



**CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL**

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Sarah Daniel - 07385 086 169

YOU ARE SUMMONED to a meeting of **OVERVIEW AND SCRUTINY 2022-2027 COMMITTEE** to be held at the **HYBRID** on **WEDNESDAY, 25TH JANUARY, 2023** at **5.00 PM**.

Non Committee Members and Members of the public may request the facility to address the Committee at their meetings on the business listed although facilitation of this request is at the discretion of the Chair. It is kindly asked that such notification is made to Democratic Services by 23.01.2023 on the contact details listed above, including stipulating whether the address will be in Welsh or English.

AGENDA

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1. DECLARATIONS OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest: and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chairman when they leave.

2. MINUTES

To receive for approval the minutes of the Overview and Scrutiny Committee held on the 29 November 2022

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3. CONSULTATION LINKS

Information is provided in respect of relevant [consultations](#) for consideration by the Committee.

REPORTS OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES AND COMMUNICATIONS

4. AUDIT WALES:PUBLIC SECTOR READINESS FOR NET ZERO CARBON BY 2030

To receive a report from the service director Democratic Services and Communications to provide Members with the latest Audit Wales (AW) National report and to provide the opportunity for Members to review the recommendations in the context our work and the Council's response. Also, to note the position of the report in the wider context of Audit Wales 2021/22 work programme, which will be reflected in its Audit Summary published later this year.

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5. COUNCIL PROGRESS UPDATE - AUDIT WALES EQUALITY IMPACT ASSESSMENTS: MORE THAN A TICK BOX EXERCISE?

To receive a report from the Service Director Democratic Services and Communications which provides Members with the latest Audit Wales (AW) National report and to provide the opportunity for Members to review the recommendations in the context of our work and the Council's response.

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6. URGENT ITEMS

To consider any items, which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency.

7. CHAIRS REVIEW AND CLOSE

Service Director of Democratic Services & Communication

Circulation:-

The Chair and Vice-Chair of the Overview and Scrutiny 2022-2027 Committee (County Borough Councillor J Edwards and County Borough Councillor J Brencher respectively)

County Borough Councillors:- Councillor M Ashford, Councillor J Bonetto, Councillor S Evans, Councillor S Evans, Councillor G Hughes, Councillor C Middle, Councillor K Morgan, Councillor S Morgans, Councillor G L Warren, Councillor K Webb, Councillor G E Williams and Councillor W Owen

Officers:- Christian Hanagan, Service Director of Democratic Services & Communication



RHONDDA CYNON TAF COUNCIL OVERVIEW AND SCRUTINY 2022-2027 COMMITTEE

Minutes of the meeting of the Overview and Scrutiny 2022-2027 Committee held Hybrid on
Tuesday, 29 November 2022 at 5.00 pm

County Borough Councillors – The following Councillors were present in the Council Chamber:-

Councillor G Hughes Councillor S Morgans

The following Councillors were present online:-

Councillor J Bonetto Councillor S Evans
Councillor S Evans Councillor C Middle
Councillor K Morgan Councillor G L Warren
Councillor G E Williams Councillor M Ashford

Officers in attendance:-

Mr P Mee – Group Director Community and Children’s Services
Mr C Hanagan – Service Director Democratic Services and Communication
Mr P Griffiths – Service Director Finance and Performance
Mr N Elliot – Service Director Adult Services
Mrs S Daniel – Principal Scrutiny Officer

County Borough Councillors in attendance:-

Apologies

Councillor J Edwards Councillor J Brencher
Councillor M Powell Councillor K Webb

**In absence of the Chair and Vice Chair, the Service Director
Democratic Services and Communications sought nominations for a
Chairperson for the meeting. Cllr G Hughes was nominated and
seconded and took the Chair for the meeting.**

22. Declarations of Interest

None

23 Minutes

RESOLVED: The minutes of the meeting of the 7 November 2022 were approved as a true and accurate record of the meeting.

24 Consultation Links

The Principal Scrutiny Officer advised Members of the consultation links that were available to them for information. She advised if Members had any queries in relation to the consultation they could speak with the Democratic Services Team.

25 Council Performance Report - Quarter 2 (2022-23)

The Service Director Democratic Services and Communication introduced the Quarter 2 Council Performance Report (to 30th September 2022) and noted that the report sets out the financial and operational performance of the Council as at Quarter 2 2022/23, that is, 30th September 2022.

The Service Director Finance and Performance then provided Members with an overview of the report and fed back that the Quarter 2 revenue budget position is projecting a £10.277M overspend, this excludes the cost implications of the 2022/23 pay award for NJC employees, agreed on 1st November 2022, and the 2022/23 teachers pay award offer made by Welsh Government, these equating to an estimated increase in the pay bill of £10.5M for the current year, and results in an overall projected overspend of almost £21M.

The Service Director continued the overview of the report and covered revenue and capital budget performance; treasury Management prudential indicators; Organisational Health information including staff turnover, sickness and Council strategic risks; Corporate Plan priority action plan updates including investment updates; a progress update on the implementation of recommendations to enhance the Council's response to extreme weather events; and a progress update in respect of the Council's on-going work to tackle Climate Change.

A Member referred to the turnover of staff and high sickness levels in Community and Children Services and requested clarity on the extent of work being undertaken to support staff returning to the workplace as timely as possible and asked if there was any correlation between the sickness and turnover rates. The Service Director Finance and Improvement Services fed back that a range of support is in place for staff via the Council's Occupational Health Service, this being in parallel with close engagement with Service Managers to ensure Management continue to fully understand reasons for absence and can tailor support accordingly. The Service Director went on to note that specific focus has been afforded to staff well-being within Community and Children's Services, recognising the very challenging working environment frontline workers operated within during the pandemic and also on-going pressures in specific areas.

The Director of Adult Services added that there are on-going challenges in respect of staff requirement and retention, this being recognised and addressed through a workforce development strategy and supporting action plans. He also advised there have been scenarios, where initially recruitment had been successful and new staff appointed to roles in social care but they found that the work was not for them and instead opted to take opportunities outside of social care and the Council. The Director added that some staff who have worked for social care for several years were also leaving for other job opportunities and that staff retirement, due to ageing workforce, has also been a factor contributing to the level of staff turnover. The Director concluded that there is currently no direct correlation between staff turnover and sickness absence levels.

A Member referred to the proposal for schools to contribute 50% of the 2022/23 pay award cost and asked if there is opportunity to review this, following receipt of the settlement in December, due to the challenges a 50% contribution requirement will likely place on schools. The Service Director – Finance and Improvement Services fed back that the 50% contribution relates to the 2022/23 financial year with the Settlement announcement due in December relates to the 2023/24 financial year. The Service Director added that the proposal was for the local authority and schools to each make a 50% contribution for the additional 2022/23 pay award cost over that already budgeted for, and the Council and schools will continue to work closely together as part of financial planning and management arrangements. The Service Director also noted that the 50% schools contribution is a one-off contribution in 2022/23, with the on-going financial implications from 2023/24 onwards being fully funded by the Council.

A Member noted the reduction in income for fixed penalty charge notices and requested further clarity on the reason. The Service Director fed back that the income level is showing an improving trend in quarter 2 compared to quarter 1, with a contributory factor being lower levels of footfall. The Service Director added that Enforcement Officers will continue to take a pragmatic and professional approach, in line with Council policy, when issuing fixed penalty charge notices.

A Member referred to the staff turnover in Children's Services and Schools and asked if exit interviews are undertaken. The Service Director confirmed that discussions take place at a service level and indicated that further information will be requested for reporting back to a future meeting of the Overview and Scrutiny Committee. The Director of Adult Services added that exit interviews have been prioritised as part of the workforce strategy in Children's Services and this was now being rolled out as a dedicated programme of work in Adult Services.

A Member noted that the action to work with suppliers on the areas of Rhondda Cynon Taf that have poor access to broadband connectivity to ensure they are factored into future planning is not on target and

requested clarity on the work being taken to progress this. The Service Director referred to the progress update set out in the action plan and noted that progressing this area is included as part of the Council's Digital Strategy. The Service Director fed back that an up-to-date position will be requested from the service area.

A Member referred to the lower level of Leisure Services income being received and sought clarity on the impact of key factors such as the cost of living crisis, the risk of further customer drop off as Leisure Services may be viewed as a luxury from a user perspective and competition from the private sector. The Service Director fed back that the Council's Leisure Strategy commits to on-going investment to continue to provide high quality facilities at affordable prices, recognising the current pressures on household income. The Service Director added that the Council's facilities will continue to be promoted, alongside introductory offers, to help retain existing customers and also attract new customers.

A Member asked how the Authority is supporting staff in returning to work from long term sickness. The Service Director fed back that managers have on-going engagement with staff, including those on sick leave, to ensure timely and appropriate support can be put in place that assists well-being and return to work where staff are absent. The Service Director went on to reinforce the importance of on-going engagement with staff to ensure a sound understanding of the needs of the workforce alongside the delivery of service priorities. The Service Director added that this approach is underpinned by a number of mechanisms such as support networks, an interim hybrid working policy, advice and guidance to promote a healthy lifestyle and career development within the Council.

