



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

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

**Mawrth, 19 Hydref 2010
Tuesday, 19 October 2010**

Cynnwys
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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

Mohammad Asghar	Ceidwadwyr Cymreig Welsh Conservatives
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Jenny Randerson	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Veronica German) Welsh Liberal Democrats (substitute for Veronica German)
Janet Ryder	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Steve Chamberlain	Llywodraeth Cynulliad Cymru Welsh Assembly Government
Georgina Haarhoff	Llywodraeth Cynulliad Cymru Welsh Assembly Government
Jane Hutt	Aelod Cynulliad, Llafur (Y Gweinidog dros Fusnes a Chyllideb Assembly Member, Labour (The Minister for Business and Budget))
Carl Sargeant	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

Leon Goberman	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Catherine Hunt	Dirprwy Glerc Deputy Clerk
Claire Morris	Clerc Clerk
Denise Rogers	Gwasanaeth Ymchwil yr Aelodau Members' Research Service

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everyone, and welcome to this meeting of the Committee on Equality of Opportunity. I ask Members to switch off all mobile phones and pagers, as well as anything else that might interfere with the broadcasting equipment. If you have a pacemaker, however, I think that I can safely say that you can leave it on.

[2] We have received apologies from Veronica German and Jenny Randerson will be substituting for her. Does any Member wish to make a declaration of interest? I see that you do not. I remind the committee that we operate bilingually. The floor language is on channel 0 and the translation on channel 1. We are not expecting a fire drill, so should the alarm sound, please follow the ushers' instructions. If you follow me, I will be one of the first out.

9.31 a.m.

Cyllidebu ar Sail Rhyw Gender Budgeting

[3] **Ann Jones:** I welcome two Ministers today: Jane Hutt, the Minister for Business and Budget, and Carl Sargeant, who is almost a member of this committee. Welcome back, Carl. They are joined by Georgina Haarhoff and Steve Chamberlain. We are conducting our inquiry into gender budgeting, and I thank you all for agreeing to come this morning. Thank you also for the paper. Do you have any opening remarks to make? We will then see how we go.

[4] **The Minister for Social Justice and Local Government (Carl Sargeant):** Good morning. The paper that we have presented today acknowledges some of the difficulties that we are going to face following the spending announcements that will be made by the UK Government tomorrow. In taking those decisions, responsible Ministers must be mindful of their impact, particularly in areas affecting women and children, which are already being squeezed. Our inclusive policy-making process is helping us in the Welsh Assembly Government to do this better. It is a systematic approach to gather the relevant information and analyse it, to help us to consider what negative impacts could emerge from the decisions that are taken. Gathering the financial information is a key part of this process. It goes beyond the final budget and decisions taken by Ministers; it goes beyond the impact of those decisions, which will ultimately have an effect on the people of Wales.

[5] **The Minister for Business and Budget (Jane Hutt):** I am also very pleased to be here with you at this committee. As Carl said, we anticipate a difficult settlement tomorrow, and we have been preparing for this as part of our responsibility with regard to the budget deficit reduction. We also had a tough budget in June and I am sure that you are also taking that into account in looking at the gender budgeting tool and the impact of not only disinvestment decisions that we may have to make as a result of the budget tomorrow, but also the impact of decisions made at a non-devolved level. We are working together and it is good that we are here before you together today. We have written recently to our Cabinet colleagues to remind them to consider the possible impact of their budgetary decisions on all eight equality strands at this early stage of the process.

[6] **Ann Jones:** Thank you, both. In the paper that you have provided, you say that gender budgeting techniques can provide Governments with the opportunity to integrate a gender analysis into economic and social policy. Has the Welsh Assembly Government used gender budgeting techniques to do this and has it made a difference?

