

**MINUTES****EOC-08-02 (min)****EQUALITY OF OPPORTUNITY COMMITTEE****Date:** 12 December 2002**Time:** 9.00 am**Venue:** Committee Rooms 3 and 4, National Assembly Building**Attendance:**

|                           |                   |                                    |
|---------------------------|-------------------|------------------------------------|
| <i>Members</i>            | Ann Jones (Chair) | Vale of Clwyd                      |
|                           | David Melding     | South Wales Central                |
|                           | Lorraine Barrett  | Cardiff South and Penarth          |
|                           | Eleanor Burnham   | North Wales                        |
|                           | Carwyn Jones      | Bridgend                           |
|                           | Helen Mary Jones  | Llanelli                           |
|                           | Huw Lewis         | Merthyr Tydfil & Rhymney           |
|                           | Val Lloyd         | Swansea East                       |
|                           | Peter Rogers      | North Wales                        |
|                           | Janet Ryder       | North Wales                        |
|                           | Owen John Thomas  | South Wales Central                |
| <i>Officials</i><br>Group | Peter Gregory     | Personnel & Accommodation Services |
| Standing Invitees         | Will Bee          | Disability Rights Commission       |
|                           | Kate Bennett      | Equal Opportunities Commission     |
|                           | Cherry Short      | Commission for Racial Equality     |
|                           | Derek Walker      | LGB Forum Cymru                    |
|                           | Neil Wooding      | Equal Opportunities Commission     |
| <i>Invitees</i>           | Roger McKenzie    | TUC                                |
|                           | Rhys Dafis        | Welsh Language Board               |
|                           | Angharad Davies   | Wales Women's National Coalition   |
|                           | Mary Slater       | Wales Women's National Coalition   |
|                           | Joyce Watson      | Wales Women's National Coalition   |
|                           | Ian Cairns        | Somerset County Council            |

|                    |                                       |
|--------------------|---------------------------------------|
| Bill Crumpton      | Cardiff County Council                |
| Frank Milne        | Camarthenshire County Borough Council |
| <i>Secretariat</i> |                                       |
| Claire Bennett     | Committee Clerk                       |
| Lara Date          | Deputy Committee Clerk                |

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### **9.00 - 9.05 am**

#### **Item 1**

#### **Introduction, apologies, substitutions and declarations of interest**

1. The newly-appointed Chair welcomed everyone to the meeting. Apologies had been received from Helen Mary Jones AM and Peter Rogers AM.

### **9.05 - 9.10 am**

#### **Item 2 Minister's Report**

#### **Paper: EOC-08-02(p1)**

1. The Minister welcomed Ann Jones as the new Chair of the committee. There were no oral additions to his written report.
2. The equal pay seminar for NHS personnel had been very well attended by senior level staff, with 13 out of 15 NHS Trusts represented. and The attendance of ministers at equal pay events was welcomed. Dates had now been set for seminars for the local government and education sectors.

### **9.10 – 9.35**

#### **Item 3 Implementation of 'Lifting Every Voice' Report**

#### **Paper: EOC-08-02(p2)**

1. Roger McKenzie gave the committee his assessment of the implementation of his report 'Lifting Every voice' to date:-
2. 18 out of 43 of the recommendations in the report had been implemented, and others were in the pipeline.
3. The Assembly, including the Permanent Secretary, and the Equality of Opportunity committee should be congratulated for pushing forward the recommendations and scrutinising progress.
4. Members of the community had approached Roger McKenzie with concerns about the process used to recruit the head of the Equality Policy Unit (EPU), in particular the use of CVs and psychometric testing and the cost. These public perceptions emphasised the need to continue to build trust among minority ethnic communities that change really was taking place and that they could join, and progress within, the organisation.
5. Training was vital to create cultural change and progress so far was welcomed. As

many staff and Assembly members as possible must be trained to look at how their role contributed to the Assembly meeting its duties under the Race Relations (Amendment) Act 2000.

6. Open competition for posts was vitally important but some staff would have practical difficulties with accepting that and questions were being asked across the whole Civil Service about turning away from existing practices.
7. Building bridges between the Assembly and minority ethnic communities was a two-way process. The Minister felt it was important that he went out to meet minority ethnic community members on their own ground. The Welsh Assembly Government was developing a proactive outreach campaign, including using outreach workers, to recruit from minority ethnic communities in 2003.