A Member referred to the Pentre Flood Alleviation Scheme outline business case not being on target and current performance for the % of vulnerable/repeat victims of anti-social behaviour that feel safer as a result of intervention. The Service Director confirmed that further information on the current position of these areas will be requested from the service areas and feedback provided to the Committee.

RESOLVED:

1. Members scrutinised the Council's financial and operational performance position as at 30th September 2022 (Quarter 2).
2. Considered whether they wish to scrutinise in greater depth any matters contained in the report in line with the Terms of Reference of the Committee.

26 2023-24 Budget Consultation

The Service Director Democratic Services and Communication introduced the report to Members to provide the opportunity for the Overview &

Scrutiny Committee to respond and contribute to the Council's phase 1 2023/24 Budget Consultation process.

With the aid of a PowerPoint presentation, the Service Director Finance and Improvement Services provided Members with an overview of: the Council's 2022/23 financial position and outlook over the medium term; general approach for 2023/24 (in respect of the phase 1 budget consultation process); 2023/24 Budget Setting – key strategic building blocks; the Council's Priorities; and Council Tax Reduction Scheme (CTRS). The Service Director indicated that the overview of these areas intended to assist Members in formulating their feedback, in line with the Committee's Terms of Reference and being a consultee as part of the 2023/24 Budget Consultation process.

Following conclusion of the presentation, Members were invited to provide their feedback on the key strategic building blocks, the Council's priorities and CTRS. Members fed back the following comments and observations:

Schools

The Service Director – Finance and Improvement Services requested feedback from the Committee on 'Do you think the Council should provide sufficient resources to fully cover increased pay and non-pay cost pressures in our schools?' and 'Do you think an efficiency saving should be built into the schools budget?'

One Member asked what level of reserves schools were holding and fed back that Schools should be utilising reserves as part of their financial planning and contributing to the Council's budget setting arrangements.

Another Member disagreed with this point as schools held different levels of reserves and the Council should take this into account in allocating an efficiency saving requirement. The Member added that children's education was hugely disrupted during the pandemic and any efficiency savings will continue to impact on the ability of schools to support pupils catch up; therefore the Council should provide sufficient resources to cover costs in schools.

Social Care

The Service Director requested feedback from the Committee on 'Do you think the Council should continue to prioritise social services as a key area for additional investment?'

Members were all in agreement that this area should be prioritised and the Council should continue to invest in this area as it supports the most vulnerable in our communities.

Fees and Charges

The Service Director requested feedback from the Committee on 'Do you think the requirement for fees and charges to be reviewed individually and the continued need to take into account the impact on service users is a reasonable approach (and not apply an across-the-board increase in line with the 12 month CPI rate (as at Oct 22) of 11.1%'?

Members agreed that any changes to fees and charges should be considered on a service-by-service basis and a blanket approach should not be taken. Members added that the Council should ensure services remain affordable to individuals in the community which should, in turn, support an uptake in the use of specific services.

Service levels

The Service Director requested feedback from the Committee on 'What service areas provided by the Council are important to you?' and 'Do you think the Council should consider changing the level of services for any of these and if so how? For example, reviewing the frequency that services are provided, or opening times, depending how often services are used?'

Members fed back that services for the vulnerable should be protected and any efficiencies should have minimum disruption to services.

Council Tax

The Service Director requested feedback from the Committee on 'Do you think the Council should increase Council Tax next year by '0% to 3%', 'between 3% and 5%' or '5%+'?' and 'The level of Council Tax versus maintaining or reducing service levels?'

Due to the current cost of living crisis, Members did not want to see an increase above the '3% - 5%' as residents are already facing increases to food, energy, rent/mortgage and fuel costs. Members also fed back that they were keen to keep any increases to council tax as low as possible and, as part of this, minimise reductions in service levels.

Efficiencies

The Service Director requested feedback from the Committee on 'Do you support the Council's strategy on efficiencies?', 'Do you think we should continue to expect our managers to deliver more efficient services?' and 'Are there any specific areas where you think the Council could be more efficient / any examples of Council Services not being efficient?'

A Member asked if the Council is looking to sell some of its land and assets, taking into account their condition, to generate income. The Service Director fed back that the Council reviews its land and buildings on an on-going basis and plans and manages these arrangements via the

Corporate Asset Management Plan to ensure the use of assets are optimised to support efficient service delivery. The Service Director added that where the on-going review process identifies options to dispose of assets, in line with service delivery requirements, the Council will progress such opportunities.

Another Member agreed with the Council strategy on efficiencies and fed back that the Council should continue to rely on its expert managers to be innovative and effective and review how we can do things better.

Council Reserves

The Service Director requested feedback from the Committee on 'Do you think the Council should continue with its strategy around the management of reserves?'

The Committee agreed that it is important to keep reserves at an adequate level, especially during the current very challenging and volatile financial environment. Another Member fed back that there should be more information given to the public on how the Council uses its reserves as the public have an expectation that reserves should be used during times of austerity.

Council Priorities

The Service Director requested feedback from the Committee on 'Do you think the Council should focus on the five key areas of digitisation, commercialisation, early intervention and prevention, Independence and Efficient and Effective Organisation to maximise resources and deliver improved services?'

Members agreed with the approach to the Council's priorities and fed back that leading the way on digitalisation will help support better outcomes for our residents.

Council Tax Reduction Scheme

The Service Director requested feedback from the Committee on the following:

Extended Payments – 'Do you think that 4 weeks is a reasonable period to continue paying Council Tax Reduction when someone returns to work?'

Members agreed that a 4-week period is adequate and should be retained as this provides individuals with support as they return to work.

War disablement – 'Do you think that it is reasonable for the Council to continue to totally exclude War Disablement and War Widow's Pensions income when assessing entitlement to CTR Scheme?'

Members supported the exclusion of the whole amount of War Disablement Pensions and War Widow's Pensions when calculating Council Tax Reduction Scheme entitlement.

Backdating claims – 'Do you think that 6 months is a reasonable period to backdate claims for working age and pensioners?'

Members agreed that the backdated claim period of 6 months was adequate and should be retained.

RESOLVED:

1. Members provided feedback to the Council's Phase 1 2023/24 Budget Consultation process.
2. Authorise the Service Director Democratic Services and Communication to formulate a response on behalf of the Overview and Scrutiny Committee to the Council's Phase 1 2023/24 Budget Consultation process.

27 RESIDENTIAL CARE HOMES FOR OLDER PEOPLE

The Service Director Democratic Services and Communication introduced the report to provide Members of the Overview and Scrutiny Committee the opportunity to pre-scrutinise the preferred options on the future provision of accommodation with care for older people in Rhondda Cynon Taf and the modernisation and investment proposals contained within the report. Future reports will be presented to the Community Services Scrutiny Committee.

The Director of Adult Services provided the Scrutiny Committee with preferred options on the future provision of accommodation with care for older people in each of the Council's nine residential care homes. The Director advised Members that this report will then be presented to Cabinet to seek their approval to consult, where relevant, with the current residents and their families, staff and other stakeholders to enable the Cabinet to make informed decisions on the preferred options for each home.

Members sought assurance that the proposals to create more extra care accommodation would not impact adversely on existing care home staff and that appropriate engagement, where necessary, with staff around redeployment and voluntary retirement options would be undertaken, should the decision within the report be taken forward. Members also sought assurance that the cost of care paid by people would not increase.

The Director of Adult Services advised that in terms of housing related support arrangements in extra care, Linc Cymru, the Council's preferred Housing Partner, would be responsible for the employment of these staff,

as they are now, and this would not impact existing care home staff. He added that the Council would be responsible for either directly providing or commissioning the care provided in the accommodation and provided reassurance that any decisions by the Cabinet would be accompanied by engagement with all staff affected, in line with the Council's Management of Change policy. The Director explained that the redevelopment preferred options would not increase the care costs paid.

Members raised concerns relating to the decommissioning of existing care homes before the development of new accommodation and asked for clarification of the new sites identified for development, relating to Ferndale House in Ferndale and Ystrad Fechan care home in Treorchy.

The Director of Adult Services advised that the preferred options state that decommissioning of the named care homes would only result following the development of new care accommodation within the identified locality. The Director added that location of new sites is currently not in the public domain, but explained that the sites being considered are in the locality of the existing care homes and this requirement was included in previous consultation feedback relating to Ferndale House.

The Director also advised that Ystrad Fechan Care Home is temporarily closed, and this site is not suitable for redevelopment as a Care Home. He assured Members that officers are working with LINC Cymru to develop options in the Treorchy area and added that feasibility reports will be developed if Members agree to progress the preferred option.

