



# Federation of Irish Societies

SUBMISSION OF FIS IN RESPONSE TO EQUALITY ACT 2010: The public sector Equality Duty: Reducing bureaucracy: Policy Review paper

## **About the Federation of Irish Societies (FIS)**

FIS is a second-tier charity representing and promoting the interests of the Irish community in Britain. We currently have 140 member organisations providing a range of frontline support and advice services to vulnerable Irish people and other BAME groups and cultural communities. FIS's affiliates include front-line support and advice services, agencies delivering specific services (e.g. to the elderly, women, Irish Travellers, prisoners, homeless people, people with mental health problems or problems around alcohol, women, travelers), social, cultural and sports organizations, social clubs, Irish professionals.

We provide capacity building support to our member organisations in areas of service development, governance and sustainability. We aim to address health inequalities and social exclusion faced by Irish people in Britain and focus on policy and strategic development to influence Government and the statutory sector to ensure that they meet the needs of the Irish community.

For some years there has been an emphasis on building up the capacity of members to function independently. This has been purposeful and successful in many areas and almost all the FIS members using our service have benefited from training and 1-1 support in organisational development. This has included areas such as improving governance, business planning, taking on and managing staff, working with the local authority or the local NHS to generate recognition, partnerships and funding. Many of the most successful services have stated that without FIS support in the past, they would not be where they are today.

FIS continues to provide support to those services ready to make changes which will ensure they are working in compliance with charity regulations and are fit for purpose and long term sustainability. The FIS Community Development Team has also made a strategic shift in their focus to bring members together to work more collaboratively. In all our work we are seeking to get members to find organisational management solutions together rather than in isolation, and we are delighted to say that our collaborative initiatives are being adopted by the NCVO as models of good practice.

FIS also plays a key roll in facilitating communication across the membership and across the community via our web media and newsletters. Since our website was launched our

visits have increased by 385%. The E-Policy Bulletin delivers the latest key policy developments to the Irish community and Irish voluntary sector in England, and regular print newsletters keep members, funders and partners up to date with key FIS activities.

FIS also makes representation at national and regional levels. Nationally this includes to ONS, the EHRC, the DWP, the Department of Health and the NHS, the Arts Council, Age UK, and NCVO. Regionally the bodies to whom we represent or with whom we work in partnership include ROTA and the GLA, Regional Action West Midlands, BRAP (Birmingham Race Action Partnership), CEMVO North West. We are seeking to build a collaborative relationship with the Chinese community in Birmingham and with the Jewish charity Interlink in London.

More recently we have been planning, developing and promoting an extensive campaign which went public in January and ran on to March, to raise awareness within the Irish community of the purposes and importance of the Census. Its objective was to maximise Irish enumeration so that we will have the best possible data on the community to assist in developing our policies and for our representational work.

## Response to consultation

FIS is a member of the Winning the Race Coalition and we fully endorse the Response being made by ROTA on behalf of that Coalition to this consultation.

This supplementary response is being made to articulate the specific experiences which inform the concerns of a small but significant second-tier Irish organization in relation to matters raised in this consultation; but it is important to understand that we agree with the analysis in the ROTA document and the conclusions drawn from that analysis in that Coalition response.

FIS welcomes

- the restatement of the integrated Equality Duty in paragraph 2, and the importance attached to that
- the objective of making public bodies transparent and accountable (paragraph 4)
- the emphasis on performance (paragraph 3)

As a small voluntary organization we are aware of the “burdens of bureaucracy” (paragraph 3) and so would be inclined to welcome the easing of such burdens. However, on the issue of equalities, and in relation to transparency, we do have information needs which involve some understanding of the processes underpinning and impacting on performance, so we cannot accept the radical dichotomy between process and performance which your consultation document implies.

For example, in relation to paragraph 7 we welcome the reiteration of the “duty to promote equality for all” through delivery of “equal treatment and equal opportunity” on the basis of

- the staff of the public body in question
- the services delivered by the public body

However, “transparency” itself - a key though ill-defined strategy for this government - is the outcome of a process of which cannot necessarily be achieved by the publication of some general data showing some general improvement has been achieved in the direction of ‘fairness’ among employees or service users; though even that inadequate process requires to some degree surely (under paragraphs 9 and 11) the deployment and comparison of baseline data with other data collected over time.

