



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Strategic Equality Plan Welsh Language Commissioner 2020-2024

Preface by the Commissioner

It is a year since I first started in post as Welsh Language Commissioner. A commitment to treating people fairly is central to the role of a Commissioner. It is important that I provide a service that is easy for everyone to use and provide equal opportunities to all staff. During my first year in the post I went on a tour of Wales, meeting a cross-section of the people we work for. From Gwynedd to Gwent, Pembrokeshire to Shotton, I spoke to over 500 people, in 46 locations.

I take my duties under equality legislation in Wales seriously, both as a public service provider and as an employer. This will be my first strategic equality plan as Commissioner. Although my office published its first equality plan in 2014 and then the second in 2017, equality considerations have always been an integral part of the Commissioner's office day-to-day strategic and business planning.

On the one hand, this Plan enables me to celebrate some of the successes of my office and staff. I can be proud of our efforts to ensure the accessibility of our services and to start collating feedback from some of our users. I greatly value my dedicated staff and ensure that they are given support to increase their awareness of equality and diversity.

In developing this Plan, I looked in detail at my work. Despite inviting my staff and job applicants to share equality data to help me target and improve my work, the response rate to this monitoring process has not been as high as I would have liked. There is also an opportunity for me to improve the way in which I use the equality data collected so that I can better target employment, recruitment and training activities and policies. I also recognise that there is room to target positive action to improve the representation of some groups amongst job applicants and within my workforce. I have set out objectives and actions to address these issues in this plan.

I believe that this plan represents a significant change in my efforts to embed equality considerations into all aspects of my work. I would like to thank all the stakeholders who supported my staff and myself in the development of this plan and particularly the other members of Wales's Public Body Equality Partnership. I look forward to further engagement and co-operation with them and the public as I put my commitments into practice.

Aled Roberts
Welsh Language Commissioner

1 Equality Act 2010

1.1 The Equality Act 2010 protects people with particular characteristics within specific groups as follows:

- Age (in the context of the workplace only)
- Disability (or on the basis of something connected to their disability)
- Gender reassignment
- Marriage and civil partnership (for employment matters)
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation.

General Duty

1.2 The general duty came into force on 5 April 2011 and its aim is to ensure that public authorities and those executing public functions consider how they can make a positive contribution to a fairer society by promoting equality and good relations in their day to day activities.

1.3 Under the general duty public bodies are required to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

1.4 Under the Act, Welsh Ministers have also specified *Public Sector Specific Equality Duties*¹. The specific duties in Wales include:

- Equality objectives
- Strategic Equality Plans
- Engagement
- Impact assessment
- Information about equality
- Information about employment
- Pay difference
- Staff training
- Procurement

¹ The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (OS2011/1064)

- 1.5 This Strategic Equality Plan meets these requirements and the Commissioner will continue to give them due regard in the implementation of the Plan and day to day work.
- 1.6 The Strategic Equality Plan sets out the Commissioner's direction in relation to equality and diversity for the next four years. It also states how the general public sector equality duty is to be met.
- 1.7 There is an action plan linked to the plan which gives direction to the work over the plan period. However it is important to note that some activities from year to year will identify further work to be undertaken under this plan. The Commissioner's annual planning work on his corporate operational plan will also identify areas of work relevant to this plan. As a result, the Commissioner views the action plan as a living document which will be reviewed and updated on an annual basis.
- 1.8 Part 1 of the Equality Act 2010 requires specified public bodies to consider how their strategic decisions might help to reduce socio-economic inequalities – leading, for example, to discrimination in occupation, educational opportunities or residency. This is referred to as the socio-economic duty. The Welsh Government is committed to introducing the socio-economic duty by 1 April 2020.

2 How this Strategic Equality Plan has been developed

Wales Public Bodies Equality Partnership

- 2.1 A number of public bodies were keen to work collaboratively to agree common objectives and to develop a blended approach, including sharing resources, knowledge and expertise. This approach promotes smarter working and enables the partners to broaden their processes of engagement with stakeholders and communities. Uniting behind joint objectives has the potential to influence further collaboration and the sharing of practice, promoting wider impact across the public sector and public services in Wales and contributing significantly to tackling inequalities and the 'prevention agenda'. The joint equality objectives, as well as outcomes and measurement methods are shown in Appendix 2.
- 2.2 In line with the recommendations of the Equality and Human Rights Commission and the Welsh Government, the duty represents an opportunity for public sector bodies in Wales to work together to identify and ensure that they have a shared influence over the challenges identified in the report 'Is Wales fairer?', 2018.
- 2.3 This collaborative work reflects the principles of The Well-being of Future Generations (Wales) Act and will contribute directly to the national well-being goal of 'A more equal Wales'. Throughout the work of the partnership, the sustainable development principle and the five ways of working will be used and evidence of this is recorded. Public bodies involved in the partnership:
 - Velindre University NHS Trust
 - Cardiff and Vale University Health Board
 - Health and Education Improvement Wales
 - Sport Wales
 - Arts Council of Wales
 - Careers Wales
 - Higher Education Funding Council Wales
 - National Museum Wales
 - Natural Resources Wales
 - Welsh Language Commissioner
 - Welsh Revenue Authority
- 2.4 The overall aim of this partnership is to agree and commit to reviewing impact against the shared objectives over the long term and to work together to understand the collective impact by agreeing transparent outcome measures, with each organisation integrating them with their own strategic objectives.
- 2.5 Following a review of existing Strategic Equality Plans, the current landscape and literature, a series of evidence papers were produced by the partnership

with emerging common themes/issues across the sector in terms of:

- Increasing the diversity of the workforce
- Reducing pay gaps
- Community engagement
- Ensuring that procurement informs equality
- Ensuring services reflect individual needs

Engagement and consultation

2.6 The above common themes were developed into long-term, high level equality co-objectives. As part of the development of the Public Sector Equality Groups' Strategic Equality Plan, the partnership commissioned a third sector partner to assist in meaningful engagement and consultation with individuals and groups who share 'protected characteristics' and those who do not. A summary of the engagement and public consultation undertaken by the partnership is set out below:

- Three regional stakeholder events were held, in north, west and south east Wales. They included individuals and groups from all aspects of the protected characteristics
- An online consultation via a third sector partner in conjunction with promotion across the Public Sector Equality Group's networks and internal mechanisms, in the form of a survey
- Individual organisations held internal engagement events and focus groups with their own staff – these figures are not included in this report.

2.7 In order to ensure accessibility, documents were available through the medium of Welsh, easy read versions, British Sign Language and child-friendly versions. In addition, public participants were reimbursed for travel, child care, supply care and any other relevant expenses as required.

2.8 The Commissioner has engaged with and consulted officers to inform the review of the objectives. This Strategic Equality Plan sets out how the Commissioner will continue to ensure that, as an employer, those principles that underpin equality and fairness are put in place. The Plan also sets out how the Commissioner, in implementing his or her powers, will understand and include everyone, regardless of whether or not they have protected characteristics.

3 The Welsh Language Commissioner's Strategic Equality Objectives

Objective 1

The Commissioner will increase the diversity and inclusiveness of the workforce

- 3.1 The Commissioner will reflect a fair and inclusive environment, where all officers can feel valued and have the same opportunities to fulfil their potential within the organisation.
- 3.2 Information on the workforce in relation to the protected characteristics needs to be collated and analysed in order to fulfil specific public sector duties (the Equality Regulations for Wales) and therefore to address any instances of discrimination in the workforce and promote equality of opportunity. The Commissioner has a basic level of knowledge of the protected characteristics of his officers. Gaps in information need to be addressed.
- 3.3 The Commissioner is an organisation that operates internally through the medium of Welsh. There is also a requirement for each officer to have the ability to communicate orally and in writing through the medium of Welsh. The Commissioner will therefore consider this objective in the context of the linguistic requirements of his workforce.

