

Appendix 1

Audit Wales

Equality Impact Assessments: more than a tick box exercise?

Recommendation 1 (Welsh Government)

Clarifying the scope of the duty to impact assess policies and practices.

There is scope for confusion about which type of policies and practices must be subject to an assessment for their impact on the Public Sector Equality Duty (PSED). The Welsh Government should clarify its interpretation of the duty, including whether and how it expects public bodies to apply any test of proportionality and relevance.

Recommendation 2 (Welsh Government)

Building a picture of what good integrated impact assessment looks like.

Many public bodies carry out integrated impact assessments that include consideration of the PSED alongside other duties. However, practice is inconsistent and often involved collating multiple assessments in one place, rather than being truly integrated, to help maximise the intended benefits of integrated impact assessments. The Welsh Government should work with key stakeholders with an interest in the areas commonly covered by integrated impact assessments and those with lived experiences, to share learning and work towards a shared understanding of what good looks like for an integrated impact assessment.

Recommendation 3 (Welsh Government)

Applying the equality duties to collaborative public bodies and partnerships.

The public sector landscape has changed since the introduction of the PSED and the Welsh specific duties, with an increasing focus on collaborative planning and delivery. The Welsh Government should review whether it needs to update the Wales specific regulations to cover a wider range of collaborative and partnership arrangements. These include public services boards, regional partnership boards and other service specific partnerships.

Recommendation 4 (Public Bodies)

Reviewing public bodies' current approach for conducting EIAs.

While there are examples of good practice related to distinct stages of the EIA process, all public bodies have lessons to learn about their overall approach. Public bodies should review their overall approach to EIAs considering the findings of this report and the detailed guidance available from the Equality and Human Rights Commission (EHRC) and the Practice Hub. We recognise that developments in response to our other recommendations and the Welsh Government's review of the

PSED Wales specific regulations may have implications for current guidance in due course.

Response: This recommendation has been considered and we agree to this. We are reviewing the approach to completing EIAs through a pilot project with Manchester University, which is due to be completed in 2024. The guidance from the EHRC and the Practice Hub is provided to our employees and available on the Infonet.

Key Improvement Areas

Area 1: Greater clarity over which type of policies and practices must be impact assessed.

Response: This has been considered and we agree with the recommendation. We would appreciate greater clarity from Welsh Government and will implement their guidance when available.

Area 2: Greater clarity about the arrangements for assessing the impact of collaborative policies and practices.

Response: This has been considered and we agree with the recommendations. There is currently no defined process for assessing the impact of collaborative policies and practices and guidance from Welsh Government is welcomed. Locally, in North Wales public bodies have worked together to produce a Tool to assess the impact of collaborative policies.

Area 3: Greater clarity about expectations to consider the Public Sector Equality Duty as part of an integrated impact assessment.

Response: This has been considered and we agree with the recommendation. We have already brought together the statutory impact assessments into one Integrated Impact Assessment (IIA) tool. We would welcome further guidance from Welsh Government.

Area 4: Better and more timely identification of the practical impacts of decisions on people and how different protected characteristics intersect.

Response: We have considered this recommendation and agree with it. We have been piloting an IIA Tool with Manchester University. More training and support will be available for IIA authors, which should lead to more timely identification of impacts. There needs to be more guidance and support on how to deal with intersectionality from the Equality and Human Rights Commission and Welsh Government.

Area 5: More engagement and involvement of people with protected characteristics

Response: We have considered this recommendation and agree with it. We are currently working with the Regional Community Cohesion Team and with the North Wales Public Sector Equality Officer's Network to look at how we can improve engagement with people with protected characteristics.

Area 6: Better monitoring of the actual impacts of policies and practices on people.

Response: We have considered this recommendation and agree with it. As Audit Wales have identified very few organisations do this. Further guidance and support is needed from Welsh Government.

Area 7: A shift in the mindsets and cultures to move EIA away from being seen as an add-on 'tick box' exercise.

Response: This has been considered and we agree with the recommendation. The Tool used by the Council provides IIA authors the opportunity to record the data, research and consultation outcomes that will impact on equality and cohesion.