A Member stated that there is a public expectation that Garth Olwg Care Home in Church Village would continue to remain open following the Cabinet's previous decision, and expected this to be reflected in the public consultation.

A Member commented on the potential for the preferred option for Garth Olwg Care Home to meet local opposition and sought clarification on the demand for accommodation for people with a learning disability that supports the proposal. The Member also asked what would happen to the staff currently employed.

The Director of Adult Services advised that there is a demand for new supported accommodation in the Taf area and across the County and that waiting lists for placements existed. He added that any decisions around staff will be subject to consultation and meetings will be held with staff and Trade Unions in line with the Council's Management of Change policy.

Members sought assurance that the proposals provided provision for dementia care in order to meet current need and future demand. A Member mentioned the increasing challenges for families supporting people with dementia who also need nursing care and access to specific

health care funding.

The Director of Adult Services advised that the Council promotes care accommodation that provides a home for life, which will be able to support people with dementia and complex care needs and this is reflected in the proposals for the Council's care homes. The Director added that there will be times however when someone's care needs cannot be met within extra care or residential care, for example someone with nursing needs and they would need to be cared for in nursing accommodation registered to meet their needs. The Director reassured Members that Adult Services works with families to assess need and risk in order to ensure the right care and support offer.

Members discussed and agreed that the care accommodation are needed as the current provisions are not fit for purpose as they are now. Members also agreed that modern day facilities are needed throughout the County Borough and acknowledged that the demand for traditional residential care has reduced as people wish to remain living independently in their own home in the community. Members reiterated the importance of engaging with families at every stage of the process.

The Chair sought further clarification on the proposals to redevelop Clydach Court.

The Director of Adult Services advised that the refurbishment of Clydach Court into a modern care home with ensuite rooms is not viable, and that complete redevelopment of Clydach Court to build a new home is the only sustainable option for the existing site. The Director added that this option would require transfer of the existing residents to another care home to undertake the redevelopment unless a different site was found to build a new home first.

RESOLVED:

1. Acknowledged the contents of the report to be considered by Cabinet at its meeting to be held on 5 December 2022, at Appendix A
2. Considered whether the Committee wishes to scrutinise in greater depth, any matters contained within the Cabinet Report, at Appendix A.
3. Determined any comments and recommendations Scrutiny Members wish to put forward to Cabinet for consideration; and in doing so authorise the Service Director Democratic Services & Communication to report these to the Cabinet as part of Cabinet determining next steps.

28 Urgent Business

None

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2022/23

OVERVIEW AND SCRUTINY COMMITTEE

25TH JANUARY 2023

AUDIT WALES:

PUBLIC SECTOR READINESS FOR NET ZERO CARBON BY 2030

REPORT OF THE DIRECTOR OF DEMOCRATIC SERVICES AND
COMMUNICATION

Author: Lesley Lawson; Performance Manager

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide Members with the latest Audit Wales (AW) National report and to provide the opportunity for Members to review the recommendations in the context our work and the Council's response. Also, to note the position of the report in the wider context of Audit Wales 2021/22 work programme, which will be reflected in its Audit Summary published in March 2023.

2. RECOMMENDATIONS

It is recommended that Members of the Overview and Scrutiny Committee:

- 2.1 Consider the report of Audit Wales in respect of, '[Public Sector Readiness for Net Zero Carbon by 2030](#)' seen at Appendix 1.
- 2.2 Review and agree the response to the 'Calls for Action' as set out in the Action Plan at Appendix 2, determine whether further information and/or further progress updates are required.
- 2.3 Consider whether there are any matters of a governance, internal control or risk management nature that require referral to the Council's Governance and Audit Committee

3. BACKGROUND INFORMATION

- 3.1 The Council has taken significant steps to reduce its Carbon Footprint and also contribute to the wider reduction in carbon emissions across the County

Borough which have been described in numerous reports to the [Climate Change Cabinet Steering Group](#) and more recently the Climate Change Cabinet Sub Committee, the most recent meeting was held on [3 December 2022](#). *The Steering Group was redesignated as a Cabinet Sub Committee following the 2022 Local Government Elections.*

- 3.2 In June 2022, Cabinet agreed the Council's Tackling Climate Change Strategy – '[Think Climate RCT](#)'. This strategy is a framework for our work and sets the overall direction up to 2025. In agreeing the strategy, Members also recognised that 'the speed and urgency of the need to take local action to contribute to the national and global response to tackle Climate Change has never been greater'.
- 3.3. Two Strategic Risks in respect of Climate Change have been included in the Strategic Risk Register since 2019. Strategic Risks are monitored by Cabinet as part of the quarterly Performance Report. In summary the response to the Climate Risks comprises:
- (24) Engaging with residents and businesses to ensure active participation in reducing energy consumption, reducing plastic and travelling sustainably so that full benefits will materialise, added to Strategic Risk Register in [Quarter 1 2019/20](#).
- (26) Mitigating the physical impacts of climate change, added to Strategic Risk Register [in Q1 2020/21](#)

The most recent update of the [Strategic Risk Register](#) was considered as part of the Quarter 2 Report to Cabinet on [21 November 2022](#).

- 3.4 A review of Climate Change and energy efficiency was also included in the 2022/23 Internal Audit Plan considered by [Audit Committee on 18 July 2022](#). This review has recently been completed and the findings are imminent.
- 4. AUDIT WALES REPORT – 'Public Sector Readiness for Net Zero Carbon by 2030'**
- 4.1 In November 2021, Audit Wales commenced a Baseline Review of Decarbonisation across the Public Sector. The Review focussed on organisations' actions and arrangements for meeting the Welsh Government's 2030 decarbonisation targets and aspirations. These targets were most recently crystallised in the Welsh Government's first all Wales Plan: [Working together to reach Net Zero](#) and the [Net Zero Carbon Budget 2 \(2021-25\)](#), both of which were launched in October 2021.
- 4.2 Audit Wales published the resulting National report in June 2022, see Appendix 1.

- 4.3 The report conclusions included ‘*There is clear uncertainty about whether the public sector will meet its 2030 collective ambition.....The Auditor General will not criticise organisations for taking well-managed risks to address this unprecedented challenge*’.
- 4.4 The Audit Wales report featured five Calls for Action i.e.
- Strengthen your leadership and demonstrate your collective responsibility through effective collaboration
 - Clarify your strategic direction and increase your pace of implementation £
 - Get to grips with the finances you need
 - Know your skills gaps and increase your capacity
 - Improve data quality and monitoring to support your decision making
- 4.5 The Council’s Tackling Climate Change Strategy ‘[Think Climate RCT](#)’ contains actions and targets that demonstrate that the Council is well placed to respond to these Calls for Action. It also acknowledges that we need to do more, and at pace to make sure that all our services and all our staff are contributing to reducing carbon emissions across all aspects of the Council’s business and in partnership so that our work contributes to the reductions in the Council’s Carbon Footprint and the County Borough more widely. We will use the Audit Wales report to further challenge our work and progress and plans.
- 4.6 Appendix 2 sets out how the Council is undertaking actions that will address the Calls for Action.

5 EQUALITY AND DIVERSITY IMPLICATIONS/SOCIO-ECONOMIC DUTY

- 5.1 This report provides an update on the work being taken by the Council to progress recommendations reported by Audit Wales; therefore, an Equality and Socio-Economic Impact Assessment is not required.

6 WELSH LANGUAGE IMPLICATIONS

- 6.1 There are no Welsh language implications as a result of the recommendations set out in this report.

7 CONSULTATION/ENGAGEMENT/INVOLVEMENT

- 7.1 There is no direct requirement for Consultation/Engagement/Involvement in this report. However, this engagement with residents, communities, partners and businesses is key to success of delivering the Council’s Tackling Climate



Change Strategy – ‘Think Climate RCT’ and meeting the Council’s Carbon Reduction targets.

8 FINANCIAL IMPLICATION(S)

- 8.1 There are no financial implications aligned to this report.
- 8.2 Moving forward, the agreed programme of work to deliver the Council’s Climate Change Strategy will be incorporated into Medium Term Financial Planning arrangements to ensure resource requirements are reviewed, challenged and planned for.

9 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 There are no legal implications aligned to this report.

10 LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 10.1 The Council has committed to becoming a Carbon Neutral organisation by 2030 and to work with residents and businesses to ensure the whole County Borough is Carbon Neutral as close as possible to the 2030 target. This supports the priorities of the Council’s Corporate Plan [‘Making a Difference’ – 2020-24](#).
- 10.2 The work outlined within the Strategy reflects the Sustainable Development principles of the Well-being of Future Generations Act, and its work contributes to all seven National Well-being Goals which can be seen in Appendix A within the Climate Change Strategy.

11 CONCLUSION

- 11.1 Audit Wales reports play an important role in supporting on-going improvement to the Council’s governance and service delivery arrangements, and as part of this process, the Council utilises its Scrutiny Committees and Governance and Audit Committee in line with their Terms of Reference, to oversee the arrangements and the monitoring of progress.
- 11.2 In line with the Overview and Scrutiny Committee’s Terms of Reference, the Committee has responsibility for reviewing and challenging the progress the Council is making toward implementing agreed actions and forming a view on the adequacy of progress being made.

