duty: reducing bureaucracy'

This response is made from the Human Resources function of The University of Nottingham, prepared by Ms Clare Martlew, Deputy Director HR (Email: clare.martlew@nottingham.ac.uk).

The policy review document sets out to address the stated outcome of reducing bureaucracy and enhancing democratic accountability.

The measures proposed of removing the requirement to report specifically on certain actions that the University could be required to undertake, such as consultation and equality analysis do remove the risk of technical breaches by the University in discharging its public duties.

The issue would appear to be one of whether removing this requirement would undermine the goal of greater transparency and democratic accountability. As evidence of these activities would not need to be published, it is assumed that a member of the public would have to exercise their right under the Freedom of Information Act to acquire this information. It is assumed that, should this information come to be regularly requested a sensible organisation would include it within its publication schemes. Therefore it is our view that this measure does not have a significantly deleterious effect on accountability and does reduce bureaucracy.

The removal of the word 'sufficient' from the draft 3.1 is entirely welcomed, this term being open to interpretation and subsequent definition through case law, which leaves employers vulnerable to unwitting breaches of the regulations in the interim. It is assumed that the statutory code of practice will address appropriate practice in such a way as to allow individual organisations to collect, publish and monitor data in an efficient and effective way in light of their various resources and strategic objectives.

The change to the wording of the requirement to publish (one or more) objectives appears to have little or no impact from our perspective – most public bodies will already have developed equality schemes which contain more than one objective and it is highly unlikely that this will be affected by the changes proposed.

The removal of the requirement to publish how progress is measured is puzzling as, with a change in focus from process to outcome, defining and measuring progress, together with an analysis of any barriers encountered to achieving them would appear to be genuinely useful information to the public and an integral part of the objectives (indeed reference is made within the document to SMART objectives). However, as with comments above, it is helpful to organisations in avoiding technical breaches and does reduce bureaucracy (however the impact would be minimal and it is less clear whether on balance it goes too far and thus undermines accountability).

Clare Martlew
Deputy Director of HR/Head of Employment Services Team 1

Human Resources Department
The University of Nottingham

King's Meadow Campus
Lenton Lane
Nottingham
NG7 2NR
Tel: 0115 951 5742
Fax: 0115 951 5215
Email: clare.martlew@nottingham.ac.uk