



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Cyfle Cyfartal
The Committee on Equality of Opportunity**

**Dydd Mawrth, 13 Hydref 2009
Tuesday, 13 October 2009**

Cynnwys
Contents

- 3 Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions
- 4 Craffu ar y Gyllideb Ddrafft—Tystiolaeth gan y Gweinidog dros Gyfiawnder
Cymdeithasol a Llywodraeth Leol
Scrutiny of the Draft Budget—Evidence from the Minister for Social Justice and Local
Government
- 18 Cynnig Trefniadol
Procedural Motion

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Eleanor Burnham	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Jonathan Morgan	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Heulwen Blackmore	Head of Equality and Human Rights Division, Welsh Assembly Government Pennaeth, Yr Is-adran Cydraddoldebau a Hawliau Dynol, Llywodraeth Cynulliad Cymru
Delwen Burton	Equality, Diversity and Inclusion Division, Welsh Assembly Government Yr Is-adran Cydraddoldeb, Amrywiaeth a Chynhwysiad, Llywodraeth Cynulliad Cymru
Brian Gibbons	Aelod Cynulliad, Llafur (Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol) Assembly Member, Labour (The Minister for Social Justice and Local Government)

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Catherine Hunt	Dirprwy Glerc Deputy Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser
Bethan Webber	Clerc Clerk

Dechreuodd y cyfarfod am 9.05 a.m.
The meeting began at 9.05 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everybody. Welcome to the Committee on Equality of Opportunity. I will just go through the usual housekeeping rules. I remind all Members around the table and people in the public gallery, should they join us, to switch off mobile phones, pager units, BlackBerrys and so on. We are not expecting a fire alarm to ring this morning, so should it go off, we will take our instructions from the ushers. We will be directed out to the nearest safety exit or the assembly point, which is over on the far side of this building.

[2] I invite Members to make any declarations of interest under Standing Order No. 31.6.

I see that there are none.

9.06 a.m.

**Craffu ar y Gyllideb Ddrafft—Tystiolaeth gan y Gweinidog dros Gyfiawnder
Cymdeithasol a Llywodraeth Leol
Scrutiny of the Draft Budget—Evidence from the Minister for Social Justice and
Local Government**

[3] **Ann Jones:** We have with us again Dr Brian Gibbons, the Minister for Social Justice and Local Government, and his team of Heulwen Blackmore and Delwen Burton. Welcome. I think that you are a regular at the committee. You are almost like a member of the committee, and we are grateful to you for coming here today.

[4] We have had your paper; thank you very much. We have a set of questions, so, if it is all right with you, Minister we will go straight to questions.

[5] **The Minister for Social Justice and Local Government (Brian Gibbons):** That is okay.

[6] **Ann Jones:** Is there anything you wanted to add to your paper?

[7] **Brian Gibbons:** No, let us move on.

[8] **Ann Jones:** Okay, fine. I will start with the first question. Given the competing pressures across and within different portfolios, what work has been undertaken by the Assembly Government to evaluate the effectiveness of previous budgets in reducing inequalities across Wales?

[9] **Brian Gibbons:** There are a number of areas. In relation to this committee in particular, we have reviewed the two main grants here: what was previously the promoting equalities fund, which we have renamed as the advancing equalities fund, and the inclusion grant. We have had a review of both of those grant systems to see whether we are totally happy and getting best value for money. We have re-jigged both of those grant systems.

[10] We have also looked at the Gypsy and Travellers grant funding streams and we feel at this particular stage that it is important to try to maintain those grant fundings at their current level of support because we are just starting out on that particular road of renewing sites and so forth. Equally, we have looked at the educational grants for Gypsy/Travellers and for migrants and ethnic minorities. We have been able to flatline those. Unfortunately, we have not been able to get additional funds for them, but we have flatlined them rather than seeing them being subject to the 1.6 per cent efficiency cut.

[11] We are also, as part of the single equality scheme and the Equality Bill/Act, engaging in a listening exercise, but asking the question as to whether it is more important to do a smaller range of activities, which are more likely to deliver a benefit, more effectively rather than attempting to touch on all bases and do less in the long run.

[12] **Ann Jones:** Janet, you have a supplementary and then you can go to your own question.

[13] **Janet Ryder:** Minister, at the end, you touched on how you are evaluating these grants and on how you suspect that perhaps you need to look at some of them. That is what I have taken from what you said. With regard to the moneys that you have already used for

those grants in previous years, how have you assessed their effectiveness in delivering what you wanted to achieve? How do you assess the effectiveness of that money?

[14] **Brian Gibbons:** That is a good question. One reason why we undertook the review was that, with regard to both the inclusion grant and the advancing equalities grant, even though we were giving the money to the third sector organisations, we were not totally convinced that in all instances we were getting good returns in terms of our expectations when we were looking at how the money was being spent, and the business cases that were being presented to us in terms of project activity and so forth.

9.10 a.m.

[15] That was not the case in all instances, but it was sufficiently frequent to require us to look at how the money was being spent. That is, essentially, done by our officials engaging with those organisations, going out to meet them, seeing what they are doing, seeing how the money has been spent, looking at their books, and so forth.

[16] If you want more detail, I am sure Heulwen or Delwen will be able to assist.

