

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	Future arrangements for the Welsh Government's Equality and Inclusion Programme for 2017 – 2020
Name of official:	Francesca Jeremy - Version 1 Isabel Mortimer – Version 2 (post consultation update on options to the Cabinet Secretary)
Department:	Education and Public Services – Fairer Futures Division
Date:	Version 1 – November 2015 (Welsh Government Future arrangements for the Welsh Government's Equality and Inclusion Programme for 2017-2020) Version 2 – July 2016
Signature:	

1. Please provide a brief description of the policy/decision.

For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?

Following consultation ([Welsh Government | Future arrangements for the Welsh Government's Equality and Inclusion Programme for 2017-2020](#)) a funding proposal was designed to support both the Equality Objectives 2016-2020 and protected characteristics in the Equality Act 2010. The Equality Objectives will also continue to deliver outcomes which really matter and go to the heart of equality, anti-discrimination and good relations between people in Wales.

The Equality Objectives for 2016-20 were published on 10th March (<http://gov.wales/docs/dsilg/publications/equality/160310-equality-objectives-2016-20-en-v1.pdf>)

This is something stakeholders were keen to see in any new Equality and Inclusion funding. The funding will help focus attention on the priority equality issues in order to deliver improvements in policy making and service delivery including resource allocation.

Equality - The proposed grant scheme will fund three representative organisations ensuring delivery is on a Wales-wide basis, to commence on 1 April 2017 for a period of 3 years. Funding would be provided, following an open competition in relation to sexual orientation and gender reassignment (transgender/trans people); race; and gender to bodies which demonstrate they represent the voices of people with the protected characteristics of those characteristics

Funding will also be provided to a disability representative organisation.

The key strategic aims of the grant would be to:

- gain a greater understanding of the experiences and needs of the people they represent to help inform national policy (this would to include engagement, consultation, research, representation at national and international groups/fora);
- promote and raise wider awareness of people's rights and the issues that affect them, and empower people to make informed choices (to include key events, training and education programmes, and awareness raising of UN conventions which are relevant to the protected characteristics);

- Represent the people within these protected characteristics groups on key relevant Welsh Government stakeholder groups (this would include collating and disseminating research evidence); and
- Help to deliver a more diverse pool of decision-makers in public life and public appointments by identifying and addressing barriers to engagement and participation for people with that protected characteristic.

Inclusion - To procure organisations to deliver projects on three priority areas that support the Welsh Government's Equality Objectives 2016-2020, to commence on 1 April 2017 for a period of 3 years.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

As part of the process, we undertook a 12 week formal consultation exercise between 20 April 2015 and 10 July 2015. This was widely circulated to all stakeholders including third sector organisations representing protected groups. The consultation was available in Welsh, Easyread and child friendly versions to ensure accessibility.

In tandem with the formal consultation, we also engaged widely to capture the views of protected groups, Third Sector and public sector through facilitating workshops across Wales – Cardiff, Swansea and Llandudno Junction.

Through all of the above engagement methods, the intention was to be as inclusive as possible and engage widely across all the protected characteristics to ensure full coverage as possible across the groups.

We also consulted our Strategic Equality Plan Board on the consultation paper to ensure it was fit for purpose and the key elements were captured in the consultation questions.

The Strategic Equality Plan Board comprises of Welsh Government policy leads across all Departments, Equality and Human Rights Commission, NHS and WLGA and third sector organisations representing protected groups.

A copy of the summary of responses can be found at:

<http://gov.wales/docs/dsijg/consultation/151117-equality-inclusion-programme-responses-en.pdf>

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

Review of lessons learned following previous Equality and Inclusion Programme.

Responses to the formal 12 week consultation

Feedback from workshops (held across Wales)

The evidence is considered to be strong, given the range of evidence outlined below.

Is Wales Fairer? 2015 – The Equality and Human Rights Commission have a duty to report on the extent to which equality and human rights are improving. This report brings together evidence to answer the question as to whether Wales is fairer today than it was five years ago.

<http://www.equalityhumanrights.com/publication/wales-fairer>

Welsh Government Plans and Frameworks which are based on consultation and evidence:

Framework for Action on Independent Living

<http://gov.wales/topics/people-and-communities/equality-diversity/rightsequality/disability/framework-for-action/?lang=en>

Tackling Hate Crimes and Incidents: A Framework for Action

<http://gov.wales/topics/people-and-communities/equality-diversity/rightsequality/hate-crime/?lang=en>

Transgender Action Plan

<http://gov.wales/topics/people-and-communities/equality-diversity/rightsequality/transgender/?lang=en>

Refugee and Asylum Seeker Delivery Plan

<http://gov.wales/topics/people-and-communities/communitycohesion/asylum-seekers-and-refugees/?lang=en>