- 11:3 Where the Overview and Scrutiny Committee consider there are matters of a 'governance', 'internal control' or 'risk management' nature that require further review, these can be referred back to Governance and Audit Committee for consideration.
- 11:4 The Council has set the ambitious target to become a Carbon Neutral Council by 2030, and for the County Borough to be as near to Carbon Neutral as possible by the same date. The content of the report and the responses to the Calls for Action demonstrate the Council's strong foundations and preparedness to address the challenges faced to tackle and respond to the impacts of Climate Change and the self-awareness of where we need to do better.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE – 25 January 2023

REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES AND COMMUNICATION

Item: Audit Wales Report: Public Sector Readiness for Net Zero Carbon by 2030

Background Papers

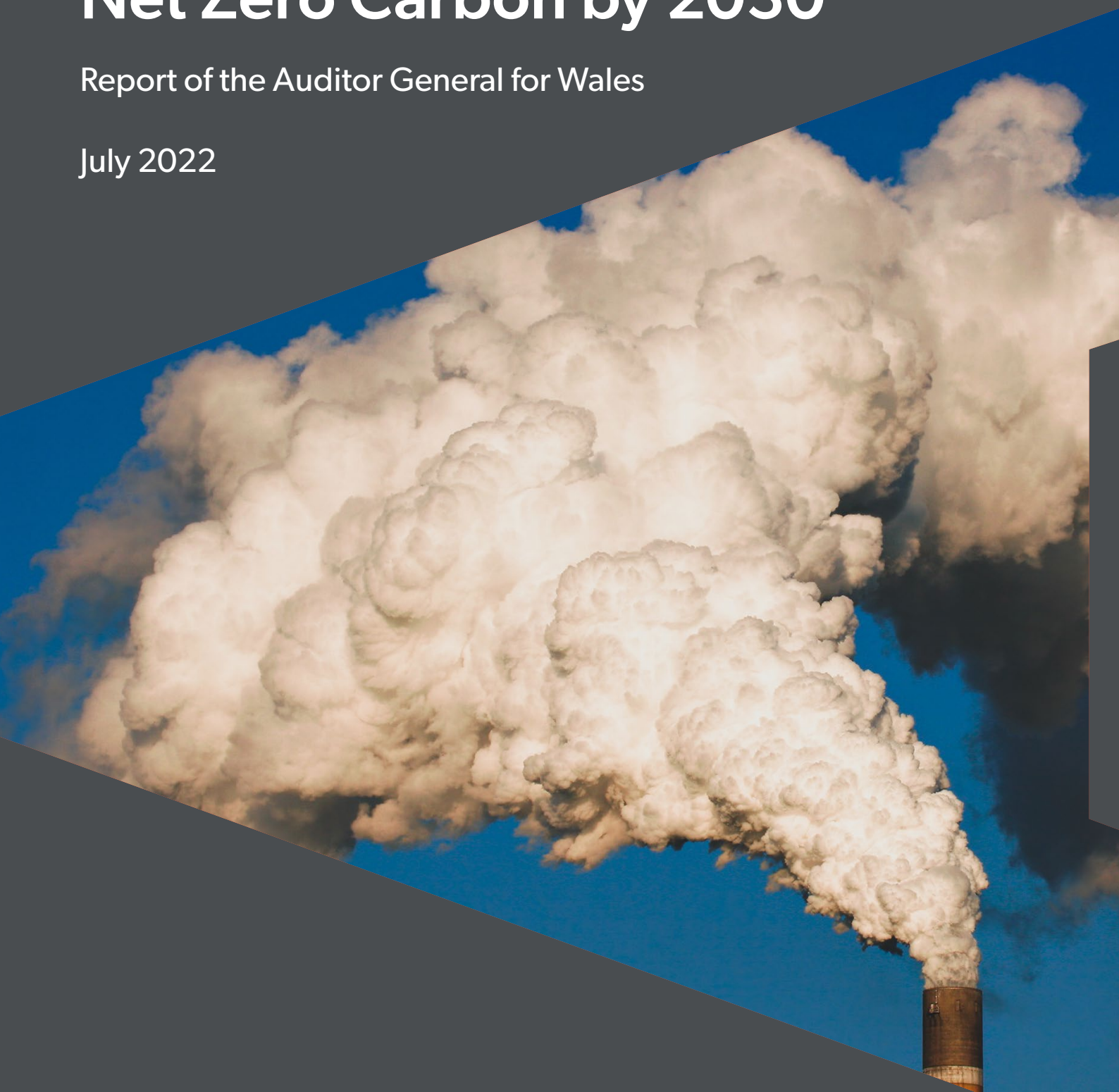
None.

Officer to contact: Lesley Lawson

Public Sector Readiness for Net Zero Carbon by 2030

Report of the Auditor General for Wales

July 2022



This report has been prepared for presentation to the Senedd under the Government of Wales Act 2006, the Public Audit (Wales) Act 2004 and the Well-being of Future Generations (Wales) Act 2015.

The Auditor General is independent of the Senedd and government. He examines and certifies the accounts of the Welsh Government and its sponsored and related public bodies, including NHS bodies. He also has the power to report to the Senedd on the economy, efficiency and effectiveness with which those organisations have used, and may improve the use of, their resources in discharging their functions.

The Auditor General also audits local government bodies in Wales, conducts local government value for money studies and inspects for compliance with the requirements of the Local Government (Wales) Measure 2009.

The Auditor General undertakes his work using staff and other resources provided by the Wales Audit Office, which is a statutory board established for that purpose and to monitor and advise the Auditor General.

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Mae'r ddogfen hon hefyd ar gael yn Gymraeg.

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Detailed report

Background

- 1 Climate change is one of the world's defining challenges and it requires immediate action from everyone. A landmark [report](#) by the United Nations in August 2021 said that human activity is changing our climate in unprecedented ways and that drastic reductions in carbon emissions are necessary.
- 2 The latest climate projections for Wales show an increased chance of milder, wetter winters and hotter, drier summers, rising sea levels and an increase in the frequency and intensity of extreme weather events. The implications are clearly stark.
- 3 A crucial way to mitigate the impacts of climate change is to reduce carbon emissions. In March 2021, following advice from the Climate Change Committee¹ in December 2020, the Welsh Government set new [targets](#) for a 63% carbon reduction by 2030, an 89% reduction by 2040, and a 100% reduction by 2050². In addition, the Welsh Government set out a more challenging collective ambition for the Welsh public sector³ to achieve net zero carbon by 2030 (the 2030 collective ambition).
- 4 In June 2021, the Welsh Government published its [Programme for Government 2021-2026](#) which puts tackling the climate and nature emergencies at the heart of the new government. The Programme for Government also makes a series of commitments to embed a response to climate change in everything the Welsh Government does.

1 The Climate Change Committee (CCC) is an independent, statutory body established under the Climate Change Act 2008. Its role is to advise the UK governments on emissions targets and to report on progress made in reducing greenhouse gas emissions and preparing for and adapting to the impacts of climate change.

2 Net zero does not mean eliminating greenhouse gas emissions but balancing the greenhouse gas emissions with the amount of gases being removed from the atmosphere.

3 The Welsh Government's definition of the 'public sector' in this case covers 65 bodies as set out in Appendix 2 of the [Welsh Government, Public sector net zero data: baseline and recommendations, June 2022](#).

- 5 The Welsh Government has also published Net zero carbon status by 2030: A route map for decarbonisation across the Welsh public sector (the public sector route map) to support the Welsh public sector in achieving the 2030 collective ambition. Alongside the public sector route map, the Welsh Government published the net zero reporting guide and associated spreadsheet to allow the public sector to capture and report emissions on a consistent basis.
- 6 The Auditor General has committed to carrying out a long-term programme of work on climate change. Our first piece of work is a baseline review that asks: ‘**How is the public sector preparing to achieve the Welsh Government’s collective ambition for a net zero public sector by 2030?**’. To inform the baseline review, 48 public bodies, including the Welsh Government, completed a call for evidence. **Appendix 1** explains our audit approach and methods.
- 7 We are publishing two reports to share our findings:
 - **this key findings report:** this report targets senior leaders and those with scrutiny roles in public bodies, with the aim of inspiring them to increase the pace of their work on achieving the 2030 collective ambition. We have included questions at the end of each section of this report for organisations to reflect on. While these questions are not exhaustive, they provide important pointers for organisations to consider.
 - **evidence report – to follow:** a report that will provide more detailed findings and data from the call for evidence and our wider work.