#### **Action points**

- To provide details of the Assembly's outreach work and other activities to build trust with minority ethnic groups in Wales.
- As agreed at the previous meeting, the committee would be provided with further information about the EPU recruitment process.

#### **9.35 – 9.55**

#### **Item 4**

#### **Report on the pilot external recruitment exercise**

#### **Paper: EOC-08-02(p3)**

1. Peter Gregory, the Assembly's Director of Personnel and Accommodation Services, informed the committee about the assessment of the pilot external recruitment exercise for Grade 7 civil servants. This exercise had been a way to test the implementation of the recommendations in 'Lifting Every Voice'.
2. External consultants had reviewed the recruitment exercise and judged it to be broadly successful: candidates had been comfortable with the process, it had operated to a reasonable timetable and 28 posts had been filled. Forty recommendations had been made to improve details of the process.
3. There had been problems with the administration of the exercise and it had not been successful enough in reaching out to people of black and ethnic minority backgrounds, or in attracting sufficient Welsh-speaking applicants. The latter point could be due to the jobs being based in Cardiff. Recruitment exercises were planned in early 2003 for posts in Mid, West and North Wales.
4. Training of assessors was important to give confidence and minimise the risks of subjectivity. If the Assembly's proposed new recruitment strategy was adopted, further training would be vital to build capacity within the Assembly.
5. It was noted that internal candidates had been more successful than external ones. An analysis of the figures would show whether this was due to a lower percentage of external candidates applying, or because they were proportionately less successful, and would allow for future tracking. It was also noted that many posts in this exercise had been occupied by people at a lower grade who had been

'acting up' and this might have affected the number of successful candidates.

6. It was acknowledged that the process had taken a long time, 3-4 months minimum, and that this could be streamlined. Salary negotiation was identified as particularly time consuming.
7. To encourage applications from black and ethnic minorities it was suggested that the Assembly should work with local authorities and develop contacts with training organisations already working with members of black and minority ethnic communities, such as Cardiff County Council's training and enterprise centre.

### **Action points**

- Provide figures showing the number and percentages of: internal and external applicants and successful candidates; black and minority ethnic applicants and successful candidates; male/female applicants and successful candidates; and applicants and successful candidates with a disability. For the G7 recruitment exercise and other recruitment exercises where figures are available.

### **9.55 – 10.15**

#### **Item 5**

#### **Report on Welsh-speaking members of NHS boards**

#### **Paper: EOC-08-02(p4)**

1. Rhys Dafis of the Welsh Language Board, informed the committee about what action should be taken to increase the number of NHS board members who speak Welsh.
2. The main message was that language should be mainstreamed as part of all the Assembly's equality work.
3. There was no system in place for linguistic profiling to be part of the recruitment process in the same way as profiling was done for other skills and backgrounds. Language should be listed as a qualification for inclusion in the code of practice for those making public appointments, and in the Assembly's action plan for mainstreaming equality in public appointments.
4. Listing language alongside other equality areas such as race and sex would be consistent with the Human Rights Act and EU charter for minority languages.
5. Any system of appointing should ensure that the linguistic dimension was considered among the skills and competencies required to build a multi-skilled team.
6. Specific campaigns might be needed in some areas such as West Wales where there was significant under-representation of Welsh speakers on NHS boards.
7. It was important to emphasise that having Welsh speakers on a board did not necessarily mean a better service to Welsh speakers locally. Regardless of their linguistic make-up, boards must show understanding of the needs of Welsh speakers and represent the community they served.
8. Introducing quotas was not supported, particularly as some areas had a low

number of Welsh speakers in the general population, but profiling could be used to ensure good bi-lingual candidates came forward.

9. The Assembly was not in a position to insist that outside organisations took its recommendations on board, but it could encourage them to do so.

Action point:

- The Chair agreed to write to the Health Minister requesting a report analysing the way that public appointments are being made to the new local health boards, examining whether the Boards as a whole are representative of the local community, and in particular whether they include a proportionate number of Welsh speakers.