[7] **Carl Sargeant:** I am aware that pilot work around gender budgeting was undertaken a number of years back by the Sports Council for Wales. I believe that reference was made to the pilot commissioned by the Department of the Economy and Transport or rather the Welsh Development Agency as it was then, before it came under the functions of the Welsh Assembly Government. Although these pilots were undertaken several years ago, I do not disagree with the comments made about them—I refer back to the work that Adele Baumgardt published—and the experiences gained have informed us in relation to the Welsh Assembly Government making use of the inclusive policy-making process. It must now be recognised that the Equality Act 2010 has changed the whole face of equality, when you consider where we are now and where we were then; it has changed our expectations and the

equality landscape. When the new public sector equality duty comes into force, it will require functions to be exercised with due regard to all the equality strands introduced by the Act. Those were useful reports, but we are in a very different place now with regard to the Act and the broad principle of equality.

[8] **Ann Jones:** Oscar, I think that we have started to touch on your questions, so do you want to come in at this point?

[9] **Mohammad Asghar:** Yes, thank you, Chair. Good morning, Ministers. What was the outcome of the gender budgeting pilot scheme in the Department for the Economy and Transport? Did the scheme result in any changes to the budget allocation or the approach to future budget setting?

[10] **Carl Sargeant:** As I said, I think that information was gleaned from the reports of the sports council and the Department for the Economy and Transport as it was at the time. Using that information and taking an inclusive policy-making approach, we developed a tool that enables us to move forward so that we have a broad outlook, considering gender and all equality strands in making our decisions. That was informed primarily by those reports from the sports council and the Department for the Economy and Transport.

[11] **Mohammad Asghar:** How did the gender budgeting study undertaken by the Sports Council for Wales influence the budget-setting approach of the Welsh Government?

[12] **Carl Sargeant:** The answer is probably the same. Both reports were produced a while ago, but both helped to inform how we took policy forward. Collectively, we are now in a different place, taking an inclusive policy-making approach, but, again, now that the Equality Act has come into force, the whole face of equality duties across the public sector has changed.

[13] **Jenny Randerson:** How does the Welsh Government access expertise in gender budgeting when budget planning? Do you take advice from external experts? Does the Government employ expert staff or have you trained staff?

[14] **Carl Sargeant:** What we have discovered using the IPM approach is that our assessment of the impact of the decisions taken by Ministers is based on the information gleaned and how we do so is really important. The process of engagement is critical. How we do that in terms of consultation and the involvement of stakeholders along the way is an important part of developing the IPM approach. Steve, are you able to give some detail on how we go about that?

[15] **Mr Chamberlain:** Certainly, Minister. It is important to say that one of the things that we have been recognised for in developing the IPM model is the involvement of stakeholders where we feel that there are gaps in our knowledge base when we are developing policy. We go out to seek that advice almost on a case-by-case basis. That is why the process that we have developed is flexible and can be responsive and applied proportionately to the work that we do. We are starting to see the merits of that work now. A number of the IPM assessments that are now published on the Welsh Assembly Government website reflect where Welsh Assembly Government policy has been changed based on those experiences and the representations made to us. That is quite gratifying in terms of the work that the Minister has kicked off on the public consultation with regard to our specific duties. It is being acknowledged that, at the appropriate point, we had that involvement and that stakeholders were able to make representations, knowing that, where appropriate, those recommendations would be taken on board in the policy development process.

[16] **Jenny Randerson:** With all due respect, those stakeholders, although vital, may not

be experts. I am asking about the expertise in gender budgeting.

[17] **Carl Sargeant:** I think that there are many experts out there, Jenny. I would not want to underestimate their contribution. Again, there are examples to do with the Equality Act 2010 and the specific duties. We have been out doing a listening exercise, and we believe that consultation is the right way to go. So, we have done the listening exercise and we are now out to public consultation, and we are still getting feedback from professionals. The Equality and Human Rights Commission is still helping us to shape our policies, and I take that process very seriously. I understand that not all stakeholders are going to be able to respond, but I believe that there is a critical mass of people out there who understand this issue and are actively engaged in these processes.

9.40 a.m.

[18] **Jenny Randerson:** In your evidence, you state that the collection of gender-specific financial data is disproportionately resource intensive and retrospective; can you expand on this? Do you think that this is a significant barrier to the introduction of gender budgeting for the Government?