We would go further to say the inequalities which exist between and within communities, whether these be BAME/ethnic communities or the marginalized among those described in the last census as White British, require - for purposes of transparency - more sophisticated forms of analysis in order to understand the degree to which “equal treatment and equal opportunity” are being delivered, and begin to understand the barriers to such delivery.

Such capacity and such processes are closely related to the pursuit of social cohesion and are therefore of considerable importance.

We welcome the broad-brush guidance given to public bodies in paragraph 19, as to how they should go about understanding the effects of their policies, as far as that goes. However, we are concerned at the contents of paragraphs 14, 18, 20 bullet point two, and 23, which form part of a ‘lighter touch’ approach. The changes proposed in these paragraphs are themselves a challenge to the term transparency, as they will make it very difficult for the public to understand the processes by which objectives have been adopted in the first place, or how achievements have been subsequently measured. Clarity and confidence with regard to such matters needs exist among the public, if trust is to be maintained.

FIS’s particular experience leads it to be critical of specific flawed aspects of existing processes identification of needs and policy formation which are likely to continue if not addressed. FIS has described its position thus:

*One of the specific problems which has an impact on all aspects of the work of FIS, and of our affiliates, is the invisibility of Irish needs...*

*It may sound strange to speak of Irish invisibility, when the 1970s and 1980s were the era of ‘Irish joke’ and the 1974 Prevention of Terrorism Act, and the 1980s and 1990s a time when the visibility of Irish people in such areas as business, popular media and sport began to challenge traditional negative images of Irishness.*

*However, the invisibility referred to here relates to the way in which the ‘ethnic penalty’, discrimination and disadvantage are constructed/presented/represented as largely, if not exclusively, on a Black/White binary. This, in turn, has had significant consequences in the fields of research, policy formation, data collection and analysis, ethnic monitoring, and service design and delivery. Even following the inclusion of a specific ‘Irish’ category in the 2001 Census that data is often subsumed in the ‘White’ data in ethnic tables. Furthermore, an Irish dimension is frequently omitted from areas of research where one would expect to find it.*

Here are three examples:

(A) In 2004 Janice Needham & Jean Barclay's *Infrastructure for BME Organisations in London* was produced for the Government Office for London to inform the ChangeUp policy and process. It arbitrarily defined BMEs as "'visible' or non-white communities", and completely ignored the Irish voluntary sector, despite the fact that it contains data on other ethnic groups who would self-identify as 'white', like Greeks and Cypriots.

In 2007 Ceri Hutton and Barbara Nea's *Priority Sub-sectors for Infrastructure Support: London Region* described FIS's experience of ChangeUp thus:

*There are small specialist infrastructure services for other minority groups, such as the Federation of Irish Societies. This and other non-black ethnic minority grouping reports an unclear alliance and inclusion within the BAME agenda. FIS offers national capacity building support, reaching 130 organisations throughout the UK. They did not gain funding through ChangeUp's 'Improving Reach' programme, and indeed have no funding from any British funding streams. In spite of this they are providing capacity support through a development worker, and have developed organisational health check tools as well as created a number of regional support forums.*

(B) *Health in London: Looking back – Looking forward: 2006/07 Review of trends, progress and opportunities* (London Health Commission, March 2007) was constructed exclusively on a Black/White binary, despite the well-evidenced poor health profile of the Irish community in Britain. Again, the only specific references are to 'visible' BAMEs. To give just one example of the consequences of this approach in rendering invisible the needs of the Irish community, the report states: "the percentage who reported their health as 'not good' was highest in the Bangladeshi and Pakistani ethnic groups." For London the actual 2001 Census figures for the proportions of BAME people who claim not good health are - White Irish 11.19%, Pakistani 7.16%, Bangladeshi 5.72%. As our Chair Dr Mary Tilki has remarked, "we have worked with all those bodies [whose logos were on the front cover of the report, i.e. GLA, London Health Observatory, London Health Commission, Regional Public Health Group - London] except the public health group, so ignorance is not an excuse."

(C) In March 2010 FIS became aware that a set of nine regional factsheets on Carers had been commissioned and published by the Department of Health. These factsheets contained no reference to the Irish community. We wrote to Una O'Brien, the then Director General of Policy and Strategy at the Department.