Travelling to a Better Future – A Gypsy and Traveller Framework for Action

<http://gov.wales/topics/people-and-communities/communitycohesion/gypsytravellers/?lang=en>

Review of the evidence on inequality in Wales – Integrated Impact Assessment of the Draft Budget 2014/15

<http://gov.wales/funding/budget/draft-budget-2014-2015/?lang=en>

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>	x			Age as a protected characteristic will be represented through the Children’s Commissioner and Older Person’s Commissioner. The consultation was issued as child-friendly version and easy-read.
People 18-50	x			

Older people (50+)	x			
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4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment	x			<p>Funding has been allocated to a representative body for disability. Grant funding is not awarded through open competition. Instead, a separate and additional funding package would be put in place for Disability Wales. This is because Disability Wales are already providing similar activities for which funding has been previously agreed and as such are best positioned to meet the objectives ensuring maximum efficiency in terms of money. Disability Wales is also a pan-Wales pan-impairment organisation and well aligned to fulfil the objectives. The representative organisation will help deliver on the Equality Objectives. The focus of Objective 1 is to tackle the barriers which prevent disabled people from having control in their lives.</p> <p>Objective 3 is working</p>
Hearing impairment	x			
Physically disabled	x			
Learning disability	x			
Mental health problem	x			
Other impairments issues	x			

				<p>towards parity in education, employment and pay for disabled people to improve their outcomes.</p> <p>The employment rate for disabled people in 2014 was 43.1%, lower than 76.5% for the rest of the adult population (Welsh Government Annual Report on equality 2014-15).</p> <p>Objective 5 will aim to increase engagement and participation of disabled people in public life.</p> <p>In 2014-15 7% of new appointees to regulated public appointments identified as disabled. (Welsh Government Annual Report on equality 2014-15).</p> <p>Objective 7 seeks to reduce poverty and mitigate the impacts on protected groups, particularly disabled people and families with disabled children.</p> <p>30% of families containing a disabled person were in poverty in 2013-14, with the figure rising. (JRF)</p> <p>.</p>
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4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How
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				might it impact?
Male	x			<p>Under the terms of the grant , the successful organisation would be required to: Work with key public sector and other bodies to promote awareness of where and how greater gender equality would benefit men and boys, e.g. around gender stereotyping and accessing health services, including mental health services;</p> <p>Much of the work of the gender equality organisation would be focused on women's equality and human rights. However, it is recognised that women continue to be disproportionately affected by gender inequality. This is evident in terms of the incidences of violence and domestic abuse, the persistent gender pay gap, the continuation of occupational segregation the lack of women in decision-making roles, unequal division of care, in-work poverty and the media portrayal of women. Given this evidence base, in accordance with section 158 of the Equality Act 2010 this proposed 'positive action' will be a proportionate response, enabling or encouraging persons who share the</p>
Female	x			

				<p>protected characteristic (in this instance women) to overcome or minimise the disadvantages highlighted above. In sectors where women are under represented, positive action has a key role to play for targeting sector-specific challenges, such as technical upskilling, mentoring and employer engagement to addressing internal barriers to recruiting diverse candidates.</p> <p>Furthermore Wales has a more prevalent and persistent problem with occupational segregation than other parts of the UK (Felstead <i>et.al</i>, 2013). The majority of workers in Wales remain in gender-defined jobs. Men hold almost two thirds of all full time work, while women hold four fifths of all part time work (Parken <i>et.al</i>, 2014).</p> <p>It is recognised that women continue to be disproportionately affected by gender inequality. This is evident in terms of the incidences of violence and domestic abuse, the persistent gender pay gap, the continuation of occupational segregation the lack of women in decision-</p>
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				<p>making roles, unequal division of care, in-work poverty and the media portrayal of women</p> <p>Under the funding, the successful organisation would be required to:</p> <ul style="list-style-type: none"> • Engage and consult women regularly on the matters which affect them. There should be a mixture of local, regional and national events; • Deliver four International Women’s Day events across Wales annually, working in partnership with women’s organisations and women in Wales; • Represent women’s issues on relevant Welsh Government stakeholder groups, providing expert advice on women’s equality and rights to inform and influence policy and programme development; • Provide informed responses to key Welsh Government consultations, and other consultations as relevant, to ensure the voice of women is heard on the matters which affect them most; • Consider proposed changes to
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				<p>legislation by the Welsh Government and their impact on women and women's rights and provide expert advice as relevant;</p> <ul style="list-style-type: none"> • Collaborate with other organisations in the women's sector and work with national organisations and third sector organisations to highlight women's issues and provide advice and information on matters relating to women's equality and rights. This would include EHRC, Wales Commissioners, WLGA, WCVA and NHS CEHR; • Work with key public sector bodies to ensure the needs of women are represented (particularly health and mental health services, education, housing, social services, and transport); • Develop and maintain a bilingual website to provide a source of information for women. This will include providing regular updates on current events and the latest news affecting women; • Promote wider
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				<p>awareness of rights and equality for women, including awareness of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Commission on the Status of Women at a local level. This could be, for example, through infographics, short films, a programme of engagement and/or training with local authorities, health boards, schools, or colleges.</p>
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4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
	x			<p>Many trans people are now coming out at a younger age. Young people's experiences can have a huge impact on shaping their lives. Bullying at school, home, online or in communities can have an effect on their mental health, attendance and ability to learn. Research indicates 91% of trans boys and 66% of trans girls experience harassment or bullying</p>



