**Minutes of the Fifty Second Meeting of the Wales Committee**

**Equality and Human Rights Commission**

**Thursday 30 April 2020  
By weblink**

**Attending:**

Alison Parken (Interim Chair)   
Geraint Hopkins (Items 1-7)  
Grace Quantock (Items 6 onwards)  
Mark Sykes  
Martyn Jones  
Nicola Williams  
Rocio Cifuentes

**EHRC**  
Melanie Field (Executive Director, Wales & Corporate Strategy and Policy)  
Ruth Coombs (Head of Wales)   
Geraint Rees (Senior Associate, Wales)

# Welcome and introductions

* 1. The Chair welcomed members and officers to the fifty second meeting of the Wales Committee. Apologies were received from Faith Walker.

# Declarations of interest

* 1. No declarations were made.

# Minutes of February Meeting and note of the additional meeting (EHRC WC 52.01 & 52.01a)

* 1. The Committee agreed the minutes of both the 26 February meeting and the additional meeting on 22 April.

# Current matters arising (EHRC WC 52.02)

* 1. The Committee noted the matters arising paper. In relation to Action B 49.3.2(1) Committee members Geraint Hopkins and Mark Sykes volunteered to take part in providing feedback to the website refresh.
  2. In reference to the workshop at the previous meeting relating to the future of human rights, the Committee had requested officers pull together our previous and current legal advice and policy lines on safeguarding equality and human rights legislative framework in Wales. This will follow by document and be discussed at future meeting

**Action A: Collate legal advice and policy lines on safeguarding equality and human rights legislative framework in Wales.**

# Feedback from Committee members on the impact of Coronavirus on groups in Wales

* 1. The Committee discussed the work groups established by Welsh Government such as the Coronavirus Moral and Ethical Advisory Group (CMEAG and the group looking into the disproportionate impact of the pandemic on BAME people. The Committee were concerned that the BAME group was too focussed on medical and health impacts and weren’t giving sufficient weight to the wider determinants of health e.g. socio-economic disadvantage. The Committee suggested the Commission write to the Chair of the impact on BAME people group and seek an invitation and advice on broadening their focus. The Committee noted that the Commission had already written to Public Health England and NHS England raising similar points. Members noted that the Commission.

**Action B: Consider writing to the Chair of the working group looking into the impact of Coronavirus on BAME communities highlighting the need to take a broad view of the impacts of the pandemic and seek an invitation to the group.**

* 1. Members noted the absence of the language of the Social model of disability in much of the response to the pandemic. The Commission should consider raising this with Welsh Government.

**Action C: Consider writing the Welsh Government to remind them of the importance of the social model of disability and their commitment to embedding it throughout their policy making.**

* 1. The Chair requested that Committee members share any intelligence on the impact of the Coronavirus pandemic on protected groups as they emerge with the Wales Team.

**Action D: Members to feed in intelligence on the impact of the coronavirus on protected groups to the Wales Team.**

# Update from the Interim Chair (EHRC WC 52.03)

* 1. The Committee noted as the report from the Interim Chair.

# Update from Head of Wales (EHRC WC 52.04)

* 1. The Committee noted the report from the Head of Wales.

# Update from the Executive Director (EHRC WC 52.05)

* 1. The Committee noted the Coronavirus Highlight report. Members were informed that the Commission had established an internal Covid-19 steering group which the Head of Wales sits on and any intelligence the Committee shares with the team can be received by that group.
  2. The Executive Director updated the Wales Committee on the Board discussion on the Commission’s Coronavirus response and strategy. The Executive Director noted the Wales Committee’s helpful input from its additional meeting on 22 April, which had helped to inform the Board discussion. Members received an update on the themes on which the Board had asked the officers to focus. These included understanding the impact on BAME communities; the impact in Care homes and sector, the ethical use of DNRs; the increase in Domestic Abuse. Members were informed that the Commission had a protected characteristic framework for capturing and responding to the pandemic. The Board requested that the Commission be more prominent in public debate and discourse on the impact of the pandemic. Members were informed that the Commission had set up a new web page to highlight its work and actions in relation to the pandemic. The Committee welcomed recent positive increases in Commission communications on the equalities and human rights implications of the pandemic.
  3. The Committee were updated on some of the actions that the Commission had undertaken including forthcoming guidance for employers reminding them of their legal responsibilities towards their employees during the coronavirus pandemic; responses to parliamentary inquiries and capturing the evidence and longer-term impact of the pandemic through Is Britain Fairer? Members enquired about the plans to disseminate the guidance to employers and were informed that the Commission was working in partnership with a number of organisations including unions, CBI, Chambers of Commerce and ACAS, which would ensure a wide cascade.
  4. The Committee noted that the Commission’s engagement with OfQual about the need to consider equality issues when awarding of grades for GCSEs and A Levels. Members asked whether the Commission in Wales was engaging similarly with Qualifications Wales (QW). Members were informed that the Commission had written to QW to remind them of their obligations in relation to consider equality and Equality Impact Assessment their policies. The Commission received a positive response from QW and would be following up by responding to its forthcoming consultation on the awarding of grades.
  5. The Committee discussed concerns around privacy and information management about any potential contact tracing app. Members were informed that the Commission had been raising concerns with the NHS.
  6. The Committee were updated that the investigations into the Labour Party and BBC remained on track. Members were informed that the Commission planned to launch a S31 assessment on the Hostile Environment policies. The Commission was engaging with the Home Office on the Terms of Reference for the assessment. The Committee were informed that the Social Security inquiry was delayed and officers were reviewing the shape of that inquiry.