[17] **Janet Ryder:** I would find it really helpful to know what that list of expectations that you are measuring those grants against was. That would help us, when we are looking at the budget, to see how effective spend has been.

[18] **Ms Blackmore:** I will just add briefly that when we provide the grant we set some performance indicators and we ask for action plans. So, it is not dissimilar to any other activity in that we are monitoring on a quarterly basis performance against the indicators that we have worked up together with the organisation.

[19] Now, with core funding—most of our organisations have been core funded, because we have only, basically, given larger chunks of grants, say within the advancing equalities fund, to a small number of organisations—evaluating the overall impact can be slightly more challenging, because you are providing money for staff salaries and that sort of thing. We have undertaken some specific evaluations of key projects, such as the British Sign Language Futures project, the Disability Equality in Action project and the Croeso project. We commission detailed evaluations of the impact of those as part of our ongoing work.

[20] **Janet Ryder:** May I just take you back? Did you say that where you core fund, say, the staff to run the project you do not evaluate how effective it is?

[21] **Ms Blackmore:** We do evaluate. Each organisation will have an agreed performance management framework with an action plan as part of the terms and conditions of the grant.

[22] **Janet Ryder:** It is not just about that grant, it is a number of grants. It is all the grants that touch all the different groups that might come under the auspices of this committee and, therefore, under you, Minister.

[23] **Brian Gibbons:** What you are touching on is a concern that we have had. As Heulwen said, most of the money went on core funding, and core funding is a fairly diffuse concept. One of the ideas behind re-jigging these grants is to be more specific in terms of project funding, perhaps, in this revised approach, so that our expectations of those organisations would be more explicit. At one stage we wondered whether we should go to complete project-based work so that everything they did was very discrete, but the feedback that we got was that that would take away from core funding, so we backed away from that. We were persuaded to back away from that and to try to get a balance, but the fact that we went down that road at all touches on the point of whether we can be sure that we are getting

what we are paying for, that the taxpayer is getting that and, clearly, the target groups for these third sector organisations are getting that. We have two new grant systems in place precisely because of the concerns that you articulated in your question.

[24] **Janet Ryder:** Thank you. I did digress there a little bit. I appreciate why the core funding needs to persist—without the workers in place, you cannot pursue the project. However, it is really important that we assess that we are getting the equality outcomes from that core funding, even for workers, and I would appreciate seeing the criteria and the expectations that you are setting.

[25] **Brian Gibbons:** Heulwen did mention that we have the evaluation of things such as the Croeso project. There are substantial documents. I do not know whether you would like to see them.

[26] **Ann Jones:** That might be helpful.

[27] **Janet Ryder:** This question is very much in the same sort of vein, but looks at this year's budget. You have taken steps to ensure that planned efficiency savings, totalling £212.6 million across all departmental expenditure lines, are undertaken. How are you going to ensure that they do not have a disproportionate, unfair impact on particular groups of people? How have you assessed the equalities outcomes of those cuts?

[28] **Brian Gibbons:** If you look at the main areas that we are talking about here, you will see that we have, essentially, been able to maintain those budget lines intact. The efficiencies that we are making are to be made elsewhere across the portfolio rather than in the equality areas. As part of each departmental action plan, which every department in the Welsh Assembly Government has in undertaking the work that they have to do, departments have to be clear that whatever efficiencies they put in place do not unintentionally disadvantage various groups in a way that would be inconsistent with equality of opportunity, and equally, more positively, that they promote equality of opportunity.

[29] If you remember, we have spent a fair bit of time on the single equality scheme a few months ago. I think that you have seen the action plans. We had a session on the action plans five or six months ago and we are now beginning to get the first of the six-monthly reviews against those action plans. So, all departments, on a regular basis, are now reporting their activity against their equality objectives in their action plans, reporting to themselves and obviously reporting back to us as well in terms of what they are delivering. Again, there are substantial documents available, if the committee is interested in looking at them to see what individual departments are doing to ensure that they are protecting equality of opportunity and, where necessary, promoting it.

[30] **Janet Ryder:** Thank you for that, Minister, as it relates to the next question that I was going to ask you. It does seem from the narrative that the equalities aspect is restricted to your department, but you are reassuring me that it is not. So, let us say, if the environment department assesses the money it is putting into footpath improvement, that will not be cut as it would restrict access, or it has assessed the impact that that might have on the ability of people who are not able-bodied to use the footpaths. You could mirror that across all departments.

[31] **Brian Gibbons:** A footpath is not, perhaps, a good example. I do not imagine that the Department of the Economy and Transport is micromanaging footpaths. However, on the wider point that you are making, I think that they have to do that, yes.

[32] **Janet Ryder:** Do the Ministers all report directly to you? Have you assessed each of the departments?

[33] **Brian Gibbons:** Officials have done that. Do not forget that all these departments and all the major initiatives have to go through impact assessments and so forth. That is now a formal and well-established mechanism. The documents do vary. From memory, the health and social services document goes to 30 or 40 pages, and my own department has a report of 10 or 12 pages. The departments work to their own action plans, but work with the assistance of our equalities experts and they are validated, if you like, or checked over or whatever.

[34] **Janet Ryder:** I would assume, therefore, that the same cross-portfolio assessment has been made of the cuts in capital. Can you just confirm that that is the case, that you have assessed the cuts? Have you or your ministerial colleagues made any bids to the strategic capital investment fund that may be able to improve or push the equalities agenda forward?

