

COMMITTEE ON EQUALITY OF OPPORTUNITY EOC-05-02(min)

MINUTES

Date: 26 June 2002
Time: 9.30am
Venue: Committee Rooms 3 and 4, National Assembly Building

Attendance:

Members	Carwyn Jones (Chair)	Bridgend
	Lorraine Barrett	Cardiff South and Penarth
	Eleanor Burnham	North Wales
	Ann Jones	Vale of Clwyd
	Helen Mary Jones	Llanelli
	Val Lloyd	Swansea East
	David Melding	South Wales Central
	Peter Rogers	North Wales
	Janet Ryder	North Wales
	Owen John Thomas	South Wales Central
Advisers to the Committee	Kate Bennett	Equal Opportunities Commission
	Dharmendra Kanani	Commission for Racial Equality
	Alun Thomas	Disability Rights Commission
	Derek Walker	LGB Forum Cymru
Presenting to the Committee	Dr Paul Chaney	Research Associate, Cardiff University
	Ralph Fevre	Professor of Social Research, Cardiff University
	Dame Rennie Fritchie	Commissioner for Public Appointments
	Gloria Jenkins	LGB Forum Cymru
	Professor Teresa Rees	Chair of Research Steering Group for 'An Absolute Duty'
	Neil Wooding	Equal Opportunities Commission: Commissioner for Wales
Officials	Jon Shortridge	Permanent Secretary
	Alistair Davey	Head of Performance and Development Branch
	Delyth Thomas	Equality Policy Unit
	Michael Trickey	Executive Board Secretariat
	Elisabeth Jones	Office of the Counsel General
	Howell Rees	Committee Clerk

Item 1: Chair's Report

Paper: EOC-05-02(p1)

1. The Chair welcomed everyone to the meeting and recorded the committee's thanks to his predecessor, Edwina Hart, for all of her work as Chair of the committee. The Chair said that he was looking forward to the challenges of chairing the committee and carrying out the vision of the National Assembly for Wales to promote equality of opportunity for all people. Apologies were received from Huw Lewis and Will Bee.
2. The Chair updated the committee on the progress of the equal pay campaign:
 - The mobile exhibition would be at the Assembly's stands at the International Eisteddfod and the National Eisteddfod and it was hoped that the exhibition could be used at the Royal Welsh Show and other appropriate events.
 - Seminars for the National Health Service, the Higher Education sector and local authorities would be held in Mid-Wales during September and October 2002. The Equal Opportunities Commission would be hosting a seminar for CBI Cymru Wales on 12 September 2002.
 - A mailshot, which would include a copy of the equal pay CD-ROM, would be sent to 500 businesses whose addresses had been obtained from the Small Firms Unit of Cardiff University.
 - All public libraries would be sent posters and flyers about the campaign.
 - Equal pay had been put onto the agenda of the Welsh Local Government Association seminar on 12 July 2002.
1. The committee raised the following points in discussion on the Chair's oral and written reports:
 - It would be interesting to gauge the reaction of employers when they received the mailshot on the equal pay campaign.
 - The next challenge for the equal pay campaign, and the Assembly in particular, was to begin to influence changes in the public sector.
 - The Clerk informed the committee that the Deputy Presiding Officer had not yet responded on the issue of equality training for chairs of subject committees.

Item 2: McKenzie Report Action Plan

Paper: EOC 05-02(p2)

1. The Permanent Secretary introduced the paper to the committee, highlighting three themes:

- 17 recommendations had been implemented at the time of the last report to the committee in January 2002. The current position was that 23 recommendations had been implemented and 2 audit recommendations were not yet underway. 18 recommendations were currently in progress and the Permanent Secretary assured the committee of his personal commitment to their implementation.
- The recruitment strategy considered by the committee in January had been amended in light of members' comments and concerns and was now subject to negotiations with the Trade Union Side. The results from consultation on the strategy highlighted that staff had genuine concerns about the removal of opportunities for internal promotion. The Permanent Secretary reaffirmed his commitment to open recruitment but said that he also had a duty to develop existing staff. Lateral transfers were a method for developing staff whilst advancement could take place through open recruitment. The Permanent Secretary could not give a firm undertaking as to when the complete transfer to open recruitment would take place.
- The Band F recruitment that had been undertaken to pilot the proposed arrangements had been competency based with candidates attending an assessment centre and an interview. Psychometric testing was not used at any stage of the pilot and all of the tests were equality proofed. The pilot was not yet complete but to date 23 people had confirmed acceptance of posts and another 6 were to be completed. An evaluation of the effectiveness of the recruitment process used including the use of assessment centres would now take place.

