

BRENT ALLIANCE FOR HUMAN RIGHTS AND EQUALITY
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**BRENT
ALLIANCE FOR
HUMAN
RIGHTS AND
EQUALITY**

all different: all equal

Harshbir Sangha
Specific Duties – Policy review
Government Equalities Office
Zone J9, 9th Floor
Eland House
Bressenden Place
London SW1E 5DU

20th April 2011

Dear Harshbir,

We are extremely disappointed that subsequent to the consultation and response to the August 2010 draft Specific Public Duties of the Equality Act 2010, the Government has chosen to undertake a further review of the public sector duties.

We acknowledge that in line with Government policy there is a general and valid case to cut back on bureaucracy and free public bodies to use their resources as they see fit. However, the area of Equalities should be an exception to this trend for the following reasons:


1. One of the strengths of the Equality Act 2010 is the statutory requirement for each public body to demonstrate its compliance through the production of information, analysis and details of engagement that were undertaken to meet its duties in terms of the Act. The removal of these requirements will leave the public with insufficient information on whether the public body has met its duties and unable to hold the public body to account, contrary to the governments stated intent.
2. The decision to amend the requirement from “Public authorities must prepare and publish objectives” to “Public authorities must prepare and publish one or more objectives” and to remove the requirement to set out how progress will be measured, diminishes the requirements so greatly as to alter the substance of the Act.
3. For example a Local Authority such as Brent that provides services to over a quarter of a million people, many of whom are subject to some of the worst inequalities in the UK, cannot sufficiently uphold its responsibility to have due regard to the ‘elimination of unlawful discrimination, the advancement of

equal opportunity and the fostering of good relations' if it sets a single objective.

4. It would be impossible for the Local Authority to show it is having due regard to its duties under the Act and impossible for the public to see where progress is being made.
5. For any public body to only report against a single objective (or multiple objectives) every four years would set back the elimination of unlawful discrimination, the advancement of equal opportunity and the fostering of good relations'. The system developed through the duty to publish Equality Schemes and Action Plans where progress is measured and presented each year, has resulted in real progress since their introduction. This system should continue under the new regulations.

Equality in this country has been hard fought for and is not yet complete. The Equality Act 2010 finally brought together all previous legislation and strengthened the rights of many people with protected characteristics – this was greatly welcomed. The past shows us that without legislation, change does not happen and Equality does not progress. The March 2011 policy review on the Public Sector Equality Duty seriously undermine the legislative impetus required to progress Equality and inhibits the ability of the public to hold public bodies to account. As such we most strongly urge the Government to resist the temptation to over simplify the public duty and return to the August 2010 draft specific duties.

Yours Sincerely,

A handwritten signature in blue ink that reads "Sealy MBE, JP". The signature is written in a cursive style.

Phil Sealy MBE, JP
Chair