The work of the partnership over the four years:

- 3.4 In conjunction with the Wales Public Bodies Equality Partnership over the period of the plan the Commissioner will contribute to the work of:
 - Standardising data collection processes to enable benchmarking to ensure consistency in data analysis and reporting.
 - Remove barriers and improve recruitment and selection policies, procedures and practices through an equalities lens.
 - Ensure that values and behaviours promote a fair, equitable and inclusive environment throughout the organisation.
 - Develop joint initiatives to target unrepresented groups to increase employability e.g. work experience, mentoring opportunities, apprenticeship, an academy, internships

In 2020/21 the Commissioner will:

- 3.5 consult with his officers on linking the equality data to the human resources system, to enable him to better deliver workforce equality profile reports and identify areas for consideration;
- 3.6 review its analysis of successful job applicants by protected characteristics and publish the analysis, if appropriate.

- 3.7 review the methodology for collecting equalities data from applicants for existing posts and officers to improve the response rate and develop the evidence base.
- 3.8 The findings of the first year's work under this objective will be used to set out actions for subsequent years of the plan. These will be discussed with officers and approved by the Commissioner's Management Team.

Primary responsibility – Senior Human Resources Officer.

Relevant protected characteristics: This objective applies to the nine protected groups.

Objective 2

The Commissioner will address pay gaps

- 3.9 Not all of the Commissioner's officers have shared their equality data in 2018/19. The information presented in this section is based on an assumption of gender identity in order to reflect the entire workforce. As at 31 March 2019, the Commissioner employed 44 officers. 28 of the labour force were assumed to be female. See data on the gender demographics of the directors and officers as at 31 March 2019 in annex 1, there is also information there regarding the gender pay gap of the Commissioner's workforce. This information shows that the gender pay gap of 31 March 2019 to 31 March 2018 has changed in favour of female officers.
- 3.10 As a small organisation the Commissioner is aware that individual recruitment outcomes can lead to major differences. For example the appointment of a male commissioner is going to have a significant impact on the overall gender pay gap.²
- 3.11 The Commissioner is already implementing a range of policies to remove barriers to employment or career progression among staff. There is considerable flexibility for all staff, such as flexible hours, caring holidays and a flexible working policy.
- 3.12 The Commissioner is proud of the continuing success in attracting a high number of female officers.

The work of the partnership over the four years:

- 3.13 In conjunction with the Wales Public Bodies Equality Partnership over the period of the plan the Commissioner will contribute to the work of:
- Sharing and standardising systems for collating and analysing data across the organisations, supporting staff to disclose information.
 - Sharing its methodology for defining and collating pay gaps, interpretation / communication³.
 - Standard rounding off methodology.
 - Sharing strategies for workforce planning.

²The First Minister of Wales appoints the Commissioner

³The Commissioner follows the Welsh Government's methodology

- Working together to create workforce development opportunities
- Joint Management and Leadership Training (HR Group).
- Sharing practices of work patterns and ways of working.

In 2020/21 the Commissioner will:

- 3.14 Identify, report and address the reasons for any pay gaps.
- 3.15 Discuss with officers to get their views on what they need to move forward in their careers and what might hold them back.
- 3.16 Explore how to maintain the Commissioner's current practice of not having a pay gap and to reflect it in their recruitment processes.

Primary responsibility – Senior Human Resources Officer

Relevant protected characteristics: This objective applies to the

protected characteristic of sex

Objective 3

The Commissioner will engage with the community

- 3.17 The Commissioner will actively engage with people with protected characteristics across Wales in the conduct of his functions. People's experiences and views will shape the work of the Commissioner.
- 3.18 The Welsh Language Commissioner will discuss with representatives of groups of people with protected characteristics and maintain an open, ongoing dialogue. The Commissioner will also participate in a networking group with an equality and human rights agenda.

The work of the partnership over the four years:

- 3.19 In conjunction with the Wales Public Bodies Equality Partnership over the period of the plan the Commissioner will contribute to the work of:
 - Providing joint engagement events and opportunities.
 - Engaging directly with diverse communities to enable representation at joint events.
 - We will specifically identify contributions from engagement and co-production in our strategies, policies and decisions. (You told us – we did).

