

**Committee on Equality of Opportunity****Minutes**

Date: 28 November 2001  
 Time: 9.30 am  
 Venue: Committee Room 3, National Assembly Building

**Attendance:**

Members	Edwina Hart (Chair)	Gower
	Lorraine Barrett	Cardiff South and Penarth
	Eleanor Burnham	North Wales
	Ann Jones	Vale of Clwyd
	Val Lloyd	Swansea East
	Helen Mary Jones	Llanelli
	David Melding	South Wales Central
	Peter Rogers	North Wales
	Janet Ryder	North Wales
	Owen John Thomas	South Wales Central
Advisers to the Committee	Will Bee	Disability Rights Commission
	Kate Bennett	Equal Opportunities Commission
Presenting to the Committee	Sue Essex	Minister for the Environment
	Tom Cassidy	Chief Executive, CADW
	Teresa Rees	Commissioner for Wales, Equal Opportunities Commission
	Stacy Thornton	Director of the National Asylum Support Service
	Brian Hartley	National Asylum Support Service
	Martyn Jones	Chair, Welsh Affairs Select Committee

Martin Caton	Welsh Affairs Select Committee
Julie Morgan	Welsh Affairs Select Committee
Mark Prisk	Welsh Affairs Select Committee
Chris Ruane	Welsh Affairs Select Committee
Bill Wiggan	Welsh Affairs Select Committee
Betty Williams	Welsh Affairs Select Committee

Officials	Peter Gregory	Head of Personnel, Management and Business Services Group
	Elisabeth Jones	Office of the Counsel General
	Russell Keith	Committee Clerk
	James Owen	Deputy Committee Clerk

### Item 1: Chair's Report

1. The Chair welcomed everyone to the meeting and in particular new members, Val Lloyd and Peter Rogers. The Chair thanked Christine Gwyther and Jonathan Morgan for the work that they have done for the Committee. Apologies were received from Dr Mashuq Ally, Huw Lewis and the Scottish Equal Opportunities Committee. The Chair noted that the Scottish Committee hoped to meet in the New Year.
2. The Chair informed the Committee that, due to having a full agenda today, the development and implementation of securing equality of opportunity through the Assembly's procurement policy and the remuneration of public appointees papers will be considered at the first meeting in the New Year. The Committee agreed that the first meeting in January would be used to conclude all other outstanding business.
3. The Chair updated the Committee on the progress of the Diversity Action Plan for Public Appointments. The recent round of appointments for the Chair and members of the Welsh Development Agency resulted in three female candidates being appointed to the Agency's Board. The Chair undertook to make copies of the scoping study, produced by Professor Teresa Rees, on the motivation of public appointees available to the Committee. The Permanent Secretary has augmented the staffing in the Assembly Public Appointments Unit to enable it to deliver a programme of policy work and provide support to sponsor divisions in the management of appointments. The Public Appointments Unit will be working with Teresa Rees on the drafting of the Diversity Action Plan and the Chair undertook to enable the Committee to comment on the plan next March.
4. The Chair informed the Committee that the following letters have been sent as agreed at the last meeting:
  - To the Minister for Education on the launch of the Assembly's response to the Stephen Lawrence Inquiry and on the needs of disabled children.
  - To the Home Office Minister requesting an informal meeting with committee members on asylum issues.
  - To the Chairs of the Health and Education Committees about the Race Relations Amendment Act.
  - To the party Business Managers about equality training.
  - To Regional Committee Chairs about the Disability Rights Commission.
  - To the Ministers for Health and Education about the Disability Rights Task Force.

1. The Chair requested a paper outlining the proposals contained in the Home Secretary's Anti-Terrorism Crime Security bill for the next meeting of the Committee. The Committee expressed concern on the potential implications of the legislation.

