

Equality and Human Rights Commission response to the Finance Committee's Inquiry into preparations for replacing EU funding for Wales

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1. Executive summary

- 1.1 The Commission's 'Healing the Divisions: a positive vision for equality and human rights in Britain'ⁱ sets out a 5 point plan for how Britain can keep and strengthen its status as a world leader on equality and human rights after we leave the European Union.
- 1.2 EU funding currently plays an important role in promoting equality and tackling discrimination in Wales.
- 1.3 It is important that the loss of EU funding does not have a detrimental impact on efforts to promote equality and human rights in Wales.
- 1.4 The UK Government's proposed Shared Prosperity Fund - and any other funds and programmes in the UK and Wales - provide an opportunity to invest in projects that promote equality & human rights and tackle discrimination.
- 1.5 New funding programmes in Wales should take into consideration people's protected characteristics and the relationship with socio-economic status and other disadvantages.
- 1.6 We are currently commissioning a research report on the potential implications for equality and human rights in Britain of the loss of EU funds. We expect to publish our report in Autumn 2018. We will be pleased to share it with the Committee at that point.

2. Recommendations

The Welsh Government should:

- 2.1 Ensure the loss of EU funding, such as the European Social Fund and the Equality and Citizenship Programme, does not undermine Wales's equality and human rights infrastructure. This includes academic research, for example on violence against women and how to police it, and voluntary sector services, for example those supporting older and disabled people in employment.
- 2.2 Conduct Equality Impact Assessments and engage with interested parties when devising new policies and allocating funding as a result of upcoming changes to funding programmes.
- 2.3 Consider the findings and further recommendations of the Commission's upcoming report into the potential implications for equality and human rights in Britain of the loss of EU funds.

3. Introduction

- 3.1 The Commission welcomes the opportunity to respond to the Finance Committee's Inquiry into preparations for replacing EU funding for Wales.
- 3.2 The Equality and Human Rights Commission has been given powers by the UK Parliament and the United Nations to advise governments and parliaments on the equality and human rights implications of laws and proposed laws. This role is crucial in the wake of the changes that are likely to flow from the UK's decision to leave the European Union.
- 3.3 Britain has a long history of upholding people's rights, valuing diversity and challenging intolerance. At this moment of significant constitutional change, it is important to set out a positive vision for the kind of country we want to be after we have left the EU. The Commission is encouraging all UK Governments and political parties to pursue priorities to protect and promote equality and human rights in Britain.

4. Protecting the UK's equality and human rights infrastructure

- 4.1 The Commission's 'Healing the Divisions: a positive vision for equality and human rights in Britain'ⁱⁱⁱ sets out a 5 point plan for how Britain can keep and strengthen its status as a world leader on equality and human rights after we leave the European Union. One of the 5 priorities, and a related recommendation, is:

Protecting the UK's equality and human rights infrastructure

The UK Government and devolved governments should ensure the loss of EU funding, such as the European Social Fund and the Equality and Citizenship Programme, does not undermine the UK's equality and human rights infrastructure. This includes academic research, for example on violence against women and how to police it, and voluntary sector services, for example those supporting older and disabled people in employment.

5. EU funding for equality and human rights projects in Wales

- 5.1 EU funding currently plays an important role in promoting equality and tackling discrimination in Wales.