[19] **Carl Sargeant:** Taking positive steps towards change is never going to be easy, is it? Doing something that challenges the norm will always involve different levels of difficulty. Gender budgeting and inclusive policy making require systematic approaches that enable an assessment of the positive and negative impacts of any decision that we make on policies or practices. Our ability to reach a reasoned decision is based on the evidence that was provided to us in consultation with third parties. It is not an easy process, but I do not think that we should shy away from change because it is difficult. Gender budgeting and inclusive policy making are as difficult as each other in terms of the process of developing the real turnout data that we need in order to understand them.

[20] **Jane Hutt:** Last week, I met Kate Bennett of the Equality and Human Rights Commission. She told us that the commission has done the analysis and has so much data, and that it is the commission's responsibility to look at this issue in terms of all equality strands. The commission pointed to the important work that it has done on a report published last week, and to the Hills report on equality. We have an awful lot of data; it is how it is used that is important, which takes us back to the question on accessing expertise. Ministers have been set tough planning assumptions for this forthcoming budget; therefore, while working alongside Carl, my concern has been ensuring that Ministers start looking now at the possible impact of the decisions that they are making rather than doing so retrospectively. In the summer, for example, our officials asked every department to look at the likely impacts on the equality strands of planning assumptions made in preparation for the budget, which included gender budgeting issues.

[21] As I have already mentioned, think tanks are another source of expertise; the Institute for Fiscal Studies published a very good review in August, and we know that the Fawcett Society has produced very good facts and figures based on this issue. We have to ensure that those data and expertise are fed in at the earliest stage; this should not be done when you come to scrutinise the draft budget to look for impacts, rather the data should be used to anticipate those impacts. Reducing one budget line might have an impact on the delivery of another programme, involving anything from transport to social policy.

[22] **Janet Ryder:** I want to focus on this issue of expertise; when we were taking evidence from an expert witness in this field in our last session, we were told that there was not a great deal of expertise out there, in terms of properly trained gender-budget experts. You have just contradicted that evidence, Minister, have you not?

[23] **Carl Sargeant:** How long is a piece of string? How do we quantify the expertise that is out there? I think that there are experts in the field. It is about how we engage with them during that process to develop our policies. Our IPM process is about the broad gender-inclusive policy and equality testing around which we set our principles. We use the IPM system of equality for the information that is required for setting our budget. There are experts in the field across the whole range of equality, including gender. I do not know whether there is a raft of people with that knowledge. The evidence that you have received has said not. However, there are experts out there who are able to inform us on how we take forward the gender strand of our equality duty.

[24] **Ann Jones:** Now that the Wales Women's National Coalition is no longer operating, who do you go to? It used to offer support in making sure that budgets did not necessarily discriminate against women. How are you going to do that now with this void?

[25] **Carl Sargeant:** That is an interesting point that I have been toiling over for the last couple of months. We are in the process of trying to establish a body that will not take the place of the Wales Women's National Coalition, but will be a referral body that gives us the information that we need as a unit. I have had many discussions, including with the Women's Institute in Wales. I am currently in discussions with the Wales Council for Voluntary Action about how it can help us to develop the process. It has not fallen off the agenda. I recognise that there is a void that we need to fill rapidly.

[26] **Jenny Randerson:** I take you back to your criticism that it is retrospective; all the statistics that the Government collects are retrospective; they are used constantly to inform the future. Reference was made earlier to the sports council. I know about that issue, because I was Minister at the time that we decided to do that. The sports council was desperately trying to encourage women's sport, but its grants system, despite all its efforts and exhortations, going out to women's groups and so on, was not attracting applications. When it undertook the gender-budgeting exercise, it discovered that it was offering grants for the upkeep of buildings and it so happens, for historical reasons, that women's sports groups do not own buildings, whereas men's sports groups have rugby clubs, cricket clubs, and so on, and so own buildings. Therefore, it changed the whole way that it provided its grants, entirely as a result of gender budgeting and collecting those data and doing that work. Is that not an investment that is worth making?

