

# Consultation Response Form

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## Question 1

The key terms defined in this section are:

- Decisions of a strategic nature
- Inequalities of outcome
- Socio-economic disadvantage

**Q1A – Do you agree the above definitions of these terms are reasonable, easily understandable and should be included within the Welsh Government’s forthcoming guidance on the socio-economic duty?**

- **Decisions of a strategic nature**

This definition is clear.

- **Inequalities of outcome**

This definition is clear. We support emphasise of not creating unnecessary bureaucratic burden and duplication and the duty being embedded alongside existing working practices. We support the decision to extend the pay difference indicator to cover other population groups, which we take to mean gender pay gap data will be gathered alongside data such as the people with disabilities pay gap and the Black, Asian and Minority Ethnic pay gap (though we would direct you to Chwarae Teg’s research on the BAME employment gap (see Dr Hade Turkmen’s report ‘Triple Glazed Ceiling: Barriers to Black, Asian and Minority Ethnic (BAME) Women participating in the economy’) to appreciate that the BAME population of Wales is not one homogenous group. Nor, of course, is the population of those with disabilities or women/girls in the gender pay gap. disability and ethnicity pay gaps should also be disaggregated by gender.

- **Socio-economic disadvantage**

As part of the Gender Equality Review, in Deeds Not Words Chwarae Teg calls for alignment with the Scottish Government’s definition of socio-economic disadvantage – while it is not clear from the consultation text, the proposed Welsh Government definition is aligned to that of the Scottish Government.

We are, however, concerned that within the consultation document itself it is stated that “We also accept that it will difficult to collect data and management information that will allow public bodies to report directly against the definition we have proposed in Section 1.” (p17)

**Q1B – Do you agree with this definition of a ‘strategic decision’?**

*“Decisions which set the organisations’ overall priorities, strategies and key policies, targets, broad approaches, and expenditure concerning the delivery of its business.”*

**If you do not agree with either of these definitions please can you provide an alternative?**

WEN Wales is concerned that the definition of ‘strategic decision-making’ is not clearly defined. It is not explicit whether this would apply only to developing the corporate plan, or far more broadly apply to all decisions with impact on people’s lives. We favour the broader definition, as it has the potential to positively affect more women’s lives in Wales.

**Q1C – Do you agree with the proposed approach to help define inequalities of outcome?**

We are pleased to see an emphasis of inequalities of outcome, rather than opportunity as this is language used throughout the Gender Equality review. We hope that the approach and definition of inequalities of outcome will be the same across Welsh Government’s work, including the commencement of the socio-economic duty as well as the delivery of the Gender Equality Review recommendations.

**Q1D – Do you agree with this definition of Socio-economic disadvantage?**

*“living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services. Socio-economic disadvantage can be experienced in both places and communities of interest, leading to further negative outcomes such as social exclusion.”*

**If you do not agree with this definition are you able to provide an alternative?**

This definition aligns with the Scottish Government interim definition, as recommended in the Gender Equality Review ‘Deeds Not Words’<sup>1</sup> report. We support this recommendation.

However, we would urge the Welsh Government to read Scottish equalities organisation’s response to their consultation – including input by WEN Wales’ sister organisation in Scotland, Engender, to better understand concerns raised by the Scottish equalities sector around Scottish Government’s plans in this area: <https://www.engender.org.uk/content/publications/Equality-sector-response-to-the-Scottish-Government-consultation-on-Socioeconomic-Duty-September-2017.pdf>

**Question 2**

**Q2A – Based on the test in section 2(6) and list of Welsh public bodies we consider meet the test, do you agree the socio-economic duty should apply to all the bodies listed? Please specify any bodies not listed which you consider meet the above test and should be included together with any reasons for doing so.**

<sup>1</sup> <https://chwarateg.com/wp-content/uploads/2019/09/Deeds-Not-Word-full-report.pdf>

Agree

**Q2B – Based on the list of eligible Welsh public bodies, please specify any of the listed bodies you think the duty should not apply to, and provide an explanation why a particular authority should be exempt.**

N/A

### **Question 3**

Section 3 sets out initial thinking about the kinds of steps public authorities could take to show they are meeting the duty.