			<p>at school (House of Commons Women and Equalities Committee Transgender Equality Report 2016).</p> <p>In 2014-15 38 (2%) of recorded hate crimes were transgender hate crimes.</p> <p>Funding would be provided, following an open competition in relation to sexual orientation and gender reassignment (transgender/trans people); to bodies which demonstrate they represent the voices of people with the protected characteristics of those characteristics.</p> <p>Funding for Sexual orientation Gender Reassignment (LGBT) – will include a ring-fenced amount focusing on transgender equality</p> <p>The funding will contribute to the delivery of the Transgender Action Plan, published in March 2016.</p> <p>In addition to the above, the organisation would also establish a new Transgender Engagement Officer post to lead specifically on transgender equality issues. The key purpose of this post would be to work within trans communities at a grass roots level around</p>
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				Wales to hear their voice and campaign on their behalf.
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4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage	x			Represented under LGB in terms of same sex marriage and civil partnerships.
Civil Partnership	x			

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy	x			Represented under gender equality. EHRC's Pregnancy and Maternity-Related Discrimination and Disadvantage First findings: Surveys of Employers and Mothers (2015) found when mothers were allowed to work flexibly, around half reported negative consequences such as receiving fewer opportunities at work or feeling that their opinion was less valued. 9% said that they were treated worse by their employer on their return to work than they were
Maternity (the period after birth)	x			

				before pregnancy.
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4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	x			<p>JRF's Ethnic minority disadvantage in the labour market (2015) stated there exists a substantial evidence base which points not only to the existence, but the persistence over time, of ethnic inequalities in employment which can arise from labour market participation, barriers to career progression and types of occupation, contract types, stability and wage differentials.</p> <p>Under the terms of the grant funding the successful organisation would be required to:</p> <ul style="list-style-type: none"> Engage and consult BME communities on the matters which affect them. There should be a mixture of local, regional and national events; Represent BME communities on relevant Welsh Government stakeholder groups, providing expert advice on race equality to inform and influence
National Origin (e.g. Welsh, English)	x			
Asylum Seeker and Refugees	x			
Gypsies and Travellers	x			
Migrants	x			
Others	x			

				<p>policy and programme development;</p> <ul style="list-style-type: none"> • Provide informed responses to key Welsh Government consultations, and other consultations as relevant, to ensure the views of BME communities are heard on the matters which affect them most; • Consider proposed changes to legislation by the Welsh Government and their impact on BME communities and provide expert advice as relevant; • Work collaboratively with other third sector organisations and key public sector bodies to highlight issues and provide advice and information on matters relating to race equality and rights. This would include EHRC, Wales Commissioners, WLGA, WCVA and NHS CEHR (particularly regarding tackling racism and hate crime, poverty and ethnicity and BME access to health and mental healthcare); • Promote wider awareness of rights and equality for BME communities, including awareness of the UN Convention on the Elimination of All Forms of Racial
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				Discrimination (CERD).
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4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)	X			Engagement with faith groups is through the FM chaired Faith Communities Forum which meets twice yearly. There is also no existing organisation to officials' knowledge that could act as the representative body for all religions in Wales. Funding of a National Hate Crime Report and Support Centre will also provide enhanced advocacy and support for victims of faith hate crime across Wales. In 2014-15, 84 (4%) were recorded as religion hate crimes.
Belief e.g. Humanists	X			
Non-belief	X			

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men	x			Under the terms of the grant funding the successful organisation

Lesbians	x			would be required to:
Bi-sexual	x			<ul style="list-style-type: none"> • Engage and consult stakeholders regularly on matters which affect them. There should be a mixture of local, regional and national events to include at least two regional events; • Work/collaborate with other organisations in the field; • Represent stakeholders on relevant Welsh Government stakeholder groups, providing expert advice on LGBT+ equality and rights to inform and influence policy and programme development; • Provide informed responses to key Welsh Government consultations, and other consultations as relevant, to ensure the voice of LGBT+ people is heard on the matters which affect them most; • Consider proposed changes to legislation by the Welsh Government and their impact on LGBT+ people and provide expert advice as relevant; • Provide advice and information on matters relating to LGBT+ equality and rights (to include best practice publications for LGBT+ people and



				<p>service providers);</p> <ul style="list-style-type: none"> • Work with key public sector bodies to ensure the needs of LGBT+ service users are represented (particularly health and mental health services, education, housing, social services, and transport); • Promote wider awareness of rights and equality for LGBT+ people, including an understanding of the experiences of LGBT+ people with multiple protected characteristics. Empower members of the LGBT+ communities. This could be, for example, through a programme of engagement and/or training with local authorities, health boards, schools, or colleges; • To deliver peer-led training to teachers / school staff / governors on LGBT+ issues and tackling homophobic, biphobic and transphobic bullying.
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4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.