[35] **Brian Gibbons:** We are very much focused on outputs and, hopefully, outcomes. Therefore, I do not think that our officials would be trying to put themselves in the position of the policy officials in other departments. They would be looking at the equality plans in terms of outcomes for citizens and what they are doing to deliver against those outcomes for citizens. That is what our officials would be doing.

9.20 a.m.

[36] They would not be going through budget lines a second time over with policy officials. That would not be the approach, and equally, that would not be the approach on capital funding. They would look at the impact in terms of outcomes. I do not know whether or not it would be helpful for Heulwen or Delwen to say a bit more on that.

[37] **Ann Jones:** Yes, I think that it would. It would then be on the record as well, would it not?

[38] **Ms Blackmore:** I do not know whether I am digressing but, as the Minister says, we have a central support role and what we try to do is put in place mechanisms and levers to embed equality. One of the most important things is the assessing of impact. We are not gatekeepers as such, but we provide the guidance, the methodology, support and training. We monitor where impact assessments are taking place and we also go along when policies are being developed to a thing called the policy gateway, when everybody comes together to look at how the policy impacts on equality and on sustainability. So, we support departments in that regard. There are 20 of us, so it is important that we provide the tools, we monitor progress and we have quite a lot of liaison with the Equality and Human Rights Commission. So, that is the role and function of the equality department.

[39] We provide guidance on how to achieve a smarter outcome, and so we have supported the development of the outcomes in the single equality scheme and we are responsible for monitoring progress. We do a lot of work with departments through equality champions. There are wide networks of equality teams and champions across the Assembly Government who implement the levers and the tools that we have given to them. It is important that there is ownership of equality. It cannot lie with one small division or even with one Minister. As far as we are concerned, it has to be pushed back to where it belongs, but we keep quite a good watching brief and if there are concerns, and, say, one area is not doing impact assessments, we will want to know why and we will also quality-assure the outcomes that people present to us. I hope that that is not digressing too far.

[40] **Ann Jones:** Joyce, do you have a supplementary?

[41] **Joyce Watson:** Yes, thank you, Chair. Good morning. Talking about levers, tools, impact assessments and budgets, do you apply any of the principles of the gender budgeting

analysis?

[42] **Brian Gibbons:** That is starting to happen. We are very much in the foothills of the methodology. The Wales Women's National Coalition has approached us, because it has established a group to look at gender budgeting and has met with our officials to consider how we can take this forward. We have agreed to work in tandem.

[43] However, I think that the initial thought was, which is, I suppose, self-evident in retrospect, but is probably not so self-evident in our practice to date, that a lot of the current gender budgeting or what passes for gender budgeting is just assessing whether men and women get equal levels of funding. The initial point was on whether we know what the relative needs are. Until you have some take on what the relative needs are, you are not in a position to judge the relative spend. In other words, if gender budgeting is not matched against need, then you will get a spurious outcome.

[44] We have reported on children's budgeting. We have given the figure that 28 per cent of our funds are for children's budgeting. I do not know whether or not that was preceded by an exercise establishing that the need was 28 per cent; we were able to work out what the spend was, within limits. The work with the Wales Women's National Coalition has posed a big challenge in how we decide what the needs of women, of men, and the shared needs of men and women, are. How do you apportion costs? Only if you get some sort of clarity on that can you start making any sort of value judgment on gender budgeting. As I said, we have started that dialogue and we are looking at the options to bring that forward.

[45] **Ann Jones:** Do you want to ask another question?

[46] **Joyce Watson:** I do.

[47] **Ann Jones:** Go on then, because Eleanor also has a supplementary.

[48] **Joyce Watson:** Thank you, Chair. I am glad to hear that you have that dialogue; that is really useful. However, gender budgeting is not about whether you spend equal amounts of money on men or women, but about outcomes. We are all about outcomes and hitting the target group, and that would be predicated on what you have just said. I suppose that my question is—I will leave it for another day to pursue this further—that we are in a time when budgets are extremely limited, and because you mentioned levers and tools and impact assessments, I would have thought that this would be just another tool that would help you and help the Government to realise some of its objectives. Do you agree?

[49] **Brian Gibbons:** Yes, undoubtedly so. Again, Heulwen or Delwen may want to add something, but certainly the impression that I am getting is that we had a rather simplistic and mechanical view of this, which was whether we can track through the system the money that is being spent on women or men or children. Once we had tracked the money for these various groups, then we would, essentially, have said, 'Job done: the figure is X, Y or Z'. The challenge that is being posed to us is that that is not good enough, and that whatever figure you get out at the end is meaningless unless you have done some sort of needs assessment to give you an expectation as to what sort of resource would be required.

[50] Having said that, just tracking the money is exceedingly difficult; it is not an easy exercise. Putting this new stage into the process makes it even more challenging.

[51] **Ann Jones:** Eleanor, you have a question.

[52] **Eleanor Burnham:** Thank you, Chair. In terms of closing the pay gap or equal status provision across Wales, what budgetary provision is there for local authorities, for instance, if

they are having difficulties? As I understand it, each local authority is making its own arrangements, and given the economic strain on them of unemployment as well as the general lack of funding, what provision are you making and how will you be monitoring that?