**Q3A – What other actions or additional steps could public bodies take to demonstrate they are meeting the duty? Do you have any other comments on the steps set out in Section 3?**

N/A

**Q3B – Can you offer any suggestions on how public bodies could improve analysis and reporting to take better account of inequalities related to socio-economic disadvantage?**

N/A

### **Question 4**

Section 4 explores the links between the Socio-Economic Duty, and other duties public bodies must carry out.

**Q4A - What could the Welsh Government and separately relevant public bodies do to make sure the links between the different duties are managed effectively within organisations?**

N/A

**Q4B - Please can you provide any examples which you have either seen or undertaken of good practice in taking an integrated approach to issues such as, but not limited to, poverty, equality, and human rights.**

N/A

### **Question 5**

**Q5A - Do you agree with our assessment of the likely impacts of the Duty?**

N/A

**Q5B - Do you have any additional/alternative data to help inform the final assessment of costs and benefits contained within the Regulatory Impact Assessment?**

N/A

### **Question 6**

We would like to know your views on the effects that *commencing the socio-economic duty* would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

N/A

### **Question 7**

Please also explain how you believe the proposal to *commence the socio-economic duty* could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

N/A

### **Question 8**

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

WEN Wales is pleased that the Welsh Government is commencing the socio-economic duty. As a human right's organisation working to achieve a Wales free from gender discrimination where all women and men have equal authority and opportunity to shape society and their own lives. The socio-economic duty could be a significant tool in reducing poverty in Wales. The Equality Act 2010 socio-economic duty has been devolved to Welsh Ministers under the Government of Wales Acts and provides an opportunity to alleviate some of the economic uncertainties surrounding 'Brexit' and WEN Wales has recommended its commencement in the Wales Shadow report for the United Nation's Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).<sup>2</sup>

In the Gender Equality Review report *Deeds Not Words*, Chwarae Teg examined how Welsh Government could strengthen our Welsh legislative framework, and looked specifically at the socio-economic duty (see pp.29-30;33). Relating to improving outcome through the Socio-Economic Duty and the Welsh Specific Equality Duty, the report states:

*"The question of future proofing is also important to alignment. Work carried out during both phases of the Review suggest that insufficient thought was given to alignment when the WSED, WFG Act and VAWDASV Act were being developed, to ensure there was no duplication of actions and to avoid confusion among those bodies required to meet new duties. This mistake must be avoided as we move towards implementation of the socioeconomic duty, revision of the WSED and potential incorporation of human rights conventions."<sup>3</sup>*

WEN Wales appreciates the Welsh Government aims to think carefully about the alignment of Welsh legislation, the potential incorporation of human rights conventions (including CEDAW), as well as the commencement of the socio-economic duty. We hope that this work can advance the equalities agenda of the women's sector and other equalities organisation and that it can be a tool for achieving a More Equal Wales, aligned to the aims of the Wellbeing of Future Generations (Wales) Act 2015.

**For more on the gendered nature of poverty, see Chwarae Teg's new research 'Trapped: Poverty amongst women in Wales today'.**

### **Returning this form**

The closing date for replies is **17 January 2020**

<sup>2</sup> <https://wenwales.org.uk/wp-content/uploads/Wales-UN-CEDAW-shadow-report-UK-Jan-2019-WEN-Wales-1.pdf>

<sup>3</sup> <https://chwaraeteg.com/wp-content/uploads/2019/09/Deeds-Not-Word-full-report.pdf>

Please send this completed form by email to

[Socio-EconomicDuty@gov.wales](mailto:Socio-EconomicDuty@gov.wales)

If you are sending your response by email, please mark the subject of your e-mail: **Consultation on the Socio-Economic Duty**

***Publication of responses***

*Responses to consultations may be made public – on the internet or in a report. Normally the name and address (or part of the address) of its author will be published along with the response, as this helps to show the consultation exercise was carried out properly.*

Responses to consultations are likely to be made public, on the internet or in a report.

If you would prefer your response to remain anonymous, please tick here: