



## PUBLIC SERVICES BOARD – DATE 25<sup>TH</sup> MARCH 2021

**SUBJECT:                   EQUALITY ACT 2010- SOCIO-ECONOMIC DUTY AND PARTNERSHIP WORKING**

**REPORT BY:               KATHRYN PETERS- CORPORATE POLICY MANAGER, CCBC (PSB COORDINATOR)**

### 1.       **PURPOSE OF REPORT**

- 1.1       To update the Caerphilly PSB on the commencement of Part 1 of the Equality Act 2010 in Wales, that is, the new socio-economic duty and its application to public bodies working in partnership.
- 1.2       To notify the PSB that support officers will develop a new impact assessment process encompassing the new duty and the Future Generations Commissioners framework for projects, which follows the Well-being of Future Generations Act 2015.

### 2.       **SUMMARY**

- 2.1       Part 1 of the 2010 Equality Act is already in force in Scotland. Welsh Government have followed and determined to bring it into play from the 31<sup>st</sup> March. It is a new public sector duty that defines that when relevant bodies are making decisions around priorities and setting objectives they must consider how those decisions might help reduce the inequalities associated with socio-economic disadvantage.
- 2.2       The overall aim of the duty is to deliver better outcomes for those who experience socio-economic disadvantage through ensuring that those taking strategic decisions:
  - Take account of evidence and potential impact
  - Though consultation and engagement
  - Understand the views and needs of those impacted by the decision, particularly those that suffer economic disadvantage
  - Welcome challenge and scrutiny
  - Drive a change in the way that decisions are made and the way that decision makers operate
- 2.3       The Welsh commencement legislation brings Part 1 of the Act into being for relevant bodies and Welsh guidance encourages bodies working in partnership to abide by the duty.

### 3. LINKS TO STRATEGY AND LEGISLATION

3.1 While the PSB as a body is not caught by legislation such as the Welsh Language Standards and the Equality Act it has taken the decision to abide by these laws as far as is possible, albeit with no planning or reporting duties.

3.2 This new part of the Equality Act will apply to strategic decisions. There is no planning or reporting requirement for the PSB under the new part of the Act but the guidance states that:

***When a relevant body works in partnership with bodies not covered by the duty, the duty only applies to the relevant body.***

***For example, local well-being plans are developed and owned by a range of partners, however those relevant public bodies subject to the duty should ensure that they are discharging their duty through consideration of how the elements of the plan they have responsibility for will reduce inequalities of outcome caused by socio-economic disadvantage***

***All public bodies in Wales are encouraged support the spirit of the duty.***

The PSB is encouraged to comply with the spirit of the legislation and to do so will need to be able to demonstrate that it has had 'due regard' of the socio-economic duty when setting any objectives and determining its strategic direction from the 1<sup>st</sup> of April 2021 onwards.

3.3 The new duty applies to:

Welsh Ministers  
Local Authorities  
Local Health Boards  
NHS Trusts  
Special Health Authorities  
Fire and Rescue Authorities  
National Park Authorities  
Welsh Revenue Authority

### 4. THE REPORT

4.1 The PSB already carries out an assessment of its proposed actions and delivery plans under the Future Generations Commissioner's Framework for Projects and uses this framework to meet its duties to maximise its contribution to the well-being goals for Wales and employ the sustainable development principle in its activities. This includes its contribution to, 'A More Equal Wales'.

4.2 The socio-economic duty extends, through its guidance, the sorts of issues that should be assessed when considering the effect on people and communities suffering socio-economic disadvantage to improve the inequality of their outcomes. Socio-economic disadvantage includes such considerations as:

Education  
Work  
Living Standards  
Health  
Justice and Personal Security  
Participation

- 4.3 To assist the PSB in demonstrating it's 'due regard' the proposal is to update the current 'Framework for Projects' assessment to include socio-economic considerations so that these are factored into any strategic decisions.

#### 4.3 **Conclusion**

Developing a new impact assessment framework will help the PSB to demonstrate that it is complying with the spirit of the legislation and for those relevant bodies caught by the Act when taking responsibility for delivering particular elements of the Caerphilly We Want well-being plan.

### **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 Developing a new impact assessment process will help the PSB contribute to the national well-being goals; a more prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and Welsh language, a globally responsible Wales.

### **6. IMPACT ASSESSMENT**

- 6.1 The new socio-economic duty brought into force by the commencement of Part 1 of the Equality Act 2010. The new duty applies to public body partners in Wales with and encouragement for those bodies to apply the duty when working in partnership.

### **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications

### **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications

### **9. CONSULTATIONS**

- 9.1 There are no relevant consultations

### **10. RECOMMENDATIONS**

- 10.1 Revise the current 'Framework for Projects' assessment to include the new socio-economic duty.

### **12. STATUTORY POWER**

- 12.1 - Part 1 of the Equality Act 2010  
- The Equality Act 2010 (Commencement No.15) (Wales) Order 2021

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