1. The following points were raised in discussion:

- Internal candidates should be given practical support to ensure that they could compete in open recruitment exercises. Open recruitment would improve the organisation and give staff the opportunity to develop skills to compete for progression.
- The Permanent Secretary confirmed his commitment to recommendation 7 in the action plan, that 'all posts, of whatever grade, should be advertised and open to competition', would be implemented. He emphasised however that this was still subject to negotiation with the Trade Union side.
- The committee welcomed the Permanent Secretary's commitment to implementing the action plan. It was important that the entire executive board shared this commitment.
- The Permanent Secretary agreed that, as set out in recommendation 27, all staff should have an equality target rather than a diversity target.
- Recommendation 9, that recruitment to generic grades should be ended and all jobs should have specific titles and descriptions, would be implemented. The Permanent Secretary said that the precise way in which this recommendation would be implemented would be subject to negotiations with the Trade Union Side.
- It was important that the needs of applicants and the Assembly were met by open

- recruitment with the aim of making staff more reflective of the people that they served.
- The Permanent Secretary said that only some jobs, determined by senior managers, required bilingual skills and that fair and open competition was essential to recruitment. The Permanent Secretary held two seminars on promoting the Welsh language in the Assembly and Sanjiv VEDI had been appointed to reach out to minority groups, including Welsh language speakers. The new Welsh language scheme would influence the staffing requirements of the Assembly and it was likely that more bilingual posts would become available. Two members of the executive board were fluent Welsh speakers and there were a number of Welsh learners on the board. Consultation papers and leaflets were made available in alternative languages where applicable.
 - Exit surveys were conducted for all staff leaving the Assembly.
 - The Permanent Secretary was seeking to reduce the number of casual staff employed in the Assembly. Whilst the use of temporary workers was appropriate for short terms of employment, permanent posts should be filled by permanent members of staff.
 - The committee agreed to invite Roger McKenzie to a meeting in the autumn term to discuss progress on implementing his report (**action point**).

Item 3: An Absolute Duty

Paper: EOC 05-02(p3)

1. Paul Chaney made a presentation (attached at Annex A) to the committee on 'An Absolute Duty: Equal Opportunities and the National Assembly for Wales', a research report commissioned by the statutory equality commissions and produced by the Institute of Welsh Affairs. It was hoped that the report would be launched on 11 July 2002. The report summarised research findings that showed that the Assembly's equality duty had made a significant impact. It had initiated a wide range of equality reforms and a distinctive equality agenda was beginning to emerge. The study noted that it was too early to make a full assessment of the new equality agenda in Wales. Future research would be necessary to determine the effectiveness of these reforms in terms of measurable equality outcomes. The report made a number of policy recommendations that called for extending the application of the 'Welsh model' equality duty as well as measures designed to increase its effectiveness.
2. Professor Teresa Rees requested that the committee consider the recommendations of the report, which were designed to embed equality into the framework of the National Assembly. The committee could also help the statutory equality bodies to draw greater attention to the Assembly's equality duty.
3. The following points were made in discussion:
 - The committee considered in January 2002 the voluntary code of practice on securing equality of opportunity through the Assembly's procurement policy. Contract compliance was soon to be extended to those applying for grants and funding awarded by the Assembly.

- To raise awareness of the equality duty it would be important to build contacts outside traditional groups. Professor Teresa Rees offered to discuss with the Chair and Clerk ideas to raise awareness of the duty.
- Paul Chaney said that it was apparent in the comments of those interviewed for the report that there was a low overall awareness of the Assembly's statutory duty to promote equality of opportunity amongst the groups that it was designed to help.
- It was important that all subordinate legislation considered by the Assembly was compliant with the equality duty, although it was recognised that the duty would not have an impact on most legislation.
- The Chair would consider commissioning a paper on taking forward the recommendations of the report for a meeting in the autumn term (**action point**).

Item 4: Annual Report of the Committee on Equality of Opportunity

Paper: EOC 05-02(p4)

1. The Chair said that the annual report of the committee would be debated in plenary in the autumn term. The Chair said that the Clerk had amended the report to take into account comments made at the last committee meeting.
2. The committee endorsed the report.

Item 5: Childcare Arrangements in the National Assembly

Paper: EOC 05-02(p5)

1. Alistair Davey introduced the paper which updated the committee on the current childcare arrangements for Assembly staff. There were two forms of subsidised childcare arrangements currently available for staff who also benefited from a number of work choices such as flexible working hours and part time or job share working. The arrangements for childcare were currently under review and the implementation of a voucher system was being considered. A networking day for carers, part time workers and women had been organised as part of the review.
2. The following points were raised in discussion:
 - The Assembly's current arrangements did not provide for Welsh language childcare. The delivery of childcare through the medium of Welsh would be considered as part of the review.
 - The networking event would look at what the Assembly could provide for carers and staff with dependants.
 - The introduction of childcare vouchers would allow staff the option of finding appropriate childcare near their home or near their place of work. It was important that a voucher system was flexible, catering for individual staff requirements, including staff outside of

Cardiff.

- Childcare arrangements for Assembly Members and support staff were a matter for the House Committee. The committee agreed that a crèche should be available in the National Assembly building for visitors.
- The committee considered that 'no change' to the current childcare arrangements was not a viable option.
- The associated costs of providing childcare leave and support was offset against the benefits of developing staff and enabling women to progress their careers in the Assembly.
- It would be interesting for this committee to link with the Health and Social Services Committee on the Wales Childcare Strategy.
- The Assembly's current contract with the Lilliput Day Nursery was due to run for three more years and the arrangements would be examined as part of the review.
- The committee requested information on the length of paid leave for fostering and adoption and on the amount of parental leave that could be taken in any one year (attached at Annex B).

Item 6: Commissioner for Public Appointments

1. Dame Rennie Fritchie told the committee about her work as Commissioner for Public Appointments. She had been re-appointed this year for a further three years and diversity had been added to her remit. The approach in Wales towards public appointments was strategic and significantly different from the rest of the UK.
2. The Commissioner accepted that there was further work to be done to discover what motivated people to take up public appointments. The Commissioner outlined the work that had already been undertaken:
 - Plans had been developed, in conjunction with the Cabinet Office, to encourage under represented groups to apply for public appointments. Remunerated apprenticeship schemes were being developed to enable individuals to experience the work of boards. This would also help to increase the diversity of boards. These schemes would be piloted in two government departments and in the English regions.
 - A work-shadowing scheme was launched in November 2000 to enable interested people to observe the work of a board and to shadow non-executive directors. The scheme received positive feedback and gave people a useful insight into the role of a board. Around one-third of those involved in the scheme applied for a public appointment and approximately one-third of these applicants were appointed. The Women's National Commission and the Cabinet Office were now taking the scheme forward.
 - The Scottish Executive had arranged outreach events throughout Scotland to encourage women to apply for a public appointment. The Scottish Executive had also adopted a centralised approach to the appointments process to ensure consistency and to allow staff involved in the process to build up experience and expertise.
 - The Commissioner held regular engagements with a wide range of groups and

organisations and was working with the Women's National Commission and the Women and Equality Unit on outreach events to encourage more women to apply for appointments. Various other events were also in the pipeline including working with trade unions and employers to encourage a younger generation to participate in the appointments process.

- The Commissioner was a member of a working group on diversity and public appointments which had been established by the Cabinet Office Minister to examine radical ideas designed to change the current appointments process.
- The Commissioner had developed a mentoring initiative in conjunction with the Women's National Commission.