## **Item 2: Minister for the Environment**

Paper: EOC-08-01(p.1)

1. The Minister for the Environment, Sue Essex, presented the draft Cadw guidance on Physical Access to Historic Buildings, now named 'Overcoming the Barriers'. The document gives guidance on how historic buildings might be made more physically accessible, explaining the interaction of the planning legislation and the requirements of the Disability Discrimination Act 1995, and it provides practical examples of buildings that have been adapted for disabled people.
2. The guidance document has been revised in the light of consultation, including comments from the Disability Rights Commission (DRC), Disability Wales and the Assembly's Equality Policy unit. The guidance attempts to draw on good practice and outside experience although it is important to recognise that each building or monument is unique. The document is a working draft and further liaison with DRC and Disability Wales is intended.
3. The following points were raised in discussion:
  - It is important that the tone of the Cadw guidance is positive to ensure that real progress can be made. There are several juxtapositions at present, which need to be worked through in consultation with the DRC, to ensure that the guidance is positive.
  - It is important that the guidance raises awareness amongst service providers and disabled people on the implications of the Disability Discrimination Act.
  - Members agreed that it is crucial that buildings are adapted to accommodate all people in the 21<sup>st</sup> Century. Failure to do so may not only exclude some but also result in buildings not being viable for use.
  - It is particularly important that emergency exits are adapted to enable all to leave buildings safely and securely.
  - It is important that all Cadw staff, in particular those who deal with the public or are involved with alterations to listed buildings, are aware of the requirements of the Act and of the guidance being produced. Training should not be restricted to those dealing with historic buildings. The Committee was informed that disability training is a priority for the organisation and a programme of training is planned for custodians and senior staff which could be extended to all staff. The Minister agreed to produce a note on the progression of training for Cadw staff next year. The DRC agreed to raise the subject of training for council officials involved in access arrangements at a future meeting of the Welsh Local Government Association.
  - An imaginative approach towards access arrangements needs to be adopted and it is important that all disabled people are catered for in the provision of access arrangements. The Minister noted that the case studies attached to the guidance illustrate imaginative ideas, which are being developed for tackling access issues.
  - The Committee felt that the knowledge of local disabled people was also a valuable resource in assessing proposed changes to improve access to buildings and suggested that Cadw should draw attention to this in their guidance.
1. The Minister discussed access arrangements in general with the Committee. It is in the remit of Local Authorities to consider pavement obstructions and other local environmental access issues. The Minister is currently working to ensure that all available guidance on these issues is conveyed to Local Authorities to ensure that public areas are more user friendly.
2. The following points were raised in discussion:
  - New planning proposals should incorporate access requirements from the outset. It is important that awareness is raised amongst Local Authorities on the impact of the Disability Discrimination Act on planning proposals. The Chair noted that there were issues for the planning arrangements for the Assembly building project to be taken into account.
  - Members highlighted particular access problems that they were aware of. It was agreed that a positive approach to access was required and that there was a sound business case for the promotion of good access arrangements. The Minister noted that the Assembly is working to promote good practice to ensure that businesses are aware of the standard that is required of them.
  - The Chair undertook to write to the First Minister requesting that these issues be discussed in a future meeting of the Business Partnership.