Overall conclusion

- 8 There is clear uncertainty about whether the public sector will meet its 2030 collective ambition. Our work identifies significant, common barriers to progress that public bodies must collectively address to meet the ambition of a net zero public sector by 2030. And while public bodies are demonstrating commitment to carbon reduction, they must now significantly ramp up their activities, increase collaboration and place decarbonisation at the heart of their day-to-day operations and decisions. Organisations need to be bold and innovative and share experiences of their successes and failures. The Auditor General will not criticise organisations for taking well-managed risks to address this unprecedented challenge.
- 9 We have set out five calls for action for organisations to tackle the common barriers to decarbonisation in the public sector. These are:



- 1** Strengthen your leadership and demonstrate your collective responsibility through effective collaboration



- 2** Clarify your strategic direction and increase your pace of implementation



- 3** Get to grips with the finances you need



- 4** Know your skills gaps and increase your capacity



- 5** Improve data quality and monitoring to support your decision making

- 10 We are not making specific recommendations given the high-level nature of our review. However, we encourage public bodies to consider the messages in this report, and through their internal governance structures, set out publicly how they intend to respond to the calls for action.

Calls for action



Strengthen your leadership and demonstrate your collective responsibility through effective collaboration

- 11 The Welsh Government showed leadership when it declared a climate emergency in 2019. Many of the other public bodies have followed suit, for example, 18 out of 22 Welsh councils have now declared a climate emergency.
- 12 The Welsh Government also demonstrated leadership when it set the 2030 collective ambition and in May 2021 when it established a new Ministerial portfolio for climate change. A related change to the Welsh Government's organisational structure came into effect from 1 April 2022.
- 13 We have found considerable activity by public bodies, supporting the move towards decarbonisation. So, public bodies are clearly taking this agenda seriously.
- 14 Despite this, they must do more because there is considerable uncertainty (and clear doubt from some organisations) about whether the 2030 collective ambition will be met. In the NHS, we found uncertainty that even a 34% reduction in emissions would be achieved across that sector⁴. Bodies told us about significant barriers to progress in decarbonising, such as difficulties in translating strategy into action, uncertainty about finances, a lack of skills and capacity, and issues with decarbonisation data. These matters are discussed throughout this report.
- 15 Now is the time for bold leadership. Public bodies must reduce carbon emissions from their estates, from their services, and from the goods and services they procure. On top of that, they must adopt a wider leadership role in championing the decarbonisation agenda in all sectors within the communities they serve to work towards a 'just transition'⁵.
- 16 Public bodies will need to demonstrate stronger collective leadership because collaboration between organisations will be critical to achieving the 2030 collective ambition. Some respondents told us that a wholesale change of thinking is required, with a more co-ordinated and joined-up approach across the public sector.

4 The NHS Wales Decarbonisation Strategic Delivery Plan sets out 46 initiatives that are estimated to reduce carbon emissions by 34% by 2030.

5 A 'just transition' means taking action on climate change and greening the economy in a way that is as fair and inclusive as possible to everyone concerned. Policy 1 in [Net Zero Wales Carbon Budget 2 \(2021-2025\)](#) sets out the Welsh Government's views on a just transition.

- 17 Several cross-organisational panels and programme boards already exist to collaborate on climate issues including decarbonisation. And while public bodies expressed largely positive views about the way they are collaborating, there was also recognition that these efforts need to be ramped up. There is a collective responsibility on the public sector to make existing structures work. Public bodies also need to consider what additional collaboration is needed within sectors and across the public sector.
- 18 Senior leaders must do more to demonstrate they fully grasp the urgency and scale of the challenge and clearly identify this as a top priority for their organisation if they are to achieve their ambitions. Decarbonisation (and wider climate risks) must be at the core of day-to-day business decisions and operations. This agenda must be integrated into all services and operations, so that decarbonisation is delivered alongside other outcomes.
- 19 The frameworks provided by the Well-being of Future Generations (Wales) Act 2015 (including public services boards and the setting of well-being objectives) can be used to help organisations decarbonise. Application of the sustainable development principle in key areas such as procurement, workforce planning and finance will also help delivery of the decarbonisation agenda.
- 20 Those charged with governance and scrutiny roles in individual organisations need to support the direction of travel while at the same time challenging whether enough is being done.

Questions that senior leaders and those who scrutinise them may want to ask

- Are we treating the climate crisis and the need to decarbonise as a real 'emergency'?
- Can we demonstrate that decarbonisation is at the core of day-to-day business decisions and operations?
- Is the urgency and scale of the challenge well communicated by senior leaders and understood throughout our organisation?
- Do we have specific and effective scrutiny and governance arrangements for managing the journey to net zero?
- Do we understand the main barriers to progress and how well are we collaborating to overcome them?

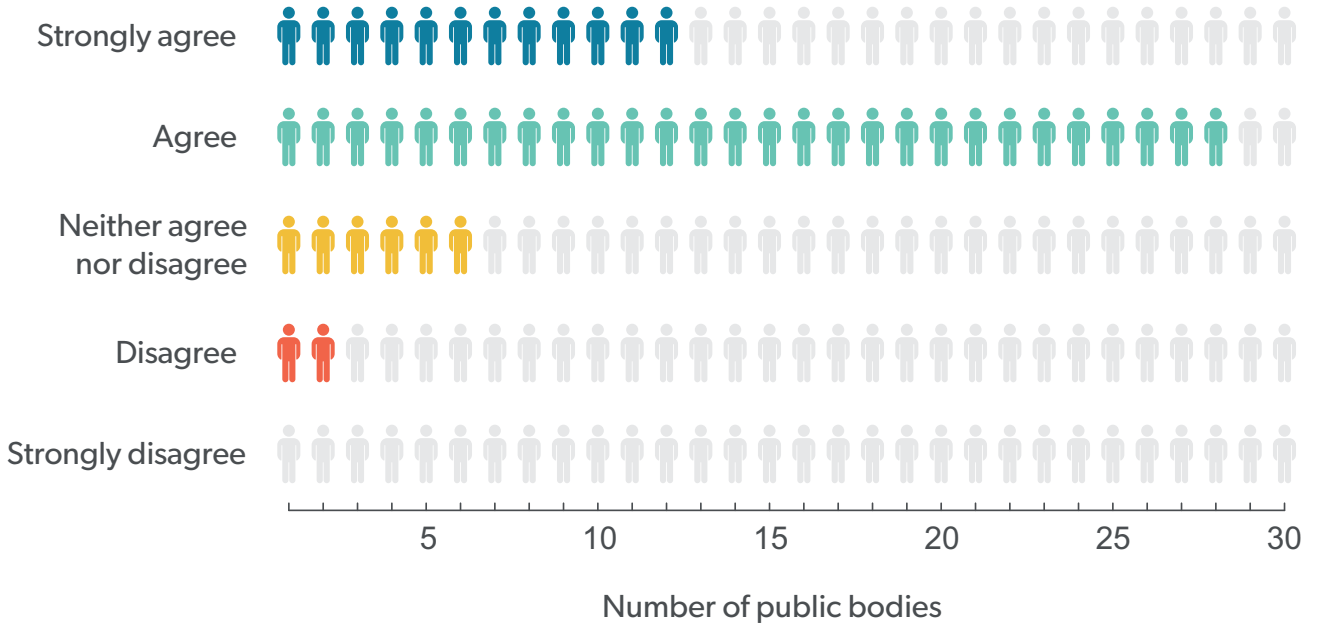




Clarify your strategic direction and increase your pace of implementation

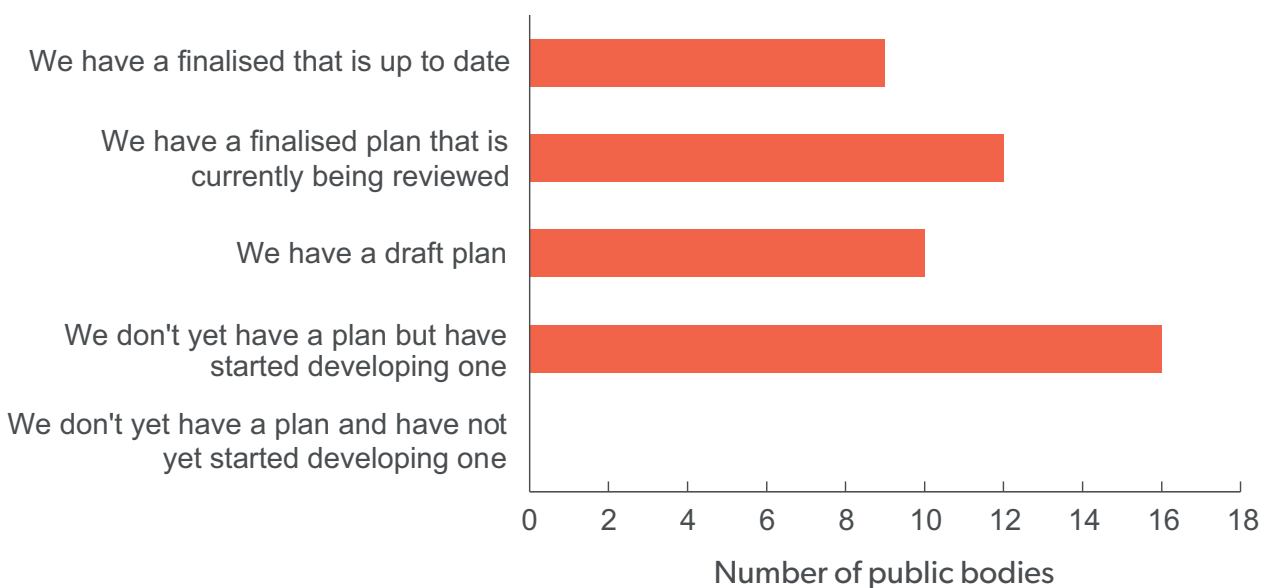
- 21 To deliver the 2030 collective ambition, it is essential that Wales has clear, joined-up, integrated strategies across the public sector. The action plans resulting from those strategies will also have to be implemented at pace.
- 22 In response to our call for evidence, public bodies were generally positive about the strategic direction set out by the Welsh Government and that it had been communicated well through the [public sector route map \(Appendix 3\)](#). In response to our question about the extent to which they were using the public sector route map, most public bodies said they were using it, to varying degrees, and only five said they were not.
- 23 Despite generally positive views about the national strategic direction, public bodies want more help to translate the strategy into action. Several organisations told us that while the public sector route map provides a high-level template, they need more clarity, support and guidance on how to decarbonise.
- 24 The Welsh Government told us that it deliberately designed the public sector route map to be a high-level framework to assist public bodies in developing local solutions based on individual circumstances, rather than a one-size-fits-all approach. The Welsh Government is providing other forms of central assistance on decarbonisation, including support through the [Welsh Government Energy Service](#), grant funding for various programmes and funding of the Welsh Local Government Association [transition and recovery support programme](#).
- 25 Some sector-specific guidance is available to support public bodies to translate the vision into action. For the NHS, the Carbon Trust and the NHS Wales Shared Services Partnership have set out more detailed actions in the [NHS Decarbonisation Strategic Delivery Plan](#). In local government, the Welsh Local Government Association is developing more tailored support and guidance for councils.
- 26 Overall, our work has shown that public bodies are at very different stages in setting out their action plans for decarbonisation. While **Exhibit 1** shows most public bodies feel they have set a clear strategic direction, **Exhibit 2** shows that just over a third of organisations did not have a decarbonisation plan at the time of our call for evidence. All organisations had at least started to develop their plan, and under Welsh Government policy they have until April 2023 to develop one.

Exhibit 1: public bodies' responses to the statement, 'Our organisation has set a clear strategic direction to support the achievement of the 2030 carbon reduction targets'



Source: Audit Wales call for evidence

Exhibit 2: status of public bodies' action plans



Note: One public body did not respond to this question.

Source: Audit Wales call for evidence

- 27 The public sector route map sets out milestones for 2021-22, during which the Welsh Government expects the public sector to be 'moving up a gear'. The Welsh Government considers there has been good progress and the public sector is picking up the pace. However, the Welsh Government recognises there is still significant work to be done and to date, the public sector has not fully achieved the 'moving up a gear' milestones.

Questions that senior leaders and those who scrutinise them may want to ask

- Have we set out a clear strategic approach and action plan for decarbonisation? If not, why not?
- Have we given due consideration to recommendations from the Future Generations Commissioner on decarbonisation, including those within the Future Generations Report 2020⁶?
- Are we involving our staff, stakeholders and citizens in the development and delivery of our strategic approach?
- Have we collaborated with others to develop our overall approach?
- How will our approach to decarbonisation help us deliver against other strategic objectives (including well-being objectives) as well as meeting the 2030 collective ambition?
- Do our other corporate strategies, policies and operations reflect the strategic approach we have set out for decarbonisation?
- Does our action plan set out clear milestones that align with the 2030 collective ambition and is it being implemented at sufficient pace?



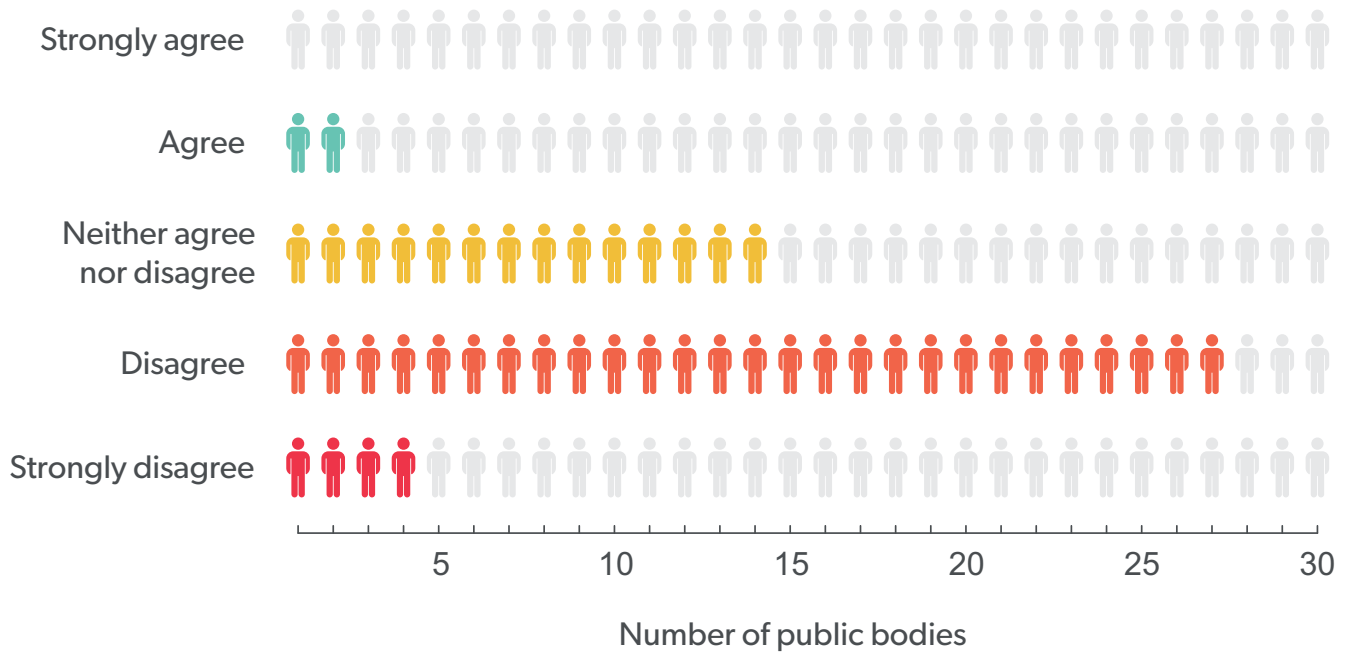
6 [The Future Generations Commissioner for Wales, Future Generations Report 2020, May 2020.](#)



Get to grips with the finances you need

- 28 Public bodies need to plan their finances in such a way that they can deliver their decarbonisation strategies and action plans. This will require long-term planning because decarbonisation will need investment for many years. It will also require immediate expenditure because if the 2030 collective ambition is to be met, urgent action is essential.
- 29 Public bodies recognised that significant investment in decarbonisation will be required, particularly for upfront infrastructure costs. But they were uncertain about where the funding for this investment would come from. The Welsh Government is providing funding to public bodies in various ways, but it has said it cannot fund everything. Public bodies will therefore need to think carefully about how they can use their existing funding in different ways, explore potential additional funding opportunities and consider how they might share costs with partner organisations.
- 30 Overall, public bodies told us that finances are a significant barrier to achieving the 2030 collective ambition. This is because of uncertainty in relation to the long-term additional funding they will have available to them, and about difficulties in getting to grips with the costs of decarbonising. **Exhibit 3** shows that most public bodies have not fully assessed the financial implications of the 2030 collective ambition. In some cases, this is because they have not yet set out a clear set of actions and activities to achieve net zero.

Exhibit 3: public bodies' responses to the statement, 'Our organisation has fully assessed the financial implications of meeting the 2030 carbon reduction targets'



Note: One public body did not respond to this question.

Source: Audit Wales call for evidence

Questions that senior leaders and those who scrutinise them may want to ask

- Do we know what we are currently spending on activities to help meet the 2030 collective ambition?
- Do we know how much we would need to spend to help achieve the 2030 collective ambition?
- How are we deciding how much to spend on decarbonisation?
- If we have not yet assessed the financial implications of the 2030 collective ambition, do we understand why we have been unable to?
- What are we doing to collaborate with others, to understand the financial implications, and to share costs?
- Do our budgets and expenditure reflect the need to reduce carbon emissions urgently?
- Are we setting out a good level of detail in our financial statements in relation to decarbonisation spending?
(See [our blog](#) on this matter).





Know your skills gaps and increase your capacity

- 31 Within public bodies it is everyone's responsibility to take action towards the 2030 collective ambition. Delivering that ambition will require public bodies to have staff in place with some specialist expertise. Our work found enthusiasm to deliver, but we also found widespread capacity issues and skills gaps. Skills gaps in relation to decarbonisation are not unique and are symptomatic of a wider challenge across the public sector. For example, in our [Picture of Public Services 2021](#) report, we highlight that staffing numbers have fallen and skills deficits have emerged.
- 32 Public bodies told us their resources are stretched in delivering their core services, and they are lacking specialist skills in carbon reduction and in monitoring carbon emissions. In addition, the complex nature of the field means that bodies are competing for limited expertise and knowledge.
- 33 Public bodies need to understand the staff capacity and skills they have in place through robust workforce planning. Training will play a crucial role in ensuring staff understand their decarbonisation responsibilities and are best equipped to deal with the task at hand. There is also an opportunity to share the knowledge, expertise and capacity that exists within the public sector as well as the private and third sectors.

Questions that senior leaders and those who scrutinise them may want to ask

- Do we know what skills are needed, both now and in the future, to ensure we can deliver against the 2030 collective ambition?
- Do we have a plan in place to deal with any identified skills and capacity gaps through training, recruitment or working with peers and stakeholders to share resources and expertise?





Improve data quality and monitoring to support your decision making

- 34 Public bodies need to understand where their emissions are coming from so they can check if they are making progress. We found that data issues are a major barrier to having a shared understanding of the problem and to taking strategic decisions about the solutions.
- 35 Carbon emissions monitoring and reporting is a complex and rapidly developing area worldwide. The Welsh Government has published a common reporting methodology for public bodies to report their emissions through the [Welsh Public Sector Net Zero Reporting Guide](#) and the net zero reporting spreadsheet. In doing so, the Welsh Government is trying new ways of improving emissions data. Welsh public bodies responded by putting new arrangements in place and by submitting their first set of annual data in October 2021.
- 36 The Welsh Government commissioned independent consultants, to review the first submission of emissions data from public bodies and in June 2022, the Welsh Government published the consultancy report in full. The report⁷ provides the first estimate of the full range of emissions by the public sector in delivering services for the people of Wales. The report states that the figures include significant uncertainty, particularly in relation to supply chain emissions, and that the data has not been thoroughly audited. The figures suggest emissions across Wales for the public sector reduced by 5% between 2019-20 and 2020-21.
- 37 In response to our call for evidence, public bodies recognised the usefulness of having a common reporting methodology. However, some responses pointed to concerns over some calculation methods, particularly regarding supply chain and land use, and called for further clarity of definitions to ensure consistent interpretation and reporting. Some responses also noted that existing systems were not able to capture the required data, and had to be updated, or new systems had to be put into place. This was often time consuming and resource intensive. NHS bodies also raised concerns about duplication with existing reporting arrangements on carbon emissions.

7 [See Footnote 3.](#)

- 38 It is important to get the data right because this information will underpin decision making and monitoring of progress for decades to come. However, we acknowledge this is the first year of the new arrangements to report a complex issue and the Welsh Government is committed to developing the guidance further to address the issues identified in the consultancy report (**paragraph 36**) and to reflect wider feedback. The Welsh Government published revised [reporting guidance](#) in July 2022. We also acknowledge that while there are concerns about supply chain data, the requirement to report this data reinforces the findings from previous studies that show the importance of reducing emissions from procurement and the supply chain⁸.

Questions that senior leaders and those who scrutinise them may want to ask

- Are we playing our part in building a system that will provide consistent, accurate, high-quality data on carbon emissions across the public sector to support transparency and scrutiny?
- Do we know what the existing data is telling us and what further data do we need to support decision making?
- Based on our understanding of our own data, do we have plans in place to take appropriate action?
- How can we improve our understanding of emissions resulting from our supply chain and relevant third parties?



⁸ [Welsh Government, A route map for decarbonisation across the Welsh public sector \(Appendix A\), May 2021.](#)



Appendices

- 1 Audit approach and methods**
- 2 Legislative and policy framework underpinning decarbonisation**
- 3 The public sector route map and reporting guide**

1 Audit approach and methods

In November 2021, we issued a call for evidence to 48 public bodies, asking questions about their baseline position in achieving the 2030 collective ambition. Most public bodies responded in the period December 2021 to January 2022. We sent the call for evidence to the bodies covered by the [Well-being of Future Generations \(Wales\) Act 2015](#) at the time. This included all principal councils, fire and rescue authorities, national park authorities, health boards and NHS trusts, and the larger Welsh Government sponsored bodies.

We also sent the call for evidence to the Welsh Ambulance Services NHS Trust, Digital Health and Care Wales, and Health Education and Improvement Wales to ensure we had a more complete picture across the NHS. We also sent the call for evidence to NHS Wales Shared Services Partnership (NWSSP), which is an independent mutual organisation, owned and directed by NHS Wales, that delivers a range of services for and on behalf of NHS Wales. NWSSP is hosted by and operates under the legal framework of Velindre University NHS Trust, which is itself covered by the Well-being of Future Generations (Wales) Act 2015.

We received responses from all bodies that were sent the call for evidence, although in a small number of instances not all questions were answered. Where questions were not answered by all public bodies, this is set out in a note to each relevant graph.

To inform our work, we held discussions with relevant stakeholders including the Welsh Government, the Office of the Future Generations Commissioner for Wales, representatives of NHS Wales and the Welsh Local Government Association. We also reviewed key documents, including policies and guidance, and other relevant information provided to us by the Welsh Government and other stakeholders.

We did not undertake a detailed review at each of the public bodies. While we have largely relied on what they reported through their call for evidence responses and any supporting documentation, we have also sought to triangulate our findings through discussions with stakeholders and evidence from our wider document and data review. We also shared and discussed our emerging findings at a [public webinar](#) held in May 2022. 109 people from outside Audit Wales attended the webinar, representing a range of public, private and third sector organisations.

As stated earlier in this report, the Auditor General for Wales has committed to a long-term programme of work on climate change. We have already reported on the decarbonisation efforts of [fire and rescue authorities](#), we have begun to review council decarbonisation action plans and we are preparing a report on flood risk management. Following a recent consultation on our future work programme, we are considering our next steps in relation to auditing actions to decarbonise and to adapt to the changes already happening to our climate.

2 Legislative and policy framework underpinning decarbonisation

The graphic below sets out the key legislation, policies and guidance related to decarbonisation and climate change that apply across the Welsh public sector. We refer to sector-specific legislation and policies in the main body of this report where relevant.



April 2016

The Well-being of Future Generations (Wales) Act 2015 came into force and required public bodies covered by the Act to act in accordance with the sustainable development principle. The five ways of working set out in the Act aim to help bodies work together better, avoid repeating past mistakes and tackle long-term challenges.

March 2019

The Welsh Government published the first statutory Low Carbon Delivery Plan, Prosperity for All: A Low Carbon Wales (LCDP1).

November 2019

The Welsh Government published Prosperity for All: A Climate Conscious Wales, its most recent climate adaptation plan.



March 2016

The Environment (Wales) Act 2016 came into force and placed a duty on Welsh Ministers to set targets for reducing greenhouse gas emissions and to set carbon budgets.

July 2017

The Welsh Government set an ambition of achieving a carbon neutral public sector by 2030.

April 2019

The Welsh Government made a Climate Emergency Declaration.



March 2021

Following advice from the Climate Change Committee in December 2020, the Welsh Government set new legal targets for a 63% carbon reduction by 2030, 89% by 2040, and 100% by 2050.

May 2021

The Welsh Government published the Welsh public sector net zero reporting guide and the net zero carbon reporting spreadsheet. **Appendix 3** provides further detail.



June 2021

The Welsh Government published its Programme for Government 2021-2026 which puts tackling the climate and nature emergencies at the heart of the new government and makes a series of commitments to embed climate change in a number of ways.

July 2021

The Welsh Government published Net zero carbon status by 2030: A route map for decarbonisation across the Welsh public sector. **Appendix 3** provides further detail.

October 2021

The Welsh Government published Net Zero Wales Carbon Budget 2 (2021 to 2025). This sets out specific policies for the public sector, including a target for decarbonisation plans to be in place by March 2023, targets relating to buildings, vehicles and procurement, and development of a new health and social care decarbonisation plan.



July 2022

The Welsh Government published updated versions of the Welsh public sector net zero reporting guide and the net zero carbon reporting spreadsheet.

3 The public sector route map and reporting guide

To support the public sector to achieve net zero, the Welsh Government published its [public sector route map](#) in July 2021. The route map sets out four priority areas for action: buildings, mobility and transport, procurement, and land use. It also sets out key milestones for the public sector to achieve, which are:



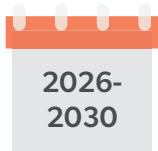
2021-
2022

Moving up a gear: Where understanding the context and what needs to be done is vital, and where action needs to accelerate.