In our letter we made reference to a DH publication, *A practical guide to ethnic monitoring in the NHS and Social Care* (2005), which stated: "Trusts and councils should not, for data collection purposes, group the three White [Census 2001] codes into one. The reason for this is that there is compelling evidence that White Irish and Other White individuals and communities in England experience significant health inequalities compared with White British counterparts."

Having received an acknowledgement, but no response to the letter, we wrote again; and on this occasion the matter was placed in the hands of Barry Mussenden, then Deputy Director, Equality and Partnerships. His reply of 21 April 2010 indicated how the problem we had complained about had arisen and the action which had been taken to seek to prevent the problem recurring:

*The Department of Health commissioned the Centre for International Research on Care, Labour and Equalities (CIRCLE), Leeds University to produce a set of 9 regional factsheets on carers. These factsheets include data on the number and characteristics of carers in each region as well as information about carer health and well-being. The Department made clear that the factsheets should include ethnic data, but did not specify which ethnic categories should be included. As this was not primary research, the brief was to identify and pull together the existing information, which was largely available in the seven ethnic categories that were selected. However, as you point out, the research included sources that stress the needs of the Irish community and, as set out in the attachment to your letter of 10 March, there is additional data on the Irish community that could have been included.*

*I have discussed this with the Social Care (Policy & Innovation) Division, who were responsible for the original commission, and they have taken this on board and will address it in any future commission. We have also strengthened our arrangements for undertaking Equality Impact Assessments, which will better ensure that issues of ethnicity, including the Irish community, are addressed at the outset of such a commission.*

As can be seen from the three examples given above there is a problem around invisibility of Irish needs which requires addressing. Also, in relation to this present consultation, it should be clear that FIS, in order to represent its case, needs access to information about processes which will be more difficult to discover/access if, as proposed in the paragraphs indicated above, public bodies are feed from the obligations of providing details of

- engagements they have undertaken when determining their policies and equality objectives
- equality analysis they have undertaken in reaching their policy decisions
- information they considered when undertaken such analysis
- evidence of the analysis undertook by the public authority to establish whether their policies and practice had furthered the aims set out in section 149(1) of the act, or details of the engagements they undertook when developing equality objectives
- or of how progress will be measured against objectives

We were quite enthused when we first learned about the importance the Coalition government attached to transparency. However, the use of the term in association with the wide exceptions indicated above must give rise to concern; and we do not regard the above exceptions as “unnecessarily prescriptive”.

Paragraph 17 states, “We are developing tools and mechanisms to support organizations and individuals to challenge public bodies effectively to ensure they publish the right information and deliver the right results, with a particular focus on addressing the barriers facing some disabled people.”

We wonder why only a section of one protected group is emphasized/prioritised here. If we knew what these “tools and mechanisms” were we could offer an opinion on them, but all we can say here is that numbers of relevant matters seem to have been excluded already – and that is not reassuring.

The statement (paragraph 26) “Priorities are best set by public bodies locally, not by Ministers centrally” runs counter to the slightly more nuanced formulation of *A plain English Guide to the Localism Bill* (Communities & Local Government, January 2011), pp 12-13, which recognises the appropriateness of various levels of devolution and of maintaining certain powers at the central, national level.

Significant criticisms have been made, not so much of benefits of localism but of perceived shortcomings of aspects of the current government proposals, as, for example, in *Localism Bill: Local government and community empowerment* Research Paper 11/02 (House of Commons 11 January 2011), pp 38-39.

We are particularly concerned at the possibility raised in that critique of “a challenge around accessibility to services if they are run by specific parts of the community where others are marginalized from the community or not part of the set up of voluntary and community organizations” and the possibility that “the loudest voices [will] lead”. We have concerns about how one of the most vulnerable sections of our own community, Irish Travelers, will fare under these proposals.

We found, at a recent DWP briefing, that many of the delegates had concerns as to the ultimate categorization/destination of designated Local Support grant funding (replacing Community Care Grants and Crisis Loans), following the abolition of ring fencing.

Seán Hutton  
Policy Officer, FIS

020 7520 3133  
[shutton@irishsocieties.org](mailto:shutton@irishsocieties.org)  
[www.irishsocieties.org](http://www.irishsocieties.org)