Human	Positive	Negative	None /	Reason for your decision (including
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Rights			Negligible	evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions	x			<p>The aim of the grant funding is to underpin the Welsh Government's commitment to the principles of fairness and equality and we have ensured a strong balance of coverage across the protected characteristics, and a wide geographical spread, Equality is one of the five widely accepted core principles of human rights. Also values such as participation / engagement and empowerment are shared between equality and human rights.</p> <p>The grant criteria include the requirement to promote and raise wider awareness of the rights of the people that the organisations represent and the issues that affect them, and empower those people to make informed choices.</p> <p>The Equality Objectives, which the funding supports, have strong links to articles within the Conventions ratified by the UK Government and support the compliancy of the Welsh Government. For example, Objective 1 supports the right of disabled people to enjoy their right to</p>

			<p>independent living and objective 7 requires the Welsh Government to mitigate the impacts of poverty and improve living conditions for those groups most at risk of living in low income households including disabled people.</p> <p>These strongly link with the Convention on the Rights of Disabled People, Article 28 requires “States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”</p> <p>Article 9 of the Convention of the Rights of Disabled People requires State parties “to enable persons with disabilities to live independently and participate fully in all aspects of life” (Objective 1).</p> <p>The Equality Objectives support many commitments contained in the International Convention on the Elimination of All Forms of Racial Discrimination. Article 5 requires State parties to guarantee the rights “to equal pay for equal work” and “free choice of employment” (Objective 3). Part 1</p>
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			<p>Article 1 promotes involvement in “political, economic, social, cultural or any other field of public life” (Objective 5).</p> <p>The Convention explains that State parties are “resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines (Objective 4) and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination” (Objective 6).</p> <p>Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires State parties “to take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights” including “the right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work”</p>
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				<p>(Objective 3).</p> <p>CEDAW identifies the eradication of aggression against women as essential to the full enjoyment of the rights of men and women (Objective 4).</p> <p>Our annual report on Equality will capture our actions to meet our United Nations and European Convention obligations.</p>
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If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.

Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The fundamental reason for making this funding available to third sector organisations, is to enable delivery of objectives which aim to:

- assist Welsh Government in achieving the Equality Objectives; and
- work with people from the protected groups.

Delivery therefore aims to promote equality of opportunity. The specific objectives taking this forward are objective 1 (involving protected groups in planning of services and providing disabled people with voice, choice and control over their lives), objective 2 (through accessible advice), objective 3 (addressing factors related to employment, skills and pay inequalities by addressing the causes and promote equality of opportunity), objective 5 (supporting protected groups to have the same opportunity to take part in public life and public appointments) and objective 7 (tackling poverty and inequality for protected groups).

The new funding proposals will build on the work we have already undertaken over the last three years and help us continue to mainstream equality across all our work and tackle the areas of inequality which matter most to the people of Wales.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

The fundamental reason for making this funding available to third sector organisations, is to enable delivery of objectives which aim to:

- assist Welsh Government in achieving the Equality Objectives; and
- work with people from the protected groups.

Delivery therefore aims to help eliminate unlawful discrimination, harassment or victimisation.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

The fundamental reason for making this funding available to third sector organisations, is to enable delivery of objectives which aim to:

- assist Welsh Government in achieving the Equality Objectives; and
- work with people from the protected groups.

The specific objective taking this forward is objective 6 which will work towards strengthening community cohesion through fostering good relations within and between communities.

Delivery therefore aims to promote good relations and wider community cohesion.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

N/A

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

N/A

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The following monitoring/evaluating/reviewing will take place:

- Applications/bids for funding will be assessed against their alignment to the Equality Objectives and their impact on protected groups.
- Successful projects will work with WG policy leads to review project objectives to ensure they are suitable.
- Successful projects will be closely monitored, against project objectives and performance on a regular basis.

- The funding programme will undergo an evaluation to review the impact and effectiveness of the funding.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

***Please delete as appropriate:**

The policy *does have a significant impact upon equality issues

Official completing the EIA

Name:

Isabel Mortimer

Department:

Education and Public Services – Equality and Prosperity Division

Date:

3 August 2016

Signature:

Head of Division (Sign-off)

Name: **Maureen Howell**

Job title and department: Deputy Director, Equality and Prosperity Division

Date:
Signature:
Review Date:

