

Ofsted response to draft regulations for The Equality Act 2010 (Specific Duties) Regulations 2011

Ofsted welcomes the intention to reduce burdens and bureaucracy on public bodies through the regulations, and wholeheartedly supports the focus on transparency about performance outcomes rather than on concerns about structures and processes. We agree that guidance about good practice is preferable to regulation.

We agree that the proposed requirements for public bodies (to publish equality objectives every four years; publish information annually to demonstrate their compliance with the general Equality Duty; publish information relating to their employees and others affected by their policies and practices) provide an appropriate core for the specific duties. Most public bodies should already be in a position to fulfil these duties.

However, the removal of requirements to publish underpinning details (of the engagement undertaken when determining policies and when determining equality objectives; of the equality analysis undertaken in reaching policy decisions and of the information considered when undertaking such analysis) may create uncertainty about the nature of the information to be published.

The requirement for all information to be published in a way that is accessible to the public is important, but clear guidance will be needed about what constitutes accessible, helpful information

We agree that the omission of the previously planned regulation giving the Secretary of State a power 'to specify certain matters which public bodies must consider' is consistent with the principles of localism and delegated responsibility and is therefore appropriate.

The timescales set out for the introduction of the regulations appear to Ofsted to be realistic.