## **10.15 – 10.55**

### **Item 6**

#### **Presentation from the Wales Women's National Coalition (WWNC)**

1. Angharad Davies, Chair of WWNC; Mary Slater, coalition manager; and Joyce Watson, fieldworker, gave a presentation about the work of WWNC, in particular on public appointments. The main points raised were:
2. The strength of WWNC was in the diversity of the organisations within its membership, which represented diverse agendas and covered the whole political spectrum.
3. WWNC was focusing on public appointments to improve the voice of women in Wales on deciding policy. They have access to several thousands of women with a great potential to offer to public life in Wales.
4. No new statistics were available on female representation on public bodies, but anecdotal evidence showed barriers to their appointment. Common problems included lack of confidence and feelings of intimidation, (examples included using interview panels of 6-8 people, and using technical language or jargon). There was a lack of effort to make the most of women's skills and experiences and to provide training or induction.
5. A number of suggestions for improvements were made including better application form design; and better training and mentoring. Alternative methods of advertising posts and encouraging applications were suggested including visiting women's local community forums to provide information; placing adverts in newsletters of members organisations of the WWNC. The importance of feedback for unsuccessful candidates was stressed, as it helps to prevent people from being discouraged from applying for another post later.
6. A training event for International Women's Day was being organised with the NHS Equality Policy Unit in March 2003 at the Breheiniog Theatre in Brecon, called 'Blowing Our Own Trumpets'.
7. Other UK organisations were also considering training, shadowing and mentoring activities to encourage people into public appointments in different sectors. The WWNC hoped further activities could be carried out with other Welsh voluntary sector organisations and the Assembly, and suggested that a Task and Finish group could help coordinate such activities.

8. WWNC would require further funding to run public appointment events and seminars. It's current £50,000 Assembly funding ran out in June 2004 and largely covered part-time staff salaries.
9. WWNC outreach work was being carried out throughout Wales with other organisations such as the Lesbian, Gay and Bisexual Forum, Womens Aid and Women in Health groups. Work with Dyfed Powys Police Authority had encouraged more female applicants - their recruitment advertisement was re-drafted and they were successfully linked up with local groups.
10. There was discussion about holding a register of available candidates for public appointments. This was being phased out in England but was one way to store information about the pool of people available.
11. The committee commended the work of WWNC on public appointments and would welcome seeing further information about the results of its work so far, and considering the issue again at a future meeting.

Action point:

- WWNC to provide some suggestions for future work to encourage women into public appointments based on work they have done so far.

**The committee decided to break until 11.10**

**11.10 – 11.35**

**Item 7**

**Consideration of Equal Opportunities Commission annual report**

1. Kate Bennett and Neil Wooding, Equal Opportunities Commissioner for Wales, informed the committee about the work of the Equal Opportunities Commission (EOC) over the last year. The main points raised during the presentation and discussion were:
2. Neil Wooding recognised the important work of his predecessor during the past year. It was significant that EOC UK was looking at how it might adopt work that was being initiated by EOC Wales.
3. There had been a lot of interest in the effect of the Assembly's duty to promote equality of opportunity and in the implications of the report 'An Absolute Duty'.
4. EOC was focusing on equality in the workplace, with key themes including equal pay, flexible working, work-life balance and promoting equality as a good business case, leading to healthier organisations. Promoting work-life balance for men was a cutting edge issue. A survey had shown that most women were satisfied with flexible working arrangements but men did not seem to be taking advantage of equal access to those arrangements, and needed encouragement. Men also had a role in encouraging others to take advantage of flexible working.
5. EOC was keen to develop work on equality in public life. The visibility of women in local government should be improved, and it was an important pathway to central and national government.

