

## Agenda Item No. 9

### WEST MIDLANDS REGIONAL ASSEMBLY Board of Directors – Friday, 2<sup>nd</sup> June 2006

#### Equality & Diversity: Proposed Structure for the Regional Presence of the Commission for Equality and Human Rights

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##### 1. Purpose

To obtain the approval of Board Members to the regional response in relation to the proposed structure of the regional presence of the new Commission for Equality and Human Rights.

##### 2. Recommendation

That Board Members agree to the proposal to be submitted to DCLG that the regional presence of the new Commission should:

- a) be a small strategic body working through regional organisations and networks;
- b) work closely with the Equality and Diversity Partnership;
- c) have a member of the Commission sitting on the Partnership;
- d) subject to feasibility, preferably be located with the Regional Assembly; and share corporate services/facilities (all services should be subject to funding being received from the Commission).

##### 3. Background

The Government has stated its commitment to a comprehensive programme of reform that goes beyond tackling individual instances of discrimination, to create a new framework to challenge persistent patterns of discrimination and inequality, and promote and protect diversity, good relations (both between and within communities) and human rights. This programme has three elements:

- The new **Commission for Equality and Human Rights** established by the Equality Act 2006;
- **The Equalities Review**, chaired by Trevor Philips, which is examining the root causes of persistent patterns of inequality and how they can be tackled. The interim report has been published and a consultation event is to be held in Birmingham on 1<sup>st</sup> June at which Roger McKenzie, a member of the Equality and Diversity Partnership, will be a guest speaker; and
- The **Discrimination Law Review**, examining and reviewing the effectiveness of current anti-discrimination legislation with a view to streamlining and simplifying it so that rights and responsibilities are clearer, and hence more effective – both for business and individuals. The work of the two reviews will lead to a new Single Equality Act in this Parliament bringing together legislation on discrimination into one place to tackle inequality at its roots.

The Equality Act 2006 makes provision for the establishment of the Commission for Equality and Human Rights (Commission). The Commission will be made up of the Disability Rights Commission (DRC), the Equal Opportunities Commission

(EOC) and the Commission for Racial Equality (CRE) and will also tackle discrimination in relation to sexual orientation, age, and religion or belief. The Commission will have a presence in each of the nine regions of England as well as Scotland and Wales.

The new Commission will inherit all the powers of the previous Commissions, as well as acquiring new powers. It will be able to:

- Provide information, advice and assistance on equality and diversity, human rights and good relations issues across the board;
- Issue guidance and good practice that will help employers and service providers in the private and public sectors, voluntary organisations and trade unions embrace equality and human rights;
- Conduct formal inquiries where there are persistent inequalities, human rights or good relations issues that need highlighting; and formal investigations where there is evidence of unlawful discrimination;
- Give strategic support to individuals with anti-discrimination claims, to intervene where needed, and judicially review decisions that contravene human rights or equality legislation;
- Consult all stakeholders in the formation of its strategic plan, reaching out to all sections of society throughout this new duty;
- Publish a “state of the nation” report every three years showing: where Britain is failing on equality and human rights; desired outcomes to work towards; and benchmarks for progress;
- Monitor all hate-crime including elder abuse and hate-crime against disabled people;
- Establish a regional presence that will address issues relevant to the daily lives of people at the grass-roots level;
- Provide grants to bodies working towards the objectives of the Commission.

The role of the Commission’s regional network is to help to deliver the new Commission’s strategic priorities in a way that is responsive and sensitive to local and regional needs, rather than through a one-size-fits-all or overly-centralised approach. It aims to position the Commission to respond effectively to the increasing regionalisation of public service delivery, and to wider Government policies such as regeneration, economic development and community cohesion.

A report has been prepared by the Equality and Diversity Partnership, looking at the possible ways in which the Commission could be set-up and run within the West Midlands, with particular reference to:

- The Structure of the Commission within the Region
- Costs
- Location
- Partnerships
- Funding
- Human Rights
- Training
- State of the Nation Report
- Rural Issues
- Changing Demographics

The options identified in this report are based on the following work undertaken by, or on behalf, of the West Midlands Regional Assembly:

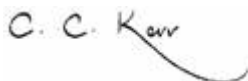
- Strategic Review of Equality and Diversity matters across West Midlands
- Appointment of a Director to take forward the Equality and Diversity issues identified
- Establishment of a Regional Strategic Partnership for Equality and Diversity
- Large cross-region, cross-sector consultation with DTI (now DCLG) on 28<sup>th</sup> April
- Various smaller consultation events with key networks
- Information gathered from the West Midlands Regional Observatory State of the Region Report
- Equalities and Diversity within the West Midlands Region – statistical data report by the West Midlands Regional Observatory

From the information gathered, this report concludes that the Commission in the West Midlands should be a strategic body with a small number of staff, which would commission and fund work through existing West Midlands networks that already provide support in these areas. The regional body would be responsible for promoting good practice both within the region and nationally and would be responsible for ensuring that regional differences within the West Midlands are clearly reflected in the advice and support provided through the national offices of the Commission, which are expected to be based in Manchester and London.

The report also recommends that, subject to the practical feasibility and agreement of WMLGA as landlord, the Commission should preferably be based at the Regional Partnership Centre in Birmingham alongside the West Midlands Regional Assembly. This would enable the shared use of training, advice and admin support as well as building and staff overheads, thereby minimising these costs, whilst still enabling it to work closely with a range of key regional experts and their networks. The Commission will of course, be expected to cover any financial costs incurred by the Assembly on its behalf. The report, however, does not address in depth the strategic direction for the Commission within the region as it was considered too early to do.

## 6. Handling

Subject to approval being given, the report will be submitted to DCLG, which will prepare a UK-wide “options” paper for the new Commission. The new Commission Board is expected to be appointed by Autumn 2006 and it will then decide on which options it will take forward in relation to the regional presence, strategic direction, organisational design and key policy issues. A copy of the report and comments gathered from the regional consultation event on 28<sup>th</sup> April will be placed on the WMRA Equality and Diversity website.



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