[53] **Brian Gibbons:** Fifty-four million pounds was put in three or four years ago and that is still in the revenue support grant, and as there is a 2.1 per cent uplift, clearly, in proportionate terms, that £54 million will be uplifted. You will be aware that the local government settlement for this year is of the order of 1 per cent and a bit more, so we think that the money is there in terms of reaching single status agreements.

[54] We have written to local authorities with regard to capitalisation for back-pay compensation. We have not had any new takers at the moment on that. We were worried about that, and I think that the initial closing date has gone, as I say, with no further requests. We have written to all local authorities again in the last few weeks to remind them that capitalisation is still available and, working with the Welsh Local Government Association, we have extended the closing date so that if somebody wants to give the matter further consideration then we are still open for business. We are disappointed. Obviously, if a local authority can sort out its back-pay compensation without resorting to capitalisation we are pretty pleased with that, but we suspect that the reason why there are no bids is that maybe authorities do not feel they have a case to answer or, even if they have a case to answer, that it is something that they will address in the future rather than addressing today. I think that they are pretty poorly advised in taking such an approach.

9.30 a.m.

[55] **Ann Jones:** We will stick to the general issues, because this is about the budget rather than going into specifics. Joyce is next.

[56] **Joyce Watson:** Moving on, can you explain how the findings of the spending review evaluation exercise have impacted on the equality-focused actions in the draft budget?

[57] **Brian Gibbons:** Every department has its action plan and the main areas of activity have been tested in terms of whether they deliver value for money and whether we can make a good business case for them. I think that the combination of being able to demonstrate a good business case and testing that against departmental action plans can provide us with assurance in that regard. As I said earlier, that is linked then to the six-monthly reviews that each department does of its action plan. So, if whatever emerges from the SpREE was to lead to inequalities, hopefully the six-monthly reviews would start revealing that.

[58] **Joyce Watson:** That is fine. Why did you make the decision to extend the remit of the inclusion grant to include migrants, Gypsies and Travellers in addition to refugees and asylum seekers when funding will be reduced by 23 per cent to £1 million in 2010-11?

[59] **Brian Gibbons:** I am not sure that I agree with some of the assertions there. I think that we have kept the £1 million. The nature of the inclusion grant is to provide support for particular groups that are likely to be particularly marginalised. We know from the surveys of public opinion in Wales that Gypsies, Travellers, migrants and asylum seekers, even though they are, in the main, people who are well integrated into Welsh society, are the groups that, along a scale of levels of integration, are most exposed to being excluded. So, that is the basis. The inclusion grant is—was it 2000 or was it 2003?

[60] **Ms Blackmore:** 2003, I think.

[61] **Brian Gibbons:** Yes, both of these grants, in fact, are pretty similar. I think that in time there will be a very strong case for integrating these grants, but in terms of the historical

basis on which this inclusion grant was established—in other words, the need to recognise Gypsies, Travellers, asylum seekers, migrants, and so on—migrants started coming into Wales on a relatively large scale after the European Union accession. Equally, with regard to asylum seekers and so forth, the dispersal policy meant that we were probably taking more asylum seekers than hitherto, and with regard to Gypsies and Travellers, we realised that this was an area where policy was very underdeveloped.

[62] So, a decision had to be made at the time to respond to these challenges and this particular inclusion grant was established at that particular juncture. I am sure that, in time, the case for merging the two grants will be made and not now, but probably sooner rather than later, it will be difficult to argue that we need two separate grants. In terms of where we are at the minute, we are just launching the Gypsy/Traveller grant and we have just established the migrants forum, so I think that getting rid of the inclusion grant just when we are doing this work probably is not appropriate but, as I said, in three to five years' time there may be a different view taken.

[63] **Joyce Watson:** How will the reduction in the funding impact on the Welsh Assembly Government's ability to meet 'One Wales' commitments to implement strategies on the inclusion of Gypsies, Travellers and refugees?

[64] **Brian Gibbons:** I am not convinced—

[65] **Joyce Watson:** Are you saying that you do not think there has been a reduction?

[66] **Brian Gibbons:** Clearly, we have not been able to increase some budgets, but we have worked hard to try to protect them.

[67] **Joyce Watson:** Do you think that you have managed the impact?

[68] **Brian Gibbons:** I think that we have done pretty well.

[69] **Joyce Watson:** Okay, that is fine. Thank you.

[70] **Ann Jones:** Eleanor is next.

[71] **Eleanor Burnham:** Mae gennyf gwestiwn tebyg ynghylch y grant adnewyddu safleoedd Sipsiwn a Theithwyr, sef y gronfa hyrwyddo cydraddoldeb. Fel yr ydym yn ei ddeall, mae'r un swm ar gael flwyddyn nesaf, sydd yn golygu gostyngiad, mewn gwirionedd. Sut yr ydych yn meddwl y bydd modd ymdopi â thoriad o'r fath yn yr arian sydd ar gael i wneud y gwaith ar y safleoedd?

Eleanor Burnham: I have a question along the same lines about the grant for the refurbishment of Gypsy/Traveller sites, that is, the promoting equalities fund. As we understand it, the amount for next year is unchanged, which means a reduction, basically. How do you think a cut of this kind in the money available for work on these sites can be coped with?