6. There had been much media interest in the campaign for equal pay carried out jointly with the Assembly and Wales TUC, and it was hoped that the Assembly and Assembly-sponsored public bodies would revisit their pay structures as a result. The equal pay sub-group had met the day before to look at further campaign work, in particular with the private sector. It was hoped that the Assembly would continue with its support of the campaign. The committee commended the work of Sue Dye of EOC in taking forward the campaign activities and providing expertise.
7. EOC was working jointly with the Disability Rights Commission, Commission for Racial Equality and Legal Services Commission on research that showed the lack of access to advice services on discrimination. There were not enough places to go or people expert in specialist employment law, which was partly related to rurality. Citizen's Advice Bureaux (CAB) were not always open or sufficiently expert and there was only one law centre in Wales. A report would be launched in Spring 2003 looking at how to tackle the 'advice desert' in Wales. At present CAB and Trade Unions were the main providers but fewer discrimination cases had been won in Wales at least in part because it was harder to get advice and representation. Women employed in non-unionised, part-time work were being doubly penalised. It was agreed that CAB needed more funding and local authority advice services should be strengthened. EOC also needed to 'work smarter' to pass on its expertise to advice providers.
8. A lot more work was needed to ensure equality for young people and encourage employers to look at going to new areas to recruit employees.
9. There was discussion of discrimination against women in how health problems were perceived and treated, and that the application of male models of health might be one reason for that.
10. EOC was pleased to see the Lesbian Gay and Bisexual Forum funded by the Assembly and represented in the committee. LGB Forum noted its thanks to the EOC for supporting its work over the past year.
11. It would be crucial to engage in the consultation process for creating a Single Equality Body and EOC hoped to host an event in January. It was expected that Barbara Roche MP and the Minister for Open Government would both host events in relation to this consultation. Unique Welsh factors, such as the language and the duty to promote equality of opportunity, should be taken into consideration. The UK-level body needed to be well-resourced, with clear functions and strong powers, to ensure that Welsh priorities would get a voice. More formalised links with the Assembly should be built into the structure and commissioners should be jointly appointed by the Assembly rather than just at UK level. Any Welsh arm of the Single Equality Body must have strong powers to pursue its own agenda.
12. The Minister noted that the informal relationship between the Commissions and the Assembly was currently working very well, but that a more formal relationship was desirable, but could only be provided for by statute.
13. The committee thanked the EOC for its work and commended it for an annual report that was attractive and very readable in both languages and had attracted significant media coverage as a result.

## 11.35 – 12.10

### Item 8

#### Gypsy-Traveller review – Accommodation

1. Bill Crumpton, sites manager Cardiff County Council, Ian Cairns, Gypsy Liaison Officer Somerset County Council and Frank Milne, Traveller Services Manager Carmarthenshire County Council gave evidence to the review.
2. The main points of Bill Crumpton's presentation were:
  - The two residential sites he managed in Cardiff were very different. Shire Newton was around 10 years old. The 56 family pitches had enclosing walls, bathroom and other facilities and the site was well-planned, spacious and had built-in roadways. Its larger size did not make it more difficult to run. Use of a communal hall had improved – it included computers for driver training and held adult education and children's events. Railings and enclosed space for dogs were still needed.
  - Rover Way was 30 years old, with drainage problems and in an unpopular area. The site fronted onto an arterial road used by heavy lorries, and air pollution problems. There was a lack of space, no pavements, no children's play area and nothing for teenagers. In conjunction with Cardiff Gypsy Sites Group a design feasibility study had been carried out by the Community Design Service to determine improvements and get more pitches and upgrade facilities on site.
  - The sites were run in tandem in the same way as housing, with waiting lists, a repair list, exchanges to deal with benefits, rent etc, and an office on site with a dedicated team of two officers and three maintenance staff.
  - More pitches would be needed to allow young adults to stay on the same site as their parents. Some were being forced into houses by the lack of pitches and were on waiting lists to return to the site. A points system was used to handle applications.
  - A smaller permanent site was needed. A transit site would be harder to manage, but as Cardiff received a lot of visitors, especially before the Royal Welsh Show, a managed area for tolerated temporary stopping could be useful.

#### 8.3 The main points of Ian Cairn's presentation were:

- Somerset County Council managed six residential sites and one transit site (for stays of up to 28 days in any three-month period). There were over 40 private sites and there were three authorised New (Age) Traveller sites. Gypsies and Travellers formed the largest ethnic minority group in the county.
- Experience showed that access to authorised accommodation was the biggest issue and the foundation stone to proper service provision in other areas. Other services were already provided: the Traveller Education Service ensured 100 per cent primary school attendance from local authority sites; health professionals were providing services and Gypsies and Travellers were involved in health studies; the local authority was increasing access to the planning system; and the number of younger Gypsies and Travellers integrating into the local workforce

was increasing.