In 2020/21 the Commissioner will:

- 3.20 In planning the Commissioner's tour an analysis of the 2019/20 travel equality data will be used to identify gaps amongst the participants in terms of the nine protected groups. Specific targeting work will be undertaken for participation by these groups.
- 3.21 Review the evidence collected on the Welsh language during the public consultation on this plan and the *Is Wales fairer?* report on the difficulties people experience in contacting public organisations such as the Commissioner and identify further actions for 2021/22.

- 3.22 In carrying out the *Rights Day* campaign on 7 December 2020, specific targeting work will be undertaken for those protected groups for whom we know that receiving services through the medium of Welsh from public organisations can be a need, and not a preference.
- 3.23 Work with the Wales Public Sector Equality Partnership to identify opportunities for promoting the Welsh language within any event with the public and groups representing the nine protected groups in order to ensure that they receive information about the Commissioner's functions.

Primary responsibility – Senior Communications Officer

Relevant protected characteristics: This objective applies to all protected groups. 3.22 specifically for Age and Disability.

Objective 4

Ensure that equality is part of the procurement / commissioning process and is managed throughout the delivery process.

- 3.24 The Commissioner will ensure that equality is embedded in the existing principles of procurement and that evidence of them is recorded.
- 3.25 The *Terms of Contract for Services* for the Commissioner state that suppliers are expected to comply with the Equality Act 2010. The Commissioner ensures that suppliers are fully aware of his equality responsibility by including it in tender specifications and testing their understanding in the selection process (where it is relevant to the work). As the Commissioner procures through Sell to Wales he will take advantage of agreed public sector protocols in applying equality to the contracting process.
- 3.26 Annual quality review arrangements will examine samples of work / projects completed by a third party on behalf of the Commissioner in order to verify whether the supplier has made arrangements to meet the General Equality Duty. Suppliers will be informed of the results of the quality reviews and, in significant cases, remedial action will be taken in accordance with the agreement. Outcomes will also be taken into account in annual progress reports.

The work of the partnership over the four years:

- 3.27 In conjunction with the Wales Public Bodies Equality Partnership over the period of the plan the Commissioner will contribute to the work of:
- Agreeing a set of procurement principles for organisations to sign up to.
 - Review organisational policies to reflect principles
 - Work together to train and support staff to deliver the principles.
 - Sharing practice.

In 2020/21 the Commissioner will:

- 3.28 Check procurement practices to ensure that they promote equality and

continue to meet legal equality requirements.

3.29 Contribute to discussions and the initial work of formulating procurement principles with the Wales Public Bodies Equality Partnership.

Primary responsibility – Senior Finance and Resources Officer

Relevant protected characteristics: This objective applies to all protected groups.

Objective 5

Ensure that individual needs are reflected in the operation of functions.

3.30 The Commissioner will ensure that people and good practice are shared to actively influence the implementation of his functions to meet individual needs. The Commissioner will continue to make adaptations when possible, for people within protected characteristic groups with a view to ensuring that they are not under any disadvantage compared to any other person during the process of considering their complaint or in any other dealings with the Commissioner.

3.31 Where the Commissioner's involvement with the public is significant, such as complaints, the Commissioner will increase the information on the people involved with the organisation, through more detailed data collection, monitoring and analysis, and use the information to identify any areas where improvements can be made. This may be in the form of a review of the characteristics of complainants.

3.32 The Commissioner will keep a record of equality issues by monitoring complaints (whether regarding an organisation which has a duty to comply with a language plan or standards or not) and complaints against the Commissioner.

3.33 The Commissioner will ensure that his officers respect the principles of equality and that they are a consideration in performing their roles.

The work of the partnership over the four years:

3.34 In conjunction with the Wales Public Bodies Equality Partnership over the period of the plan the Commissioner will contribute to the work of:

- Sharing examples of positive service changes and what was learnt, demonstrating dignity, respect and understanding of communication and access needs
- Ensuring that there is a joint mechanism for co-production.
- Ensuring that a framework is in place to record examples of sharing and adopting good practice.
- Offering collaborative awareness training on understanding service users.

In 2020/21 the Commissioner will:

3.35 Establish an internal steering group for the plan, comprising the officers with primary responsibility for the objectives of the plan as core members. The

group will meet quarterly and will be responsible for reporting to the Management Team on the implementation of the plan's objectives.

- 3.36 Review and strengthen the role and process of Equality Impact Assessment as a basis for decision making
- 3.37 Collect equality data from users in order to identify who the Commissioner reaches with his engagement work. It will also enable him to identify any gaps in participation from the nine protected groups.
- 3.38 Provide reminder training on the requirements of the Legislation for officers.

Primary responsibility – Senior Governance Officer; Senior Investigation and Enforcement Officer

Relevant protected characteristics: This objective applies to all protected groups.

4 Monitoring, evaluation and review

- 4.1 Progress on the actions identified will be monitored on an ongoing basis at an organisational level. Teams' quarterly reports prepared for the Management Team in order to report progress against the corporate action plan will focus on this progress.
- 4.2 The Management Team will monitor progress across all teams on a quarterly basis. A report will be prepared for the Management Team on the action plan on a quarterly basis under the responsibility of the Senior Governance Officer. A summary of the report on the strategic equality plan will be included in the Commissioner's corporate annual report.
- 4.3 The Senior Governance Officer will ensure that all the Commissioner's officers are aware of the scope of this Plan.
- 4.4 The Welsh Language Commissioner's equality objectives and specific actions will be reviewed annually.
- 4.5 The evaluation and review of the Plan will be coordinated by the Steering Group chaired by the Senior Governance Officer. Any revisions to the Action Plan will be presented during the discussion of the quarterly report and will be approved by the Management Team.
- 4.6 The Commissioner will ensure that all officers have an opportunity to contribute to the evaluation and review of the plan and suggest any actions for the following year. Feedback and officers' ideas will be gathered through bespoke sessions during the year.
- 4.7 In evaluating and reviewing this Plan, as well as setting out actions for the consecutive years, the Commissioner will also consult with external organisations as appropriate, including the EHRC, the statutory Commissioners for Wales, the Wales Public Bodies Equality Partnership and advocacy and representative bodies. Any change to the Plan will be made available to the Management Team for consideration and approval.

5 Action Plan

	Activity	Leading on the work	Timescale
Objective 1: The Commissioner will increase the diversity and inclusiveness of the workforce			
1	Consult with officers on linking their equality data to the human resources system, to enable workforce equality profile reports to be submitted	Senior Human Resources Officer	2020-2021
2	Review method of analysing successful job applicants by protected characteristics and publish the analysis	Senior Human Resources Officer	2020-2021
3	Review the methodology for collecting equality data from applicants for posts and current officers	Senior Human Resources Officer	2020-2021
4	Use 2020-2021 findings under this objective to set actions for subsequent years of the plan.	Senior Human Resources Officer	2020-2021
Objective 2: The Commissioner will address pay gaps			
1	Identify, report and address the reasons for any pay gaps	Senior Human Resources Officer	2020-2021
2	Discuss with officers to get their views on what they need to move forward in their careers and what might hold them back	Senior Human Resources Officer	2020-2021
3	Explore how to maintain the Commissioner's current practice of not having a pay gap and reflect this in the recruitment processes	Senior Human Resources Officer	2020-2021

4	Share systems for collating and analysing data across partnership bodies, and support staff in disclosing information.	Senior Human Resources Officer	2021-2022
5	Sharing working patterns practice and ways of working with partnership bodies	Senior Human Resources Officer	2022-2023
6	Sharing strategies for workforce planning with partnership bodies	Senior Human Resources Officer	2023-2024
7	Following the COVID-19 pandemic the Commissioner will consider and incorporate the Equality and Human Rights Commission's advice on his responsibility as an employer, reasonable adjustments for employees, and his duty on pregnancy and maternity	Senior Human Resources Officer	2020-2021

Objective 3: The Commissioner will engage with the community

1	In planning the Commissioner's tour an analysis of equality data from the 2019/20 tour will be used to identify gaps amongst participants in relation to the nine protected groups. Specific targeting work will be undertaken for participation by these groups.	Senior Communications Officer	2020-2021
2	Review the evidence collected on the Welsh language during the public consultation on this plan and the <i>Is Wales fairer?</i> report on the difficulties people experience in contacting public organisations such as the Commissioner and identify further actions for 2021/22.	Senior Communications Officer	2020-2021
3	In carrying out the <i>Rights Day</i> campaign on 7 December 2020, specific targeting work will be undertaken for those protected groups for whom we know that receiving services through the	Senior Communications Officer	2020-2021

	medium of Welsh from public organisations can be a need, and not a preference.		
4	Work with the Wales Public Sector Equality Partnership to identify opportunities for promoting the Welsh language within any event with the public and groups representing the nine protected groups in order to ensure that they receive information about the Commissioner's functions.	Senior Communications Officer	2020-2021 and throughout the life of the plan
5	Provide joint events and engagement opportunities with partnership bodies	Senior Communications Officer	2021-2022 and throughout the life of the plan
6	We will specifically identify contributions from engagement and co-production in our strategies, policies and decisions. (You told us – we did).	Senior Communications Officer	2022-2023 and 2023-2024

Objective 4: Ensure that equality is part of the procurement / commissioning process and is managed throughout the delivery process.

1	Check procurement practices to ensure that they promote equality and continue to meet legal equality requirements.	Senior Finance and Resources Officer	2020-2021
2	Contribute to discussions and the initial work of formulating procurement principles with the Wales Public Bodies Equality Partnership.	Senior Finance and Resources Officer	2020-2021
3	Agreeing a set of procurement principles for organisations to sign up to.	Senior Finance and Resources Officer	2021-2022
4	Review organisational policies to reflect principles	Senior Finance and Resources Officer	2022-2023
5	Work together to train and support staff to deliver the principles.	Senior Finance and Resources Officer	2023-2024

Objective 5: Ensure that he reflects individual needs when implementing his functions.

1	Establish an internal steering group for the plan, comprising the officers with primary responsibility for the objectives of the plan as core members. The group will meet quarterly and will be responsible for reporting to the Management Team on the implementation of the plan's objectives.	Senior Governance Officer	2020-2021
2	Review and strengthen the role and process of Equality Impact Assessment as a basis for decision making	Senior Governance Officer	2020-2021
3	Incorporate a resource on environmental impact assessment into the equality impact assessment to strengthen the decision making process of individual projects.	Senior Governance Officer	2020-2021
4	Collect equality data from users in order to identify who the Commissioner reaches with his engagement work. It will also enable him to identify any gaps in participation from the nine protected groups.	Senior Investigation and Enforcement Officer and Senior Promotion and Facilitation Officer	2020-2021
5	Provide reminder training on the requirements of the Legislation for officers.	Senior Governance Officer	2020-2021
6	Sharing examples of positive service changes and what was learnt, demonstrating dignity, respect and understanding of communication and access needs	Equality Steering Group	2021-2022
7	Ensuring that a framework is in place to record examples of sharing and adopting good practice.	Equality Steering Group	2022-2023
8	Offering collaborative awareness training on understanding service users.	In conjunction with the Wales Public Bodies Equality	2023-2024

		Partnership	
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Appendix 1

Age/gender demographics of workforce

The average age of the Welsh Language Commissioner's officers on 31 March 2019 was 37 years (2017-18: 36 years).

The gender demographics of the directors and officers as at 31 March 2019 are summarised in the table below:

	31 March 2019		31 March 2018	
	Male %	Female %	Male %	Female %
Commissioner and Directors	33.3	66.7	33.3	66.7
Other officers	32.6	67.4	35.4	64.6
Total	32.7	67.3	35.3	64.7

Gender pay gap

The gender pay gap in the Welsh Language Commissioner's workforce at 31 March 2019 is summarised in the following table:

	31 March 2019	31 March 2018
Mean gender pay gap	-1.4%	3.6%
Median gender pay gap	0.0%	0.0%

This table shows that the gender pay gap between 31 March 2019 and 31 March 2018 has changed in favour of female officers.