[72] **Brian Gibbons:** I understand the logic of saying that there is a reduction in real terms, but, of course, it depends on which index you use. If you take the retail price index, which is actually a negative index, you could say that the budget has increased in real terms, because the RPI has gone down. The budget has, essentially, been flatlined. The new sites grant of £1.5 million is a new grant that has just been established and we are inviting bids from local authorities across Wales. I think that we have only had one bid, or is it two?

[73] **Ms Blackmore:** Two.

[74] **Brian Gibbons:** We are just in the process of processing that. We have had a good

few other refurbishment grants. Again, we can give you the list if you want, but I do not think that the refurbishment grant is significantly over-subscribed at this stage. We can give you the chapter and verse, if you wish.

[75] **Eleanor Burnham:** Do you know why that is the case? Surely there must be a need out there.

[76] **Brian Gibbons:** Undoubtedly, there is a need. I think that the spend on one of the site grants has come to a halt because of planning problems.

[77] **Eleanor Burnham:** I think that it would be useful, Chair, to have a list of the sites.

[78] **Brian Gibbons:** We can certainly provide that. As I said, both of them are not under substantial pressure at the moment, though the refurbishment grant has had a significant number of projects funded through that, and certainly there is one and perhaps one other new site in the works. However, both of them, as you will realise, are difficult to progress because of planning and local concerns and objections and so on. That is one reason why we have the inclusion grant, because we realise that providing Gypsies and Travellers with facilities is politically difficult for local elected members and so forth.

[79] **Eleanor Burnham:** Just in case anybody is listening or watching, flatlining is keeping it the same, is it not?

[80] **Brian Gibbons:** Yes.

[81] **Eleanor Burnham:** Okay. It is just that I know we all want to use plain English.

<p>[82] Yr ydych yn sôn yn eich papur am y posibilrwydd y bydd eich adran yn sefydlu cynllun grantiau bach ar y cyd â'r Comisiwn Cydraddoldeb a Hawliau Dynol i gefnogi adeiladu capasiti yn y sector gwirfoddol. O dan ba bennawd yn y gyllideb ddrafft y caiff y cynllun ei ariannu?</p>	<p>You mention in your paper the possibility of your department establishing a small grants scheme jointly with the Equality and Human Rights Commission to support capacity building in the voluntary sector. Under which heading in the draft budget will this scheme be funded?</p>
--	--

[83] **Brian Gibbons:** It will still be essentially in the equalities budget lines. We have had, again, discussions with the EHRC on the final details. We are more certain that we will be able to get a grant scheme together, though I do not think that we can say with absolute certainty as yet that we are in a position to sign it off. Since this paper was written, we are further forward, although we have not been able to sign it off as a done deal. I do not know whether Heulwen can add to that.

[84] **Ms Blackmore:** We have had some good meetings with the Equality and Human Rights Commission and what we are proposing to do is start off fairly small to see whether we can make a joint approach work in order to help those smaller organisations that will struggle to get funding normally and to save duplication, because EHRC will often end up funding the same organisations as we fund. So, we have a proposal. What we are trying to work through at the moment is just some slight technical issues. The commitment is there. The Minister is keen for us to make it happen. There is a slight difference in the way the EHRC funds to the way Welsh Assembly Government funding works, so we are just teasing out the detail at the moment to be able to open up this small fund, but it would be under the equality umbrella.

9.40 a.m.

[85] **Eleanor Burnham:** It would be very confusing if there was money coming from you and it. Would it not be easier for one organisation, namely EHRC, to be distributing this money? What sort of moneys are you talking about in totality and what sort of grants? Could you name, maybe, an organisation that might be eligible?

[86] **Ms Blackmore:** That might be difficult.

[87] **Eleanor Burnham:** It is just that people do watch what we are doing and like to track what is going on.

[88] **Ms Blackmore:** This is what we hope will be a pilot scheme just to see how we could work jointly together. We think that it is important that where we have commonalities we do something jointly together and see whether we can make it work. We specifically want to be able to help smaller organisations that might not have the infrastructure in place to be able to bid. For example, with regard to other funding streams, the staff might not have the human resources expertise or that track record and lots of audited accounts. So what we are trying to do is help them build some experience and capacity.

[89] Our first thoughts were around small projects, and a sort of test bed, really, for equality organisations. We are anticipating that we would fund the third sector. We are also anticipating that they will be—we are not putting in a ceiling—small grants of up to, say, £5,000, with very limited bureaucracy. Although we have to be accountable and we need to be accountable for the use of that public money, we do not want to put in a barrier to claiming the grants. It can be very expensive and very challenging for small organisations, as you know.

[90] **Eleanor Burnham:** Are you talking about one-off initiatives or something sustainable? That is the issue for the voluntary sector. We all know that it is having real difficulty. Voluntary sector organisations need core funding and they need to be sustained, and that is a long-term issue.

[91] **Ms Blackmore:** The intention and the aim is for them to gain experience and build sustainability within their organisations by accessing these small grants. They will be one-off small grants in the beginning, but we very much see this as a trial because there are different sources of grant funding but this is specifically for those organisations who would find it a real struggle to access those sources.

[92] **Eleanor Burnham:** I am just a bit concerned about this—

[93] **Ann Jones:** I think that the Minister wants to respond, and then Janet has a question.