- The local authority could lobby policy-making bodies and must provide an accommodation safety net because no one else would.
- Only 10 transit sites with planning permission exist in England and two of them are in Somerset – one local authority and one private. Twenty-four hour, 365-day management was required to manage them effectively and the time limits on residence needed to be enforced. The intensive level of management meant they tended not to be economically viable.
- In a rural area like Somerset, long-stay sites designed with more than 10 pitches had proved problematic. Smaller sites, distributed over a wider area were better. Structural plans were needed to give guidance to Gypsy and Traveller community and to identify areas for site development.
- Location was all important – there is no point putting sites where Gypsies and Travellers don't go. It is important to look at travelling routes and identify the matrix of highways used and by how many.
- Registered Social Landlords should be involved in providing finance for accommodation and housing, as they did for the settled community, as Gypsies and Travellers were currently excluded from that.
- The provisions of the Race Relations (Amendment) Act and section 7 of the 1996 Homeless Act put a duty on local authorities to provide for travellers and they must have policies in place to deal with discrimination.

8.4 The main points of Frank Milne's presentation were:

- Underlying racism was the big problem: much of his job seemed to be as eviction officer in trespass cases. In Camarthenshire there were a lot of holiday caravan sites that were not available to gypsies and travellers to use and this could be explored more. In the past, some local authorities in Wales have refused point blank to make provision despite Ministerial direction, as managed sites are expensive and difficult to maintain.
- Gypsy liaison officers often become isolated and many are retiring due to stress-related health problems. The post often falls under the environmental health department, because trespass is perceived as a nuisance problem to get rid of rather than dealing with the root cause. The issue is not how to deal with a problem but how to provide services.
- Solutions are not immediate but long-term, requiring identification, development and financing of new sites.
- Unfortunately current site locations could be defined by a set of planning criteria along the lines of: close to the boundary between local authorities, close to railway lines, and next to a sewage works and rubbish tip.
- Clear guidelines on trespass are needed from central government and the Assembly: money spent on costly court cases could have been used to provide suitable authorised provision.

## 8.5 The points raised in discussion were:

- Costs: legal costs of trespass cases versus funding required for proper provision should be considered. The Cardiff Traveller Law Unit's study, 'At What Cost?' was mentioned and its recommendation for an audit of the cost of dealing with unauthorised encampments.
- The Committee's review should consider the provision of temporary sites near permanent sites. Transit sites had their problems but with good management in place it was no more difficult to deal with anti-social behaviour than on a council housing estate. Gypsy and Traveller communities were just as diverse and hierarchical as settled communities. Dealing effectively with problems through good site management was key.
- The number of Gypsies and Travellers forced into housing because of lack of suitable pitches, and the impact on the Gypsy-Traveller lifestyle, was not known.
- Reference was made to 'Teepee Valley' - the needs of New (Age) Travellers in Wales should also be considered.
- It was important to identify any examples of best practice in preventing conflict between Gypsies and Travellers and the settled community when introducing new sites. Frank Milne pointed to a study carried out in Scotland. In Camarthenshire people had been imprisoned for building bombs to drive away Gypsy-Travellers, but his experience also showed that problems between the two communities were usually caused by fear of the unknown and were resolved over time.
- Consultations over locating new sites had tended to be secretive in the past. Open consultation on a number of proposed different locations for a new site was the only way forward.

## 12.10

### **Item 9: Minutes of the previous meeting**

#### **Paper: EOC-07-02(min)**

1. The minutes of the previous meeting were agreed.
2. If members had any comments on the three papers to note they were asked to raise them at the next committee meeting.

## **12.10 – 12.25**

### **Item 10**

#### **Gypsy Traveller Review – report progress**

1. The committee considered progress and next steps in preparing its report on the Gypsy Traveller Review.
2. The suggested framework for the report was welcomed. The report should aim to address acute concerns in the Welsh context. Anecdotal evidence and examples of good practice would be crucial and references and sources of information would be included in a bibliography.

3. The report of the seminar in Swansea was agreed as a record of that event.

#### Action Points

- A sub-group would be appointed with a representative from each party to take forward production of the report.
- The report would: be in a user-friendly format similar to the Review of Health of young people; produced by end of Spring term; include specific recommendations that clearly point to further actions for the incoming EOC committee appointed after the May elections.
- The report from the Swansea seminar would be translated and circulated to members.

**The meeting closed at 12.25 pm.**