[27] **Carl Sargeant:** I understand exactly what you are saying and I recognise those issues. With our IPM process, we assess the need across the equality sector, which includes gender and, although we collect historical data, we look at it on a needs basis as well. If we think that there was a service delivery failure—based on gender—it would be taken into consideration in our IPM process. An example is the domestic abuse strand that is currently within my budget, in which we have invested heavily. It is recognised that it is gender based—it predominantly supports women. As part of the IPM process, we consider all equality strands, including gender. If it is a leading factor, we will consider it within the process.

9.50 a.m.

[28] **Jane Hutt:** I do not think that this is a matter of either/or. We have to look historically at disproportionate impacts and the data can often be accessed only after the event. This is about how we develop policy, particularly in relation to budgeting, which is where I feel, as Minister for Business and Budget, we have a real opportunity. As you will recall, we did quite a lot of work on children's budgeting on the Children and Young People Committee. So, with regard to achieving inclusive policy making, we have a real opportunity, although it might be grim with regard to how we apply it. With reducing resources, we have a real opportunity to try to anticipate the impact of decisions that we are making with regard to

the forthcoming budget. The expertise and the collection of data and statistics can be used to identify where women feature in the labour market, or with regard to caring responsibilities or domestic abuse. That is critical. We have been saying to Ministers and departments that they, in this tough time, have to look at the impacts, which also impacts on the possible decisions that will have to be made with regard to the budget.

[29] **Jenny Randerson:** You have talked about inclusive policy making, how you do it and about the impact on the budget. Could you give us a specific example of how you have changed your budget allocation as a result of that?

[30] **Jane Hutt:** We will have to wait until tomorrow to see what our settlement will be, and then there will be a draft budget in November. As I said, at this stage, we are looking at mitigating the impacts of reducing budget lines. So, I cannot give you an exact example, but I gave you the broad policy areas, ranging from transport to caring responsibilities and women in the labour market. We already look at the statistics, and every time that I meet the Minister for Social Justice and Local Government I ask him what is happening and how we are planning for equality impact assessments. I am sure that this will be an issue that you will want to identify and scrutinise at the draft budget stage. You will, for example, question us on how we have sought to mitigate the impacts of a reducing budget line. You will also recognise that this is cross-cutting with regard to inclusive policy making, because one decision could have an impact on another policy area with regard to independent access to services, for example, which is very important to women. So, I am sure that this will be identified and scrutinised with regard to the budget.

[31] **Carl Sargeant:** As Jane mentioned, we have written to all Ministers across the Assembly Government to ensure that every line will be assessed in terms of its impact on equality in the consideration of progressive budgets, in order to ensure that any potential cuts do not have a disproportionate effect on any particular group across the equality strands. My department is already assisting colleagues in other departments to ensure that we get this right. The Assembly Government has a moral duty to get this right and that is why we think that we should be doing that.

[32] **Jenny Randerson:** That is totally laudable and necessary, but, with respect, it is in a way a negative approach to this issue. Have you not discovered, through your analysis, an area of spending where, despite the intention, equality has clearly not been well targeted and promoted and where you therefore amend the way that you spend that money?

[33] **Carl Sargeant:** Yes, but I will perhaps not give you any detail of where that situation has been identified. However, my department is looking closely at funding that, although well placed, has not had the right impact. So, I am also testing that and saying, 'Look, we have to check this out in terms of equality'. We question and measure the danger and risk of removing funding from certain areas. Budgets are reducing and, as I said earlier, all Ministers are going through their budgets, line by line, to assess what the impact will be. As the Minister with responsibility for equality across the Government, I expect them to have done that. Only this week, Jane and I sent out a reminder to Ministers to ensure that they have done that.

[34] **Ann Jones:** Do you want to come in on that, Joyce?

[35] **Joyce Watson:** This is for Carl, but perhaps also for Jane. Do you see a fit between gender budgeting and your outcome-focused approach in local government? When, as a Minister, you are looking for outcomes and you give substantial amounts of money to local government, would that not be a real opportunity to tie the two things together?

