

EQUALITY OF OPPORTUNITY COMMITTEE

EOC(2)-08-06(p.1)

Date:25 October 2006

Time09.15 – 12.30

Venue:Committee Room 3, Senedd, Cardiff Bay

Title:Functions of the Equality of Opportunity Committee in the Third Assembly

Purpose of the Paper

1. To agree the Committee's contribution to the Standing Orders Committee on the functions of an Equality of Opportunity Committee in the Third Assembly.

Background

2. The Chair of the Standing Orders Committee wrote to the Chair of this Committee on 22 September 2006 to request Members' thoughts on the functions of an Equality of Opportunity Committee in the Third Assembly.

3. Members were asked for their views by the Committee Clerk on 22 September 2006.

4. The new Standing Orders are being drafted in a permissive way which will allow committees to develop their roles in the 3rd Assembly. There is likely to be a generic Standing Order which sets out rules for committees with a separate Standing Order setting out the functions of each committee. While the Equality of Opportunity Committee will need to consider what its successor's specific functions should be, it is likely that the Standing Order will be drafted in the broadest possible sense. This will allow the Committee on Standing Orders to maintain consistency in the Standing Orders and allow Equality of Opportunity Committee members from May 2007 to determine the specific work of the Committee.

The Current Standing Orders

5. The Equality of Opportunity Committee's main function in the second Assembly is set out in Standing Order 14 – see Annex A.

6. It is suggested that the Committee's functions will remain broadly similar in the Third Assembly. However, its working practices and relations with other Committees will necessarily have to change, given the new powers the Assembly will have and the accompanying changes in the Committee structure and their functions.

7. A generic Standing Order is being drafted which will cover membership for all Committees. Currently, Standing Invitees from the Equal Opportunities Commission, The Council for Racial Equality, The Disability Rights Commission, Stonewall Cymru and The Welsh Language Board participate in EoC meetings. The Committee might wish, in its response, to ask that any such Standing Order does not prevent Standing Invitees and other Members taking part in the Committee's proceedings.

Possible functions in the Committee in the 3rd Assembly

8. The Committee's role in the Third Assembly need not be strictly defined by Standing Order but Members may wish to consider what they would like that role to be. There have been suggestions put forward for 2 models:

a. To provide advice and guidance to the Assembly (including the Welsh Assembly Government and the Assembly Commission) on the equality aspects of the areas covered by their portfolios (e.g. advise the relevant Committees on the equality issues in Assembly Measures or scrutiny reviews);

or

b. To directly scrutinise the Assembly (including the Welsh Assembly Government and the Assembly Commission) on equality issues within their portfolios (e.g. have a role in scrutinising Assembly Measures and scrutiny reviews).

9. Members may like to consider the Committee's role in scrutinising each of the

10. Members may also like to consider the Committee's role in advising on and/or scrutinising equality issues in the budget planning round and whether the Committee will undertake scrutiny reviews.

11. Whilst these issues may not be covered specifically by the Standing Order for an EoC Committee, Members' thoughts on them will help to clarify the role of the Committee and can form the basis of the Committee's legacy paper to the next Assembly.

Action

12. Members are invited to consider what functions an EoC might have in the 3rd Assembly which will inform the drafting of a Standing Order which will allow them to carry these out.

Gwenda Thomas AM

Committee Chair

Contact: Virginia Hawkins, Committee Clerk, ext 8409

Assembly's Committees, the Assembly in plenary, the Assembly Commission and the Welsh Assembly Government in the fulfilment of their duty to promote equality of opportunity in the exercise of their functions. Members may like to consider the need for a Standing Order for the Committee to contain a statement of the Committee's role in scrutinising the Assembly Commission and/or Welsh Assembly Government.

Annex A

STANDING ORDER 14 - Committee on Equality of Opportunity

Title and Terms of Reference

14.1. There shall be a Committee on Equality of Opportunity, which shall audit the Assembly's arrangements for promoting in the exercise of its functions and the conduct of its business the principle that there should be equality of opportunity for all people. The Committee shall also have particular regard to the need for the Assembly to avoid discrimination against any person on grounds of race, sex or disability.

14.2. The Committee shall submit an annual report to the Assembly on those arrangements and their effectiveness. It shall also review and report to the Assembly its conclusions on the Annual Reports submitted to the Assembly by public bodies concerned with the promotion of equal opportunities.

Membership

14.3 The members of the Committee shall be elected by the Assembly having regard to the desirability of each Subject Committee being represented on the Committee and so as to ensure that, so far as practicable, the balance of political groups in the Assembly is reflected in its membership. The Assembly shall elect one of the members of the Committee to chair the Committee, but it may not be chaired by a Minister.

14.4 A Committee member who has given advance notice to the chair may be represented at a meeting, or a part of a meeting, of the Committee by another Member from the same political group who has been identified in advance. In giving such notice, the Member shall indicate the reason for the need for substitution. The nominated representative may participate in the meeting of the Committee in all respects as if he or she were a member of it. No Member may represent more than one Committee member at a meeting.

14.5 Members who are not members of the Committee may attend its meetings when these are in public. Any Assembly Members who have specific constituency or regional interests

to pursue in relation to the work of the Committee may in advance of any meeting seek the chair's permission to make representations to the Committee at that meeting; but they may not vote. Assembly Members may also write to the chair requesting that their observations on any aspect of the Committee's work be tabled for consideration by the Committee at its next meeting; and the chair shall arrange for such tabling to take place.

14.6 Without prejudice to Standing Order 8.17, the Committee shall, from time to time, appoint such advisers as it requires to enable the views of minority or disadvantaged groups to be put before it.

Reports

14.7 The Committee may report to the Assembly from time to time in addition to submitting its annual report.