## **Item 3: Equal Opportunities Commission Annual Report**

1. Professor Teresa Rees, the Commissioner for Wales, presented the Equal Opportunities Commission (EOC) annual report to the Committee. The Commission has worked towards mainstreaming equality in association with the Assembly and the Equality Exchange. The EOC are also spreading the message that mainstreaming equality makes good business sense. Research has been commissioned on the impact of the Government of Wales Act's provision for 'due regard' to be given to equal opportunities. The Commission has also worked with the Assembly on equal pay. The Just Pay report was launched in the Millennium Stadium and research into the Pay Gap in Wales has been recently produced. The EOC has also produced a glossary of equality terms in Welsh and English for general information.
2. The Commission utilises its limited resources by transferring expertise throughout Wales and by working in partnership with organisations such as Wales TUC, Wales Women's National Coalition, Chwarae Teg and the Equality Exchange.
3. The following points were raised in discussion:
  - A disappointingly large proportion of inquiries to the Commission's specialist advice services relate to women who are dismissed for being pregnant. There is also a significant percentage that relates to inquiries on women's employment rights. The EOC is liaising with the Citizens Advice Bureau to ensure that they are aware of the equal opportunities agenda. Employment tribunal results are also different in Wales than England with more cases being withdrawn in Wales.
  - Members were disappointed that there was not more information on the devolved organisations work in the UK EOC annual report.
  - The EOC in Wales has had an increase in resources in the last year although the amount is less than expected.
  - The Committee welcomed the Commission's report 'Routes to Equality in Wales'. The Commission agreed to adopt the Assembly's best practice guidance on the publication of reports.
  - The Chair informed the Committee that this was Professor Teresa Rees' last year as Commissioner for Wales and thanked her for all her work.

#### **Item 4: Equal Pay**

Paper: EOC-08-01(p.2) and EOC-08-01(p.2a)

1. The Chair updated the Committee on the Assembly's plans for the implementation of the working group on equal pay's action plan and press strategy. The following action has been taken to date:
  - The Assembly's Trade Union side is committed to work on the equal pay action plan.
  - Pay reviews have begun in Assembly's Sponsored Public Bodies (ASPB's) and it is now important to look at the broader policy issues such as work-life balance. The Chair underlined the importance of the Equality Pay Audit using common measures to ensure that ASPB's undergo a standard procedure.
  - Letters have been sent to the Welsh Local Government Association (WLGA), highlighting the need to ensure implementation of local government equality standard across Wales and to the First Minister, requesting a meeting to discuss a number of issues raised in the action plan on equal pay.
  - Letters have also been sent to Jane Hutt AM and Jane Davidson AM, regarding their areas of responsibility and what can be done regarding equal pay.
  - The Chair has spoken to Personnel Division on the outcomes of the Assembly's pay remit guidance to ASPB's.
1. The following points were raised in discussion:
  - It is important that independent and good quality pay equality schemes are implemented in ASPB's. The EOC are available to consult on pay review schemes but is not able to audit the quality of pay reviews. The EOC cannot confirm or ratify whether a scheme has been implemented correctly thus it is important that schemes are subject to quality independent assessment this year.
  - The Chair of the working group, David Melding, proposed that there should be a formal launch of the Assembly's equal pay measures on 8 March to coincide with International Women's Day. The Committee agreed that it is important to tie the launch into a plenary resolution on equal pay on 7 March. The Committee was informed that the working group was going to meet in December and that a celebrity would be involved in the launch.
  - The Equality Policy Unit is the Assembly lead body on equal pay at present. The Chair requested an update paper on the press strategy in the New Year.
  - The Chair informed the Committee that a budget for the equal pay action plan would be allocated as soon as a business plan is available.
  - The EOC informed the Committee that research into the pay gap in Wales was launched last week and that it would be

distributed to Members. The research identifies the importance of raising the awareness of school children on how the choices that they make at GCSE level can influence their future work choices.

- The Chair requested that the Committee be updated regularly on the progress made on equal pay. The Chair thanked the EOC for the quality assurance role that they perform in implementing equal pay across Wales.

## **Item 5: Asylum Seekers**

Paper: EOC-08-01(p.3)

1. The Chair welcomed the new Director of the National Asylum Support Service (NASS), Stacy Thornton, to the meeting. NASS is part of the Immigration and Nationality Directorate at the Home Office. The key issues arising from the Home Secretary's announcements are:

- There will be more central government control over the asylum process.
- The results of the dispersal review indicate that whilst the dispersal of asylum seekers from the south east of England has been successful, it has not worked on a UK basis.
- The process of dispersal through induction services could be better managed.