[36] **Carl Sargeant:** The duties that we expect them to carry out go back to the Equality

Act 2010. I do not want to micromanage local authorities' finances. The duties that are pressed upon them will give them limited scope or the same scope as us. They will have to assess the impact of their budgets on the delivery of services. As I said, we have come a long way from where we were and in our expectations with the sports council and the DET review. The Equality Act 2010 and its specified duties will change what is expected of the public sector in Wales.

[37] **Janet Ryder:** I have a supplementary question about what I have been listening to. To take you back to Jenny's question about examples of where a retrospective analysis might have impacted on your decisions, can you give us no historic example at all? I appreciate that your minds and time are quite rightly very much taken up with the forthcoming—unfortunately huge—cuts that you will have to make in budgets, but to give us some assurance as to how you will approach them, can you give us any historic example of where you have looked, as the sports council did, at whether the group that was supposed to benefit did benefit, if not, why not, and how that might have altered Government spending in the past?

[38] **Carl Sargeant:** I am happy to look at that for you. I do not have the detail now and I cannot think of a historic example. We are in a different place from where we were. In years gone by, we had increasing budgets year on year, so changing or reducing a budget or function was a very different question to what it is now.

[39] **Janet Ryder:** You would surely still have wanted to analyse whether the target group was benefiting.

[40] **Carl Sargeant:** I get that, and that is absolutely right. With our IPM, we are now assessing the broader policy structure and whether we are achieving what we are trying to achieve with what we are putting in. I understand that. I do not have an example for you today. I do not know whether Steve—

[41] **Ann Jones:** Is it possible for the committee to have a note? It is obvious that you do not have information today.

[42] **Carl Sargeant:** If we can offer you examples, we will. I would be happy to do that.

[43] **Janet Ryder:** I know that you have stated this already, but to put it concisely in one place, what do you see as being the difference between the approaches of gender budgeting and inclusive policy making? Why do you favour inclusive policy making over gender budgeting?

[44] **Carl Sargeant:** A simple answer to that would be to offer an example of the holistic approach to a person. If we look purely at gender or at the broader spectrum of equality, an example would be a black disabled woman. She would not be captured by gender alone, but she would with IPM, with which we would consider all the equality strands, as opposed to the gender element, affecting a person.

[45] **Janet Ryder:** Does the overall impact on poverty, and specifically on child poverty, enter anywhere into these considerations?

10.00 a.m.

[46] **Carl Sargeant:** It has an effect. We talk about a holistic approach to the person, so a child as a young person will be considered along with the equality strands. We will test the effect against the equality strand. So, you would have to break it down a bit more. You would have to look at a female child in poverty, and the effect on that strand.

[47] **Janet Ryder:** Gender budgeting and equality can be quite emotive terms when you talk to people outside this institution. They often misunderstand why Governments pursue equality budgeting and gender budgeting. If it is couched in terms like, 'Unless we tackle the problems that these groups are having, we will never get to grips with poverty', it becomes slightly more understandable. What is the Government's overall aim? Is it purely and simply to create a budget that is equal for all sectors in society, or is it to tackle poverty in Wales?

[48] **Carl Sargeant:** Poverty is an example of an area that we would consider that we need to tackle. Going back to your original question about what IPM gives us that gender budgeting does not, it takes a holistic approach across the spectrum, but it includes the specifics on which we can drill down. As I said, the domestic violence portfolio involves a specific gender need, which we are able to identify and tackle. So, IPM does not discourage the tackling of a specific problem; it broadens our ability to do that.

[49] **Janet Ryder:** Taking that a step further, we heard evidence in our last session that bodies such as universities and colleges do not give adequate consideration to the gender impact of their financial policies. If you set that in the context of the answers that you have just given, do you believe that other public sector organisations in Wales give sufficient attention to the potential gender impact of the way that they allocate budgets? Could they approach this next budget round having to make severe cuts without having fully analysed this?

[50] **Carl Sargeant:** Perhaps it is not appropriate for me to comment specifically on the spending regimes of other public authorities. What I would say around the Equality Act 2010 and the specific duties that we will be introducing is that there will be an expectation of delivery of a similar equality duty throughout the public sector. I believe that the broader public sector should be doing the same as us. I have not been presented with evidence that it is miles away from where we are, but the general principle should be the same—public bodies should be adopting the same principle of IPM budgeting.