- 5.2 Wales receives £370m a year from the EU to invest in the 2014 - 2020 European Structural and Investment Fund Programmes.ⁱⁱⁱ This includes the Structural Funds, the Rural Development Programme and the Maritime and Fisheries Fund. Equal Opportunities and Gender mainstreaming (EO&GM) is one of three cross-cutting themes integrated into the 2014-2020 Programme.
- 5.3 The Wales Council for Voluntary Action states that since 2007 the third sector in Wales has accessed in excess of £317 million of EU Structural and Investment fund through a range of grants and procured contracts. This funding has contributed to tackling some of Wales's starkest inequalities in its most deprived areas.^{iv}
- 5.4 Chwarae Teg's Agile Nation 2 project is one example of a project that receives European Social Funding and contributes to the promotion of equality opportunities in Wales. The project helps to improve the position of women in the workforce across the Welsh Government's priority sectors in Wales.^v It is important that the loss of EU funding does not have a detrimental impact on efforts to promote equality and human rights in Wales.
- 5.5 The UK Government has committed to replacing EU Structural Funds with a UK Shared Prosperity Fund, with full details to be confirmed. The Conservative Party 2017 manifesto stated: 'We will use the structural fund money that comes back to the UK following Brexit to create a United Kingdom Shared Prosperity Fund, specifically designed to reduce inequalities between communities across our four nations... The UK Shared Prosperity Fund will be cheap to administer, low in bureaucracy and targeted where it is needed most.' It did not specify which funds the Prosperity Fund will replace (in part or in full) or how the newly-formed fund will be administered.'
- 5.6 As yet, there have been no announcements on the replacement of other EU Funds that may have an impact on equality and human rights, for example the Rights, Equality and Citizenship Fund. The future is uncertain for other funds that may also have an impact on equality and human rights, including but not limited to the following funding programmes:
- Asylum, Migration and Integration Fund;
 - Education, Youth and Sport (Erasmus +),
 - European Union Programme for Employment and Social Innovation.

- 5.7 The UK Government's proposed Shared Prosperity Fund - and any other funds and programmes in the UK and Wales - provide an opportunity to invest in projects that promote equality & human rights and tackle discrimination.
- 5.8 Funding priorities identified by the UK Government should take account of devolution and regional concerns. The UK and Welsh Government should conduct Equality Impact Assessments at both national and sub-national levels to guide decision-making. Decisions should be informed by engagement with relevant stakeholders.
- 5.9 New funding programmes in Wales should take into consideration people's protected characteristics and the relationship with socio-economic status and other disadvantages. Individuals should be placed at the centre of any criteria for funding allocations, with wider economic and geographical concerns being considered alongside.
- 5.10 The public sector equality specific duties in Wales should be adhered to as a mechanism for this funding allocation and policymaking process in Wales.
- 5.11 Following the award of funding, managing authorities should be required to collect and analyse equality data.

6. Equality and Human Rights Commission research

- 6.1 We are currently commissioning a research report on the potential implications for equality and human rights in Britain of the loss of EU funds. Our report will provide regional findings.
- 6.2 This report will provide an evidence base to develop further policy decisions to inform our response to the UK Government's consultation on the UK Shared Prosperity Fund. It will also inform our other UK and Welsh Government, and parliamentary, work.
- 6.3 This project will enable us to advise on the establishment of an improved and streamlined funding process that it is accessible to those who need it most. We expect to publish our report in Autumn 2018. We will be pleased to share it with the Committee at that point.

7. Recommendations

The Welsh Government should:

- 7.1 Ensure the loss of EU funding, such as the European Social Fund and the Equality and Citizenship Programme, does not undermine Wales's equality and human rights infrastructure. This includes academic research, for example on violence against women and how to police it, and voluntary sector services, for example those supporting older and disabled people in employment.
- 7.2 Conduct Equality Impact Assessments and engage with interested parties when devising new policies and allocating funding as a result of upcoming changes to funding programmes.
- 7.3 Consider the findings and further recommendations of the Commission's upcoming report into the potential implications for equality and human rights in Britain of the loss of EU funds.

8. About the Equality and Human Rights Commission

- 8.1 The Equality and Human Rights Commission (the Commission) is a statutory body established under the Equality Act 2006. It operates independently to encourage equality and diversity, eliminate unlawful discrimination, and protect and promote human rights. It contributes to making and keeping Britain a fair society in which everyone, regardless of background, has an equal opportunity to fulfil their potential. The Commission enforces equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It encourages compliance with the Human Rights Act 1998 and is accredited by the UN as an 'A status' National Human Rights Institution. Find out more about the Commission's work at:
www.equalityhumanrights.com.

ⁱ Healing the Divisions: [Healing the Divisions: a positive vision for equality and human rights in Britain](#)

ⁱⁱ Healing the Divisions: [Healing the Divisions: a positive vision for equality and human rights in Britain](#)

ⁱⁱⁱ Letter from Leader of the House and Chief Whip (24 January 2018)

<http://senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16644>

^{iv} WCVA website: <https://www.wcva.org.uk/what-we-do/eu-referendum>