1. The following points were raised in discussion:

- NASS would make arrangements with the voluntary sector and local authorities for the management of an asylum induction service in Wales.
- The role of the Welsh Refugee Council is currently under review by NASS as part of a UK wide review of the services and help-lines offered to asylum seekers.
- The purpose of induction centres is to ensure that a support and accommodation briefing is provided to all asylum seekers in a language that they all understand. Accommodation appropriate to the needs of the asylum seeker will be assessed and assistance will be given in the completion of a benefits form.
- The induction centres size will be based on the number of applicants going through the centre. In Wales it is anticipated that this will be a small number. There will be no detention element to the induction centres although there will be a residence requirement which affects the asylum seekers benefit claim.
- The voluntary sector will be closely involved in work at the induction centres. Legal advice will be made available following dispersal rather than at induction centres to ensure that asylum seekers have one legal advisor as opposed to many although an explanation of the relevant law will be provided.
- Asylum seekers will be given clear and relevant advice on the location that they will be dispersed to and on the process that they will be undertaking.
- It is important that induction centres are secure. NASS is currently taking into account the susceptibility of centres to attack.
- NASS have published targets on the duration of stay of asylum seekers in the centres. An initial decision should be made within 2 months and after appeal a decision should be made in 4 months.
- NASS will give consideration to transferring applications between induction centres although it could lengthen the overall process.
- The moving of asylum seekers to accommodation centres is designed to reduce the pressure on local authorities to house and provide services for asylum seekers.
- NASS will not necessarily underwrite the costs incurred by the All Wales Consortium. NASS has paid £100,000 as an enabling grant to local authorities and the Assembly has put money towards asylum seekers health and education costs.
- Smart Cards will be introduced as part of the Home Secretary's proposals. They will replace the standard acknowledgement letter and there will be no requirement for them to be carried at all times. The cards may be used for establishing proof of identity when a successful applicant applies for a National Insurance number but will not be required to be kept.
- NASS is currently looking into the arrangements for the provision of money for asylum seekers. The smart card will not have a credit or debit function but may be used as proof of identification at the point of dispensing money.
- NASS has not decided on the methods for taking forward the One Stop Shop arrangements.
- NASS agreed to circulate the White Paper on the changes announced by the Home Secretary when it becomes available.

## **Item 6: Gypsy-Travellers**

Paper: EOC-08-01(p.4)

1. The Chair introduced the paper that outlines the draft terms of reference for the Gypsy-Traveller inquiry.
2. There was discussion on the following points:
  - Evidence will be taken in normal Committee meetings, although these meetings will be taken around Wales.
  - The Committee agreed that the appointment of an expert advisor is essential to focus the inquiry on the important issues.
  - The Chair undertook to produce a written report for future Committee meetings on the progress of other issues to ensure that enough time is allocated to the inquiry.
  - It was agreed to invite Niall Crowley, the Chief Executive of the Irish Equality Authority, to speak informally at a future meeting of the Committee.
  - Regional Committees will be invited to take evidence on behalf of the Equal Opportunities Committee although it is important that this Committee takes evidence from around Wales. Members agreed that site visits are important to ensure that the Committee is responsive to the agenda of Gypsy-Travellers.
  - The establishment of a two-way information process with the UK Government on Gypsy-Traveller issues would be beneficial to ensure that Whitehall could deal with issues, which are not devolved.
  - The draft terms of reference were agreed with the amendments outlined at the meeting. The Chair requested that revised terms of reference be produced for the next meeting of the Committee in consultation with the Office of the Counsel General.