[51] **Janet Ryder:** You said that you did not think that it was your place to comment. Do you not think that the Welsh Government should be doing anything to encourage public sector organisations to consider gender impact?

[52] **Carl Sargeant:** Yes—we are implementing the Equality Act, in terms of the specific duties that fall under it.

[53] **Janet Ryder:** Will that apply to all public bodies? Could you outline which bodies will fall under that?

[54] **Carl Sargeant:** There are one or two that have made the case not to be included. This is under consultation at the moment, so I am still discussing which bodies should be in and which should be out. I have publicly said that everyone is in, and until bodies can provide a case to me that they should be out, they are in. That is a pretty strong position to take.

[55] **Janet Ryder:** Could that include a regulatory framework?

[56] **Carl Sargeant:** It will be in legislation in the form of the Equality Act. My understanding is that public bodies will be duty bound by the Equality Act. If they are in, they are in.

[57] **Janet Ryder:** How you will push this beyond being a tick-box exercise?

[58] **Carl Sargeant:** These bodies will be scrutinised by the Equality and Human Rights

Commission on their delivery of service. If they do not comply, they will be subject to EHRC scrutiny, as all public bodies would be.

[59] **Ann Jones:** Joyce, you are next.

[60] **Joyce Watson:** I was enjoying the responses so much that I did not realise that my question was next. [*Laughter.*]

[61] Minister, what concerns do you have about the impact of the June emergency budget and the comprehensive spending review on gender equality in Wales? How do you see it?

[62] **Jane Hutt:** Picking up on something from the previous discussions that is relevant to this point, the Welsh Assembly Government has a responsibility with regard to leadership in the public sector. Of course, we have equal pay legislation, we have the Sex Discrimination Act 1975, and we now have the Equality Act 2010, but we have to drive leadership, and that applies to how we use the equality impact assessment to recognise what the impact of this spending review settlement will be for us when it is announced tomorrow, particularly on gender equality.

[63] I referred in my opening remarks to the June budget. We must not forget that there were cuts that affect women and children specifically, such as the removal of maternity grants, the phasing out of child trust funds, and the freezing of child benefit—and we now have other developments on child benefit. Much has already been written about the impact of those cuts. However, we must also recognise what the June cuts mean for devolved services and our responsibilities, as well as any further cuts to the welfare benefits regime that might emerge. So, we will have to recognise that our responsibilities are to our budget, to analyse the possible impacts of what we have discussed and then to mitigate the effects of the comprehensive spending review on women and gender equality in Wales. We have to recognise that the contraction of the public sector will be a huge issue, because women are an overrepresented proportion of the workforce and those who rely on the delivery of public services. The number of women employed in the public sector is disproportionate, so the spending review is likely to have more of an impact on them.

[64] This means that all services will be gender-proofed. We will pay close attention to any initiative that might assist us in this issue when we receive the detailed proposals for draft budgets. However, this goes back to recognising the number of single-parent households in Wales—of which there are over 100,000—the number of women who work part-time and the employment rate for women. These are areas where we have to recognise the analysis of statistics, the data and the expertise, and then look at how we can mitigate and ameliorate the effects. I am sure that this committee will have strong views when scrutinising the budget.

[65] **Carl Sargeant:** Jane mentioned some important figures there. Another example is the expectation that 40,000 families across Wales will, as a result of the decisions, not receive child benefit in future. We have to be a responsible Government in Wales, but the reality is that we cannot bridge the gap created by decisions at Westminster—there is an impact, and an important part of our IPM process concerns looking at where we are in our budgets for future years, and how we balance them against our equality duty and our strands of equality for the people who live in Wales. Now, there are impacts on an English dimension that impact daily on families in Wales. It is a movable feast. We are still unsighted on some of the details, but it is clear that there will be impacts on some areas, which may mean that we will have to shift our priorities. Although we cannot bridge the gap, we will recognise the consequences for women and children who will be hit harder by decisions made elsewhere beyond our control.