# Revised Wales Activity Plan (EHRC WC 52.06)

* 1. The Committee received a paper which outlined at a high level the revised Wales Activity Plan 2020/21 in light of the Coronavirus pandemic. The revised plan had been developed with a view on staff capacity. Members were informed that the Wales Team had identified protected characteristic leads and these would be circulated to the Committee.

**Action E: Circulate list of Wales protected characteristic leads to the Wales Committee**

* 1. The Committee were informed that the work on advising the Welsh Government on the implementation of the socio-economic duty remained and important piece of work for the Commission.
  2. Members commented that it was important to capture the significant work that the team would be undertaking in responding to a number of Assembly and other Coronavirus inquiries. Members enquired about the impact on the Human Rights Monitoring programme and Is Wales Fairer? Members were informed that the timetable for the UN Convention on the elimination of racial discrimination had been delayed. Members noted a risk in relation the delivery of Is Wales Fairer? in the absence of a Research Manager being appointed during a pause on recruitment.
  3. The Committee suggested the Commission submit a response to the revised Welsh Government consultation on the framework for regional investment in Wales.

**Action F: Consider submitting response to the revised consultation on the framework for regional investment in Wales.**

* 1. The Committee were content with the revisions to the Wales Activity Plan whilst recognising there was a significant amount of activity planned.

# End of year impact report 2019/20 (EHRC WC 52.07)

* 1. The Committee received the end of year impact report for 2019/20. Members were informed that one area of work that was not completed was the Transfer of Expertise courses. Members were informed that although the courses had begun the outbreak of the pandemic and government guidance led to the cancellation of remaining courses. This contributed to the overall underspend on the Wales budget.
  2. The Committee were informed that work in the Institutions priority remained as rated amber but that officers were confident it would be re-rated as green once staff capacity issues were addressed. Members were informed that the focus of the Institutions work would be responding to the pandemic. The Committee noted and discussed with concern the apparent disproportionate impact of coronavirus in Welsh prisons. Members highlighted the Commission’s work on the Commission of Justice and its recommendations which highlighted the higher representation of BAME people in Welsh prisons in comparison to the UK figures.
  3. Members highlighted the impressive engagement exercise on the Public Sector Equality Duty. They requested an analysis of the Strategic Equality Plan objectives that are published so far.

**Action G: Provide the Committee with an analysis of the Strategic Equality Objectives set so far by Welsh public bodies.**

* 1. Members suggestedthat going forward the impact report (reference to Annex A) include an additional column that highlighted the impact achieved.

**Action H: Additional information on impact of the work in Wales to be added to this report and recirculate**

* 1. The Committee commented that the report demonstrated really impressive work by the team and asked that their congratulations and thanks be communicated to the team.

# Draft Wales Committee Governance report (EHRC WC 52.08)

* 1. The Committee received a draft of a report of its activities for the previous financial year to be submitted to the Board by June. Members noted that this was the first report of its kind to be submitted to the Board and commented that they were pleased to see this and commented it was good practice in terms of governance to review its activities and effectiveness
  2. The Committee noted improvements in governance and the implementation of recommendations from a recent review of the statutory committees. Members requested that there be greater emphasis on the engagement between the Board and Statutory Committees with a focus on the advice provided by the Committee. Additionally that reference be made to the engagement activity supported by the Committee on the socio-economic duty. Members discussed the value of members observing Board meetings. Members were informed to make requests to attend Board meetings via the Interim Chair.

**Action I: Revisions to be made to the report ahead of submission to the Board**

* 1. The Committee discussed reviewing how it does stakeholder engagement in particular consideration of the model for Committee dinners to bring together new audiences.

**Action J: Review model of stakeholder engagement events to bring together new audiences.**

* 1. The Committee asked that the team consider some virtual stakeholder engagement that the Committee could usefully undertake around its next meetings to support the work of the team.

**Action K: Consider feasibility of a virtual Committee engagement event around forthcoming meetings.**

# Any other business

* 1. The Committee requested that the Head of Wales provide the Committee with regular updates on the activities of the Wales Team in response to the pandemic.

**Action L: Head of Wales to provide the Wales Committee with regular updates of Coronavirus related activity and work by the Commission in Wales.**

* 1. The Interim Chair passed on a request from a Committee member for more engagement between priority aim staff leads and the members allocated to their aim. The Interim Chair asked that the team consider that priority aim leads be invited to the July meeting.

**Action M: Organise engagement between priority aim leads and relevant Committee members**

* 1. The Committee were informed that they would shortly (in June) be requested to update their declarations of interest and other governance related records. Members were asked to return the completed forms to the Committee secretariat.

**Action N: Committee members update governance records e.g. Declarations of interest**

**Meeting closed**