#### **Item 7: Welsh Affairs Select Committee: Report on Social Exclusion**

1. Martyn Jones, Chair of the Welsh Affairs Select Committee (WAC), introduced Members to the Committee. The WAC decided in 1999 that they would inquire into social exclusion following the process of devolution because Wales did not have a Social Exclusion Unit. The report identifies the crosscutting responsibilities between the Assembly, local government and the House of Commons. The report identifies the need for a bottom-up approach to tackling social exclusion in Wales.
2. The following points were raised in discussion:
  - The availability of statistics for the whole of Wales would be useful for tackling social exclusion and for commissioning research into specific areas of concern. The WLGA has established a statistics unit and gender based statistics are in the process of being produced.
  - The report identifies examples of good practice from the Republic of Ireland in relation to the benefits system. The current system exhibits a lack of flexibility which can particularly affect disabled people.
  - The report examines financial exclusion as a result of post office and bank closures in rural Wales. Credit Unions were identified as being a particular asset to those excluded from these services.
  - It is difficult to monitor how the UK government is taking forward the recommendations made in the report because of the large remit of WAC. The WAC intends to focus on the UK government's response to the financial exclusion recommendations because this is not a devolved issue.
  - The WAC has requested a written submission from the Children's Society asking for reasons why it is pulling out of Wales. If the WAC is not happy with the response, they will call the Society to a future Committee meeting. The WAC undertook to circulate a copy of the Children's Society's written submission to the Equal Opportunities Committee. Members will also be given the opportunity to attend and influence the meeting with the Children's Society. The Chair undertook to inform the Assembly Minister for Health and Social Services that this opportunity may be available.
  - The WAC will be undertaking an inquiry into young people and children in Wales in the New Year. The inquiry will include an examination of the provision of services for young offenders once they leave prison. The inquiry will look into the benefits system and the impact that it has on homelessness in Wales. The Assembly Committee may be asked to contribute information to the Inquiry.
  - The WAC would welcome an Assembly strategy to increase the uptake of benefits in Wales.
  - It would be difficult to renegotiate the Barnett formula although a more logical approach is needed, especially in relation to the possibility of English regional devolution.
  - It was agreed that further collaboration between the Committee's would be useful, especially in regard to the Gypsy-Traveller inquiry.

#### **Item 8: Minutes of the previous meeting**

1. The minutes of the previous meeting were agreed with one amendment. Paragraph 9.5, bullet point 2 will be changed to 'It is important that the DRC use its available resources effectively and in line with the duties outlined in the Welsh Language Act.'

The meeting closed at 1.00pm

**Action points arising from meeting of the Committee on Equality of Opportunity EOC-08-01, 28 November 2001**

<b>ACTION</b>	<b>AGENT</b>	<b>DATE</b>
Papers on the Assembly's procurement policy and the remuneration of public appointees to be considered at the first meeting in the New Year.	Finance and Procurement Divisions	
The Chair undertook to make copies of the scoping study on the Diversity Action Plan available to the Committee.	Comm Sec/ Chair	
The Chair undertook to enable the Committee to comment on the Diversity Action Plan next March.	Comm Sec/ Chair	
Paper outlining the proposals contained in the Home Secretary's Anti-Terrorism Crime Security bill for the next meeting.	EPU	
The Minister for the Environment agreed to produce a note on the progression of training for CADW staff next year	CADW	
Letter from the Chair to the First Minister requesting that the issues raised in regard to access arrangements be discussed at a future meeting of the Business Partnership.	Comm Sec/ Chair	
Plenary resolution on equal pay on 7 March.	Chair	
Update paper on the press strategy on equal pay in the New Year.	EPU	
NASS to circulate the White Paper on the changes announced by the Home Secretary on asylum seekers.	NASS	
Appointment of an expert advisor for the Gypsy-Traveller inquiry.	Comm Sec	
Written Ministers/Chairs report for each meeting.	EPU/ Comm Sec	
Invite Niall Crowley, the Chief Executive of the Irish Equality Authority, to speak informally to the Committee.	Comm Sec	
Revised terms of reference on the Gypsy-Traveller Inquiry for the next meeting of the Committee.	Comm Sec	
The Welsh Affairs Committee to circulate a copy of the Children's Society's written submission to the EOC.	WAC	
The Chair to inform the Assembly Minister for Health and Social Services that the opportunity to discuss the Children's Society withdrawal from Wales may be available.	Comm Sec/ Chair	

