

Equality of Opportunity Committee

EOC(3)-13-09 paper 1

Scrutiny of the Draft Budget - Evidence from the Minister for Social Justice and Local Government

Purpose

I am providing the attached paper at the Committee's request to indicate how the advancement of equal opportunities and its associated funding is managed by the Welsh Assembly Government. The paper focuses on the funding directly identified as targeting equality and inclusion. However, it is important to highlight that support to tackle inequalities such as improving educational attainment, access to employment opportunities is provided through other funding vehicles and portfolios.

Background

For the last two years the Equality of Opportunity Committee has considered papers on the impact of the budget settlement on the equality and human rights work of the Welsh assembly, and the Promoting Equality Fund including the commitments from a Fair and Just Society and some actions from the Single Equality Scheme Action Plans.

This report seeks to inform you about the draft budget allocation for the advancement of equality, diversity and inclusion and how this money will be managed. The delivery vehicles for the budget will be the new Advancing Equalities Fund (formerly Promoting Equalities Fund) and the Inclusion Grant. It should be noted that the figures quoted in this paper are based on projections for the financial year 2010/11 and should not be considered actual. (Annex A)

The Welsh Assembly Government is committed to embedding equality and diversity through its work. Through the integration of equality of opportunity principles in the strategies and policies of the Welsh Assembly Government the funding beyond that identified in this paper will impact upon equality groups.

The Equality, Diversity and Inclusion Division has a co-ordinating role to ensure that all departments are aware of, and meeting their statutory equality duties. As part of our progressive agenda, we have developed a Single Equality Scheme, which is underpinned by action plans that set out how progress will be delivered and measured. These action plans will be linked to our key commitments and we will publish reports every six months.

"Inclusive Policy Making" (IPM) is the Welsh Assembly Government model of equality impact assessment. Policies and practices are the functions, or activities, that are undertaken daily as a government.

Guidance on how to use IPM is made available to all staff within the Welsh Assembly Government. All are encouraged to use the process when policies are developed and practices are undertaken. Strategic policies and some high level practices considered by the Welsh Assembly Government's policy gateway process must undertake the Inclusive Policy Making process.

The Equality Bill was announced in the Queen's speech on 3rd December 2008. The Bill was introduced into the UK Parliamentary process on Friday 24 April and published on Monday 27th April.

It is intended that the new equality law will harmonise and strengthen UK discrimination law. When brought into force, it will establish the protected characteristics of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

It will also give definitions of direct discrimination, discrimination arising from disability, indirect discrimination, harassment and victimisation.

The new law will also:

place a new duty on certain public authorities to consider socio-economic disadvantage when taking strategic decisions about how to exercise their functions;

create a duty on listed public authorities when carrying out their functions and on other persons when carrying out public functions to have due regard of the need to eliminate prohibited conduct; the need to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and the need to foster good relations between people who share a relevant protected characteristic and people who do not. The practical effect is that listed public authorities will have to consider how their policies, programmes and service delivery will affect people with the protected characteristics;

allow an employer or service provider or other organisation to take positive action so as to enable existing or potential employees or customers to overcome or minimise a disadvantage arising from a protected characteristic; and

enable an employment tribunal to make a recommendation to a respondent who has lost a discrimination claim to take certain steps to remedy matters not just for the benefit of the individual claimant (who may have already left the organisation concerned) but also the wider workforce.

The Welsh Assembly Government has sought a power for the Welsh Ministers to enable them to place specific equality duties on public authorities in Wales. These duties will be designed specifically to fit the Welsh context and to enable Welsh public authorities to better implement the new public sector duty.

The listening exercise was launched on 27 July. We have asked stakeholders to engage with their constituents in getting the message out about priorities for specific Welsh duties.

This exercise will ensure that the specific duties developed by the Welsh Ministers are informed by the experiences and ideas of stakeholders in Wales.

The Welsh Assembly Government is developing a policy framework that will have important implications for provision of services to Gypsies and Travellers in Wales. The Gypsy Traveller team was set up in January 2007 and is responsible for taking forward the Welsh Assembly Government's response to two reports into Gypsy Traveller issues:

Review of Service Provision for Gypsies and Travellers (Equality of Opportunity Committee Report 2003)

The Accommodation needs of Gypsy Travellers in Wales (Niner 2006)

The 'One Wales' Document commits the Welsh Assembly Government to produce a national Gypsy Traveller Strategy. The Strategy went out for consultation in September 2009.

Good Practice documents on Site Design and Site Management of Gypsy Traveller sites have also been developed.

Welsh provisions are included in the Housing and Regeneration Bill, aligning the rights and responsibilities of Gypsy Travellers on Local Authority sites to those on private caravan sites and park homes sites. (Mobile Homes Act 1983). The 1983 Act will be amended to ensure that the rights and responsibilities for Gypsy and Travellers on local authority owned sites are the same for all occupying residential caravan sites. "Protected mobile home site to include sites for Gypsies and Travellers" will come into force by order in 2009.

Equality, Diversity and Inclusion Funding

The Advancing Equalities Fund

The Fund originally known as the Promoting Equality Fund and was set up in 2000 for the purpose of building capacity of organisations and individuals from groups, which have been under represented or that have suffered discrimination. It was intended to better support them to communicate in an organised way with the National Assembly for Wales on policy development and implementation, across the spectrum of the Assembly's functions.

Review

Following an internal Welsh Assembly Government review conducted on the Fund in 2007, officials have developed the fund to better help embed and advance equality and human rights in Wales.

In recognition of this, we want to use the Advancing Equality Fund money to fund organisations and/or projects which address the needs of people who face multiple discrimination in their everyday lives; enabling everyone to achieve their potential through the reduction and/or removal of barriers; through participation in policy making and enabling them to access services which they would otherwise have difficulty reaching.

Budget

The budget for the Advancing Equalities Fund for 2010/2011 is £883,000

The Inclusion Grant

The Grant was originally established in 2002 to fund Refugee and Asylum Seeking voluntary sector organisations. Since that time the Inclusion Grant remit has expanded and now covers Refugees, Asylum Seekers, Migrants, Gypsies and Travellers.

Since the expansion of the remit of the Inclusion Grant, officials considered it appropriate to conduct an internal review of the management of the grant to ensure it is fit for purpose and how the grant could be strengthened. In addition officials considered the findings of a review of the Strategic Equality and Diversity Unit's (SEDU's) budget the 'Promoting Equality Fund' (PEF) by Martin Rolph. The Promoting Equality Fund has a similar history to the Inclusion Grant, in terms of budgetary scale and the need to promote and expand its remit.

Budget

The budget for the Inclusion Grant for 2010/2011 is £1,000,000

Grant Applications for Advancing Equality Fund & Inclusion Grant

From 2010/2011 existing grant recipients will be able to use the new documentation framework, however the principles of monitoring and evaluating grant recipients as set out in the new framework documents will apply immediately. All new grant applicants in

2010/2011 will be able to use the new grant documentation.

Officials consulted with Internal Audit on the development of the grant documentation who is content with the new grant documentation framework. Officials sought legal clearance from Legal Services.

Gypsy Traveller New Sites and Refurbishment Grant

The Gypsy Traveller Capital grants were established to take forward the recommendations in the Niner Report and the EOC Report cited above. The Refurbishment Grant has brought Gypsy Traveller sites up to a higher standard and improved the quality of life for all residents. The Gypsy Traveller New Sites grant is £1.5million to enable Local Authorities to set up new permanent Gypsy Traveller sites in Wales. 2008/09 was the first year of the grant. Both the Refurbishment grant and New Site Grant amount to £2.5million available to Local Authorities. This level of capital funding will continue in the 2010/11 financial year.

The budget for the Gypsy Travellers Capital Grant in 2010/2011 is £2.5million

Equality and Human Rights Commission - Capacity Building

Officials have discussed the establishment of a small grants scheme on a joint or matched funding basis with EHRC to support capacity development within the voluntary and community sector. Officials are exploring the delivery options available to enable the earliest possible roll out of this grant. Priority will initially be given to encouraging applications from smaller organisations and under represented groups with limited training and development resources.

Future Direction of Funding

We will be looking to maximise the impact of our funding and to align the Advancing Equality and Inclusion Funds to avoid duplication. We will also be exploring how we can work strategically with the Equality and Human Rights Commission and other funding partners to ensure that we make best use of all the funds available to tackle inequalities and advance equality and foster good relations.

Action for Committee

The Committee is invited to discuss the contents of this paper.