1. The following points were raised in discussion:

- It was important that disabled people were encouraged to apply for public appointments. The Commissioner had discussed this issue with the Chair of the Disability Rights Commission, Bert Massie, and noted that there was some concern amongst disabled people that they could lose disability benefit if they received remuneration as a public appointee.
- The committee recognised the financial and time commitment problems associated with self-employed people becoming public appointees. It was often the case that only those who could afford to take on a public service role did so.
- In order to encourage people from all sections of society to apply to become a public appointee, publicity rather than advertising was required. Local and regional forms of media could publicise the work of public appointees to encourage applications from all sections of society.
- The Commissioner agreed that, as a matter of best practice, candidates who were invited to interview should receive appropriate feedback.
- A list system could be developed to provide a support network for unsuccessful candidates who may be suitable for a future appointment. The Commissioner said that candidates could register an interest in a specific type of post and receive a newsletter outlining appropriate vacancies.
- It would be interesting to map statistics for public appointments to provide accurate data on gender, sexuality, disability and other relevant criteria. Mapping would also highlight any geographical inconsistencies that affected a section of society.
- The Commissioner had worked with the Wales Women National Coalition and with the Assembly's public appointments unit on outreach events.
- The Commissioner's annual report would be published in three weeks and would contain up to date figures for Wales with comparisons to Northern Ireland and Scotland. It would be useful for the Commissioner to return to the committee to discuss the annual report and how the committee could monitor appointments.

Item 7: Lesbian, Gay, Bisexual Forum

1. Derek Walker from LGB Forum Cymru thanked the committee for inviting the Forum to become a standing invitee. The Forum was unique in that it was the only government sponsored gay and lesbian organisation in the UK.
2. Due to time constraints, the Chair asked the Forum to make a broader presentation on its work at a meeting in the autumn term. The committee requested a paper on the work of the Forum to accompany the presentation (**action point**).

Item 8: Human Rights

Paper: EOC 05-02(p6)

1. The Chair introduced the paper which followed on from the Assembly Review of Procedure's recommendation that the committee reconsider the proposal to extend its remit to include human rights. The Chair said that the paper was especially relevant as the recent changes to ministerial responsibilities meant that he had responsibility for equality of opportunity and human rights.
2. The following points were raised in discussion:
 - The committee had already explored this issue in depth and concluded that its remit should not be extended to include human rights.
 - The committee had an absolute duty to promote equality whilst human rights was about ensuring that individuals complied with legislation.
 - The additional workload that would be created by extending the remit could overwhelm the committee.
 - The committee agreed that an effective mechanism for scrutinising how the Assembly and the Assembly Government complied with human rights legislation was necessary, but that this committee was not the best forum.
 - As a crosscutting issue, human rights affected the work of all Assembly committees and there was no requirement to have a committee devoted to the subject.
 - The committee recognised the value of joining human rights to the equality agenda in the context of informing the work of the committee rather than driving it.
 - The committee agreed that the proposal to extend the remit to include human rights should be rejected and the Chair said that the committee could review the situation as necessary.

Item 9: Minutes of the previous meeting

Paper: EOC 04-02(min)

1. The minutes of the previous meeting were agreed.
2. The Clerk updated the committee on the current position of the Gypsy-Traveller review. The Liaison Advisor was currently putting together a programme of visits for the committee, which may include visits over the summer recess and a visit to examine the

problems Gypsy-Travellers encounter at the Royal Welsh Show. Work was also in progress on a reading list and a possible seminar in the autumn with representatives from local authorities and interested organisations.

Item 10: Paper to note

Paper: EOC 05-02(p7)

1. The committee noted the paper and agreed to invite the Disability Rights Commission to discuss local government performance indicators in more detail at a meeting in the autumn term (**action point**).
2. Members noted that this would be the Clerk's last committee meeting. The committee thanked the Clerk, Howell Rees, for the work that he had accomplished.
3. The meeting closed at 12.40pm