[66] **Joyce Watson:** I think that my other question has been answered.

10.10 a.m.

[67] **Ann Jones:** Yes, I think that it has. Janet, did you want to come back on something?

[68] **Janet Ryder:** Going back to my question about tick-box exercises, you said that the organisations will be assessed by the Equality and Human Rights Commission. Should an organisation fail to come up to the standard that the commission is expecting, what sanctions are there, Minister?

[69] **Carl Sargeant:** I knew that you were going to ask me that one. Steve, what are the sanctions?

[70] **Mr Chamberlain:** The commission can make a number of recommendations on the way in which the public authority is conducting itself and exercising its functions. Ultimately, the commission can instigate a judicial review of whether the functions of the public authority are being exercised in a way that is consistent with the Equality Act 2010. That is similar to the functions that it currently exercises in Wales in respect of disability and race.

[71] On the draft regulations that the Minister is consulting on and what the specific duties will look like in Wales, the draft regulations give a clear model of what is expected, focused on developing equality objectives that are outcome focused, and having arrangements in place to ensure that those objectives can be fulfilled. The specific duties will enable public authorities to perform better against the new general public sector duty, which is about the elimination of discrimination, victimisation and harassment. So, it gives a clear steer to the commission about the statutory codes of practice that it will be developing to support the implementation of the regulations. We have already opened negotiations with the commission about developing further non-statutory guidance, demonstrating that leadership role, because—point taken—the regulations will not deliver the positive outcomes that are needed. It requires leadership, and we can do that together with the commission in developing the non-statutory guidance that will support the regulations and codes of practice.

[72] **Jane Hutt:** Following on from that, we have been working closely with the commission, which has also written directly to the chief executives of all public bodies to remind them of their statutory responsibilities. That non-statutory guidance will be as important as the regulations that are out to consultation at the moment. We must also recognise that there will be concerns from non-statutory organisations—the third sector, for which Carl takes responsibility—about the impact of the forthcoming budget. We have also been working to reassure those areas of the third sector that are particularly engaged with vulnerable people, which is a key issue, as that often translates into gender issues and consequently on child poverty. For example, if a woman is workless and is a single parent, her child is more likely to be in poverty. This is where the inclusive policy making bears influence on the way in which we work together to deliver for non-statutory organisations as well as statutory organisations.

[73] **Joyce Watson:** I am pleased to hear all that you have said, Ministers, but there is a real opportunity here, with the new legislation that Carl is pushing forward on the scrutiny role of local councillors. We are scrutinising you today on what the Government is doing. Although I am pleased to hear that there is guidance going to the officers in local authorities, since you send so much of your budget out to local authorities to deliver all that we have mentioned, is there any guidance going to the members themselves? Do they undertake any training to ensure that they scrutinise their officers, just as we scrutinise our Ministers, to ensure that outturn that you are looking for?

[74] **Carl Sargeant:** The broad principle of that is covered in the Proposed Local Government (Wales) Measure. I would be happy to look at specifics in the context of equality

and produce some guidance notes on that.

[75] **Ann Jones:** Is everyone happy now? I see that everyone is. I thank both Ministers for coming in to give evidence. I realise that this will be a very difficult week for most of us, but probably more so for you in setting budgets. However, I hope that you found this session useful, and I hope that you know that we will be scrutinising the budget in gender-budgeting terms.

[76] **Carl Sargeant:** Indeed. I am starting to make regular appearances before this committee. Thank you for the opportunity to explain the Welsh Assembly Government's process in setting our equality agenda and where we are with that. As I hope we have explained clearly, it is not just about gender but about all the equality strands. I hope that that has been useful for the committee, as well.

[77] **Ann Jones:** Thank you, both, for coming. Before we move into private session, I just wish to place on record that this is Denise's last meeting with us. Denise is leaving the Assembly on 22 October, on Friday. She has done 10 years with us, and so we would like to thank her for all her help and advice, and wish her well for the future.

10.16 a.m.

Cynnig Trefniadol Procedural Motion

[78] **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.

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

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.16 a.m.
The public part of the meeting ended at 10.16 a.m.*