



Equality

Legislative framework

Equality and discrimination legislation is, generally speaking, a non-devolved area. The legal framework is provided by a **range of primary legislation** including:

- The Equal Pay Act 1970;
- The Sex Discrimination Act 1975;
- The Race Relations Act 1976;
- The Disability Discrimination Act 1995;
- The Employment Equality (Religion or Belief) Regulations 2003;
- The Employment Equality (Sexual Orientation) Regulations 2003;
- The Employment Equality (Age) Regulations 2006;
- The Equality Act 2006, Part 2;
- The Equality Act (Sexual Orientation) Regulations 2007.

A range of **European Directives** also contribute to the legal framework.

The **Equality and Human Rights Commission** (EHRC) is a non-departmental public body which was established by the *Equality Act 2006*. On 1 October 2007, the EHRC took on the role and functions of the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and the Equal Opportunities Commission (EOC), and new responsibilities for sexual orientation, age, religion and belief, and human rights. The EHRC in Wales aims to ensure that GB policy-making reflects the needs of Wales and is responsible for the delivery of a programme of work in Wales.

The *Equality Bill*, which had its first reading on 24 April 2009, covers England and Wales. This extensive Bill has two main purposes – to harmonise discrimination law, and to strengthen the law to support progress towards equality.

A **uniquely Welsh** aspect of equality legislation is provided by the *Government of Wales Act 2006* which imposes duties on Welsh Ministers, the National Assembly for Wales and the Assembly Commission:

Section 77 (1) of the *Government of Wales Act 2006* requires Welsh Ministers to:

‘make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people’

Section 35(2) and Paragraph 8(1) of Schedule 2 to the Act make similar requirements of the National Assembly for Wales and the Assembly Commission.

Welsh Government Policy

Single Equality Scheme

The Welsh government has published a **Single Equality Scheme** which is a three year strategy running from 31 March 2009 until 31 March 2012. The scheme builds on the three former equality schemes for gender, race and disability. It also focuses on the additional strands of religion and belief and non belief, age, sexual orientation and transgender issues.

One Wales

The *One Wales* document, which sets out the agreed programme for government between the Labour and Plaid Cymru groups in the Assembly, makes a number of commitments relating to equality of opportunity, most of which fall under the section on “A Fair and Just Society”. The *One Wales Delivery Plan 2007-11* provides an overview of how and when each commitment will be delivered, including key delivery milestones. However, it is important to bear in mind that the equality agenda is much broader than the section on promoting equality.

Action Planning and Outcome Monitoring

It is difficult to directly attribute outcomes to legislation or policy. However, many public bodies subject to equality legislation, including the Welsh government, publish regular reports setting out the actions they have taken to fulfil their duties. Focus on the actual equality outcomes attributed to action taken is variable.

The Welsh government published its [Ninth Annual Report on Equality 2008 – 2009](#) earlier this year. Previous Welsh government equality progress reports are available via their [Equality and Diversity website](#).

The [Welsh Ministers’ report: implementation of the Disability Equality Duty](#) was published on 1 December 2008. This report provides an overview of the progress made by public authorities across Wales towards equality of opportunity for disabled persons.

The Assembly Commission’s [Equality Scheme 2008-2011](#) sets out the ways in which the Commission intend to meet their statutory equality duties.

The Assembly’s Equality of Opportunity Committee regularly invites Brian Gibbons, the Minister for Social Justice and Local Government (who is also the equalities Minister) and other members of the Welsh government to Committee in order to scrutinise them on various aspects of their performance in promoting equality.

Useful links

- Welsh Government’s [Equality and Diversity WebPages](#)
- Welsh Government [equality statistics](#) for Wales
- The [Equality and Human Rights Commission](#) in Wales
- Equality and Human Rights Commission / Bevan Foundation [Equality issues in Wales: a research review](#), 10 March 2009
- The [website of the Leader of the House of Commons](#) provides a useful overview of the provisions and progress of the Equality Bill.
- The Assembly’s [Equality of Opportunity Committee website](#)
- Welsh Assembly Government, [One Wales – A progressive agenda for the government of Wales](#) An agreement between the Labour and Plaid Cymru Groups in the National Assembly.
- Welsh Assembly Government, [One Wales Delivery Plan 2007-11](#)

Further information

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