[94] **Brian Gibbons:** Eleanor is touching on an important point in relation to the sustainability of organisations. When we were in a more clement financial climate there was a stage at which it was possible for the funding to be fairly generous as new organisations came along, and as organisations took a different perspective or wanted to branch out into certain new or niche activities, where possible, we were able to accommodate that. In terms of the sustainability agenda we are very conscious of duplication and overlap and so forth, so in all of these grants we are increasingly concerned that we are not perpetuating duplication and we urge a lot of organisations, rather than coming to us immediately for funding, to look at other organisations in the sector to see where they can work together and, if they are thinking of putting in a bid, to then put in a joint bid. Some organisations are even beginning to consider mergers and so forth.

[95] I think that the third sector organisations out there realise that they have developed capacity over recent years that we have been able to support and the EHRC has been able to

support, but now we have to distil the essence of what has been achieved over the last half decade or so into what is core or vital and we will not be able to sustain all organisations in exactly the same way for the next five or 10 years or whatever it is going to be. So, sustainability does not mean organisations continuing in a straight line. They have to do some lateral thinking as well.

[96] **Janet Ryder:** On that particular point, I can appreciate that where perhaps you have had an organisation that has been established in an area and is doing the work, it needs to keep looking at the work it is doing to ensure that it is relevant. However, there have been a number of instances where grants and initiatives that this Government has brought forward have encouraged or have actively promoted other groups, from other parts of the country sometimes, moving into certain areas to carry out projects that the organisation that was there originally would have been capable of doing had it been given the support. Now we are in that situation, Minister, that you have just described, where organisations that your department has encouraged to develop in areas where they do not have any roots and do not really have any connection, and are still very much operating from outside that area, are carrying on that work. Meanwhile, we have groups who have always done that work that are absolutely struggling. You are saying that these groups should come together, yet this is a situation that your department and the funding mechanisms that you have used over previous years have encouraged.

[97] How are you going to support these groups? At the end of the day, it will be those groups that grew in those areas and grew from the community organisations in those areas, which will continue but in a very limited form. We need them to continue, particularly in this present climate. Given the growing animosity towards certain groups in society it is desperate that their work continues. How are we going to ensure that those groups continue, Minister?

[98] **Brian Gibbons:** Clearly, we would need to look at individual instances. From the way that you are speaking you obviously have one or two examples in mind. I am not able to comment on that without knowing the specifics, but I would say, in the main, that we are not guilty of that. What we find is that it is outside funding such as lottery funding or funding from other sources such as that that sets up projects and as that funding for those projects comes to an end, the projects look to us or local authorities or whomever for funding to sustain them, and very often we are not able to support them because, as you said, the project was started off outside of a framework, if you like, that we were directly involved in.

[99] There is another related factor that is not unproblematic, to say the least, and that is the tendering process. We do not have a choice about it. We have resisted it as much as we can, but under European law and competition law we really do not have any choice. A substantial range of activities that we are engaged in as public bodies has to be subject to tendering exercises. One consequence of that is what you are saying, that there are local organisations with which we have established good partnership working, and have a good track record in terms of delivery, but competition rules and European rules require us to tender. We are not always happy about that, but we have tested the system to the limits and we are obliged to do that. As I say, we are not totally happy about it, but we cannot do otherwise.

[100] If there is a specific example that you have in mind—I suspect from your question that there is—we will be happy to look at it on a case-study basis, because there may be more general lessons to be learned. However, in the main, within the constraints that I have outlined in my answer, it is not something that we encourage. We encourage long-term partnership building, long-term partnership working, and we are not in the game of promoting duplication, competition and commercialisation of this sort of activity.

[101] **Ann Jones:** I am conscious of the time; we will have to put a bit of a spurt on now.

Eleanor, you have your last question.

9.50 a.m.

[102] **Eleanor Burnham:** Just before we come to my last question, I would like to follow up on what you have said very briefly. Are you therefore giving some guidelines to the voluntary sector? Voluntary sector organisations are all under the cosh. As a regional Member, I travel across north Wales, as I am sure others do, and it is obvious that the voluntary councils are under the cosh. There are lots of problems, such as those that you just described about the time it takes to bid. The organisation maybe unsuccessful in the bid, lose its way and disappear, as Janet pointed out. There is a lot of angst out there. I believe exactly what you have just said—that a lot of people probably need to amalgamate now.

[103] What exactly are you doing within your budget framework to try to alleviate the difficulties? After all, we are talking about vital services, core services in the main, that a lot of these voluntary—I am just calling them voluntary because—

[104] **Ann Jones:** Come on, Eleanor, we are short of time, so make your point.

[105] **Eleanor Burnham:** I think that it is very important. Thank you, Chair.

[106] **Brian Gibbons:** We are working with the third sector infrastructure, in other words the local councils for voluntary services and so forth, to see what can be done to rationalise back-office services, and they are, in fairness, taking a lead on that. Equally, the Invest to Save fund of £60 million over two years launched by the Minister for finance, is available to third sector organisations if they want to put a bid into it. We are trying to develop an Invest to Serve fund based on the third sector. Unfortunately, we have run into some capacity problems internally due to illness and so forth, which is hindering us in bringing that forward, but we are trying to see whether we can develop something in that regard as well.

<p>[107] Eleanor Burnham: Beth fydd effaith gostyngiad ym maes rhaglenni gwariant gwasanaethau pobl hŷn ar gapasiti swyddfa'r comisiynydd pobl hŷn?</p>	<p>Eleanor Burnham: What will be the impact of the decrease in the older people's services spending programme area on the capacity of the office of the commissioner for older people?</p>
--	---

[108] **Brian Gibbons:** I am not sure that I am the best person to answer that. My colleague Gwenda Thomas, who has the main responsibility for older people's services, might be best placed to answer that.

[109] **Ann Jones:** We will drop Gwenda a note. Jonathan is next.

[110] **Jonathan Morgan:** Minister, when you look at a budget which is becoming rather more restrictive, for example, if you look at the older persons SPA, and the decrease in the level of resources there, that could have a disproportionate effect on older people. In terms of your work with the Minister for health on health and social care in particular, how can you and your colleagues reduce the disproportionate impact that any budget restraint may have on older people? Clearly, they are a very vulnerable group, a large group, and a growing group, given that this is an ageing population. What mechanisms exist to allow you to ensure that there is a reduction in any potential hurt for them as a result of the budget?

[111] **Brian Gibbons:** Once the Equality Bill becomes law, there will be an impact on age discrimination, hopefully. It will be one of the new strands in the equalities agenda, so we will be able to monitor activity in relation to older people in a way that has not been possible up until now.

[112] From the point of view of a wider policy framework, clearly in terms of financial inclusion, debt advice and so forth, we are very conscious that older people can be particularly vulnerable to the effects of the economic crisis and things such as the council tax uptake scheme, for example. We are exploring whether there is more that we can do within the resource that is available to us to tackle issues such as fuel poverty. Jane Davidson and the work she is doing in terms of home efficiency and so forth disproportionately benefit older people. So, there is a lot of work going on across all Assembly Government departments that recognises the specific needs of older people.

[113] **Jonathan Morgan:** The Assembly Government has a number of commitments to disabled children and young people. How will those commitments be met through this draft budget? The reason why I ask is that, last year, we had a note from the Minister for education outlining how those commitments would be met in the draft budget. We do not have a similar note this year. What might have changed this year compared with last year?

[114] **Brian Gibbons:** Jane Hutt, as Minister for children, is leading on this. I have frequent discussions with her either in the Cabinet committee on children and young people or in bilateral meetings, both formal and informal, on this area. Clearly, things such as the development of the child poverty Measure are very important in relation to tackling this particular issue because we know that children in a family with a disabled adult or a disabled child are particularly vulnerable to child poverty.

[115] Working with Citizens Advice we have been able to launch the child benefit uptake scheme. I had a bilateral meeting with Citizens Advice Cymru. It assured me that it has a network in place across Wales to promote that scheme. It has given its local bureaux targets to achieve and is beginning to performance manage progress against the implementation of that scheme. On the wider equalities issues, the Disability Discrimination Act 1995 is important for children with a disability and, again, through our equalities work we are keeping a watching brief on that.

[116] **Jonathan Morgan:** Looking at the efficiency savings, but also at the spending review and evaluation exercise, how have the SPAs that have previously been used to meet those commitments been affected as a result?

[117] **Brian Gibbons:** It would be very difficult to give you an answer. There are—

[118] **Jonathan Morgan:** Well, the SPAs are quite specific.

[119] **Brian Gibbons:** Yes, but there are a number of them across a number of portfolios, and it would be very difficult to give a quick answer to that, to be honest. It does not just involve my portfolio. Looking at my portfolio specifically, which might be easier for me, and the big ones that we have there, apart from the general equalities duty, which we have mainly been able to protect, the council tax uptake programme is continuing, as are bilateral discussions with Jane Davidson in relation to fuel poverty. There are a number of things going on, so I do not think that there has been any substantial reduction in—

[120] **Jonathan Morgan:** Specifically on disabled children and young people—

[121] **Brian Gibbons:** Sorry, I did not realise that you were asking about disabled children.

[122] **Jonathan Morgan:** Yes, on that, because when we had the note from the Minister for education last year she was very specific in saying that there was an additional sum of £250,000 for each of the next three years to help with meeting obligations under the Children Act 2006. She talked about some of the things that were specifically being put into the budget

to meet those sorts of obligations. Bearing in mind that the SpREE has taken at least two years, as a result of that and as a result, perhaps, of projects that might not continue in the future—I think that Rhodri said that just because they are nice does not mean that they are necessary—I am wondering whether or not the SPAs with regard to disabled children and young people have been affected. I admit it is probably a very difficult answer to give me now, but perhaps it is something that could be looked into. I admit it may take too long to do.

[123] **Brian Gibbons:** I think that the question would probably have to be directed to the Minister for children, as the lead Minister on this, but certainly in our portfolio, other than the mainstreaming equality duties, which are ongoing and have not really been substantially affected by the budget, the other big area is the disabled children's benefit uptake programme. Again, we have been able to protect that. We know that if disabled children take up all the benefits that they are entitled to, the vast majority can be lifted out of poverty. So, we are determined to try to protect that.

[124] **Jonathan Morgan:** I welcome that answer by the Minister, because we face a particular conundrum which is that because of the way in which equality is mainstreamed it is affected by so many other different decisions and budget lines. We need to get a grip on how these efficiency reviews and also the SpREE review might have had an impact on vulnerable groups and groups that are at a potential disadvantage, because there could be a disproportionate impact on those groups if we are not careful. I welcome what the Minister has said about his departmental expenditure lines, but I think that there are others that we need to explore.

10.00 a.m.

[125] Moving on very quickly to the final two questions that I have, there are clear financial pressures on local government. What can you do to ensure that disability equality awareness training for staff and also innovations to involve disabled people in service planning can be prioritised? I know much of that is up to local government, but, as the Minister who sets the framework for how local government operates in many regards, how can those two particular aspects be achieved?

[126] **Brian Gibbons:** One of the ways that we can do that will be through how we develop our specific equality duties here in Wales. The specific equality duties and the Equality Bill before the House of Commons will place a premium on making sure that policy making involves people with a disability or, indeed, anybody affected by the characteristics that will be protected by the law. That is why we are engaged in a listening exercise at the moment in relation to what specific duties we might want to put in place in Wales in relation to the Equality Bill once it, hopefully, goes through the Houses of Parliament over the next few months. So, that exercise is underway and we are very much listening to what people have to say.

[127] The next stage, having gone through the listening exercise, will be trying to distil out the message from that and consult formally on more concrete proposals. So, some of the points that you are raising might be among the sort of things that people might put forward as specific duties. I do not know whether Heulwen can add to that.

[128] **Ms Blackmore:** I will just add that the involvement of disabled people will be key in any case. I have been having conversations with local government colleagues and I think that the Equality Bill will be extremely helpful in driving this forward in terms of the requirements that we have. In terms of our consultation, involvement of disabled people is one of the areas that we are working on and also, Minister, with the disability equality advisory panel that you have set up.

[129] **Brian Gibbons:** Yes. That is right.

[130] **Ms Blackmore:** We recently set up a panel of experts, which comprises disabled people, stakeholders, service providers and so on, to consider what we can do additionally. One of the issues is around involving disabled people and looking at how the United Nations convention on the rights of disabled people, which is due to report in 2011, might be a useful lever.

[131] **Jonathan Morgan:** The committee in previous inquiries has made recommendations around training for health and social care staff within the field of equalities. The workforce development SPA used to support healthcare and social service professionals, particularly the Care Council for Wales, increases by about 1 per cent, although using the consumer price index, which is at 1.6 per cent, that is, I suspect, a real-terms reduction.

[132] What can the Minister and his colleagues do to address the potential impact that this may have on the ability of the health and social care sectors to adequately train their staff within the field of equalities?

[133] **Brian Gibbons:** That is something that would have to be covered in the action plan of the Department for Health and Social Services in relation to its equality duties. I mentioned earlier on that we see all of these plans at different stages and the review that has been made of those plans, so we would be auditing or monitoring or quality assuring those action plans, though, clearly, we would not be acting as front-line inspectors.

[134] **Ann Jones:** We have managed to catch up some time. Thank you very much for coming this morning and for helping us in our scrutiny of the draft budget. You will get a copy of the transcript to check, but you cannot add anything to it. Thank you very much for coming. What we will do now as a committee is look at the discussion that we have had and it will form part of a report to go to the Finance Committee for it to consider.

[135] **Janet Ryder:** May I just confirm that we are going to write on the issue that Jonathan raised? I asked the Minister about that and in response he said that other departments were assessing what was happening, and yet in response to Jonathan's question he said that he did not know.

[136] **Ann Jones:** I think that there are a couple of issues that we need to write to the Minister about.

[137] **Janet Ryder:** The other issue is to do with local government.

[138] **Jonathan Morgan:** Yes. There is a fundamental issue here, because we have been arguing for so many years now about the mainstreaming of equality. Of course, as soon as you mention equality you end up having to deal with virtually every single government department. I am not convinced that the SpREE exercise of the past two years will not have a disproportionate effect on those groups of people that we are seeking to safeguard. That really concerns me. I know that the Government is in a huge technical and financial minefield, but if we are to do our job in improving the lot of those who face particular disadvantages, then we need to look beyond Dr Gibbons's department. I think that Janet is absolutely right about that.

[139] **Ann Jones:** There are a couple of departments that we will need to check on heavily before we do our report, so we will look at that.

[140] **Eleanor Burnham:** We particularly need to do that, Chair, in respect of delivery at local government level and the fact that we have so many distressed voluntary organisations—I hate the term 'third sector' because it takes the voluntary aspect out of it,

which is the most important aspect—and they are delivering core services all around Wales. We all see them, and I think that they are at their wits' end at the moment.

[141] **Ann Jones:** Yes. We will do some work on that before we do the report.

[142] **Janet Ryder:** Just on local government, we cannot tell local government what to do, but local authorities are crucial in delivering this agenda and, in particular, the equal pay agenda. I was slightly concerned with the Minister's comments on that. Could we perhaps write to local authorities and ask them how they are progressing on that?

[143] **Ann Jones:** Yes, we have an item on that scheduled in our timetable. That is in the new year; we will look at equal pay again in the January meeting, so we will do some work before that to find out what is going on. So, with that, then, we will do that report, which you will see before we send it to the Finance Committee.

10.07 a.m.

Cynnig Trefniadol Procedural Motion

[144] **Ann Jones:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).

[145] I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion carried.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.07 p.m.
The public part of the meeting ended at 10.07 p.m.*