2022-
2026

Well on our way: Where there is an expectation that low carbon is becoming the norm and the public sector is definitely on the way to net zero.



2026-
2030

Achieving our goal: Where choosing zero carbon has become routine, culturally embedded, and self-regulating.

In May 2021, the Welsh Government published the [Welsh Public Sector Net Zero Carbon Reporting Guide](#). The aim of the guide is to develop a universal set of instructions for use by public bodies to assist in meeting the 2030 collective ambition, in particular to:

- **Baseline:** To understand the current situation and quantify organisational emissions and removals for a consistently drawn boundary. And to quantify the likely emission gap to carbon neutral operations by 2030.
- **Identify mitigation potential:** An assessment to identify significant sources of emissions enabling organisations and the public sector to prioritise action needed to move to carbon neutral operations by 2030.
- **Monitor progress:** A need to gather, collate and analyse data to assess whether organisations are on track to achieving their goal of carbon neutrality by 2030.

Alongside the guide, the Welsh Government published the [Net zero carbon reporting spreadsheet](#) for use by public bodies to capture and report their emissions data in a consistent way. The Welsh Government asked public bodies to submit the first data by October 2021 for the 2020-21 financial year. The second submission is required by September 2022 for the 2021-22 financial year.

The guide states that public bodies should report actions to reduce emissions and move to carbon neutral operations by 2030, but the format and narrative of that reporting are not prescribed. The guide does suggest it could be in the form of an annual report on progress against a published action plan or a separate document. It also suggests that management information used in collating an emissions report will provide a good basis for the narrative report. As part of our work, we have not reviewed any narrative reports produced by public bodies, although **paragraphs 34-38** of this report comment on the challenges relating to the carbon emissions data and reporting. Following feedback from public bodies and a review of the first year's data submissions, the Welsh Government published revised reporting guidance in July 2022.



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Audit Wales
National Report
[Public Sector Readiness for Net Zero Carbon by 2030](#)
Calls to Action
Overview and Scrutiny Committee 25 January 2023

[Public Sector Readiness for Net Zero Carbon by 2030](#)

Published July 2022

What are we trying to achieve, the outcome	A Carbon Neutral Council and County Borough, that contributes to the local, national and global reductions in carbon and other harmful emissions that are warming the planet. In doing so, among other things we will clean our air, deliver a waste free RCT and protect and restore local biodiversity and the natural environment. Our plans are set out in our Tackling Climate Change Strategy – ‘Think Climate RCT’ .
Why we need to do it:	As well as our own carbon reduction commitments and targets, there is increasing pressure from stakeholders and residents for changes to support the need to keep the increase of global temperature to below 1.5% above the baseline. There are also national drivers in place in Wales to help to contribute to this including Working Together to reach net Zero: all Wales plan ; Net Zero Wales Carbon Budget 2 (2021-2025) and Public Sector Net Zero data and recommendations .

Call to Action	Council's Response	Next Steps	Timescale	Responsible Officer
AW RNZ 01 Strengthen your leadership and demonstrate your collective responsibility	AGREED - this is an integral part of the Council's response as outlined the Council's Tackling Climate Change Strategy -Think Climate RCT. The Strategy seeks to collaborate with different partners and stakeholder to achieve different Climate	Continue to build and maintain constructive relationships with new and existing partners to share learning and maximise resources in the short and long term.	Ongoing	Paul Mee

Call to Action	Council's Response	Next Steps	Timescale	Responsible Officer
through effective collaboration	<p>Commitments, including, businesses, community groups and third sector and other local, regional and national bodies.</p> <p>The Council has recently been subject to local Audit <i>'to ensure that we have effective arrangements in place to support and challenge the delivery on climate change and energy efficiency requirements. We are awaiting the findings.'</i></p>	<p>Ensure that the Council's current strong leadership and strategic approach is further developed within the new Corporate Plan which will be in place from 2024.</p>		
<p>AW RNZ 02 Clarify your strategic direction and increase your pace of implementation</p>	<p>AGREED – our strategy sets the framework for our work and plans. There is clear alignment with the Council's Corporate Plan and there are governance arrangements in place. The new Decarbonisation Plan scheduled for consideration by Cabinet in early 2023 will inform our detailed service plans and seek to accelerate the pace of work to reduce our Carbon Footprint in 2023/24 and beyond.</p> <p>The Council has recently been subject to local Audit to ensure that we <i>'have effective arrangements in place to support and challenge the delivery on climate change and energy efficiency requirements. At the time of writing the findings are imminent.'</i></p>	<p>Many services are already tackling big energy saving, energy generation and transport projects. As part the 2023/24 Delivery Planning framework and support and challenge processes all services are required to set out where they are making energy and carbon savings and are contributing to the delivery of 'Think Climate RCT'.</p> <p>Consider and use the findings from the Audit review to challenge/inform our future arrangements.</p>	June 2023	Paul Mee

Call to Action	Council's Response	Next Steps	Timescale	Responsible Officer
<p>AW RNZ 03 Get to grips with the finances you need</p>	<p>AGREED – the Council's medium term financial planning arrangements integrate financial and service planning to ensure, amongst other things, that resources are aligned to priority areas. Climate Change is one of the key strategic areas within the Council's Medium Term Financial Plan, ensuring it has priority focus within the parameters of the resources available to the Council.</p>	<p>Work will continue with Services to plan the actions, projects and resources to deliver the Council's Climate Change ambitions, in line with the Climate Change Strategy 2022–25 and where appropriate in collaboration with others. This will be an on-going and long-term programme of work and will continue to be integrated as part of the Council's Medium Term Financial Planning arrangements - this will include a continued proactive approach to researching and securing additional external funding alongside agreed revenue and capital programme resources allocated by the Council and underpinned by robust monitoring arrangements. Updates will be reported to Members via quarterly Performance Reports.</p>	Ongoing	Paul Griffiths
<p>AW RNZ 04 Know your skills gaps and increase your capacity</p>	<p>AGREED As part of the development of plans to deliver the 'Think Climate RCT Strategy' the Council has made positive progress to date. However, the pace of the work required is accelerating. Like all Councils, we have recognised there are significant skills and knowledge gaps need to fully address decarbonisation across the Council in new and emerging technologies. Skills and knowledge needed range from general</p>	<p>We will continue to review and manage capacity, maximise shared resources as far as possible, keep abreast of and contribute to wider national debates about development of Public Service skills and participate in local and national training events to continue to expand our knowledge and skills.</p> <p>The findings from the refreshed Programme of Individual Performance Reviews scheduled for</p>	Ongoing	Richard Evans

Call to Action	Council's Response	Next Steps	Timescale	Responsible Officer
	awareness and service specific understanding and leadership and more hands-on technical skills. More widely, this has been recognised as national skills gap by Welsh Government. Funding has been made available to increase the organisational capacity, including from the Council's Graduate Programme, to support the Council's carbon reduction ambitions.	roll out in early 2023 and discussions about delivering 2023/24 actions arising from the Decarbonisation Plan and Service Delivery Plans will further challenge and inform our workforce development and planning.		
AW RNZ 05 Improve data quality and monitoring to support your decision making	AGREED Our plans include coordinating and managing arrangements to strengthen data quality and accessibility so that Climate Strategy, Decarbonisation Plan and Dashboard related data is robust, timely and meets the Welsh Government reporting requirements, as well as our own.	We are continuing to develop plans, associated measures, and automatic data capture e.g., live testing of Solar Energy Generation metering for 2022/23. This will strengthen and improve data quality. These arrangements will also feature as in out 2023/24 planning arrangements and will include national data sets where possible.	Ongoing	Dave Powell/ Lesley Lawson



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2022/23**

OVERVIEW AND SCRUTINY COMMITTEE

25TH JANUARY 2023

COUNCIL PROGRESS UPDATE - AUDIT WALES

[EQUALITY IMPACT ASSESSMENTS: MORE THAN A TICK BOX EXERCISE?](#)

**REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES &
COMMUNICATION**

Author: Lesley Lawson; Performance Manager

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide Members with the latest Audit Wales (AW) National report and to provide the opportunity for Members to review the recommendations in the context our work and the Council's response. Also, to note the position of the report in the wider context of the Audit Wales 2021/22 work programme, which will be reflected in its Audit Summary published in March 2023.

2. RECOMMENDATIONS

It is recommended that Members of the Overview and Scrutiny Committee:

- 2.1 Consider the report of Audit Wales in respect of, '[Equality Impact Assessments: more than a tick box exercise?](#)' seen at **Appendix 1**.
- 2.2 Review and agree the response to the 'Recommendations' and Improvement Areas as set out in the Action Plan at **Appendix 2**, providing regular up-dates of progress, determine whether further information and/or further progress updates are required.

- 2.3 Consider whether there are any matters of a governance, internal control or risk management nature that require referral to the Council's Governance and Audit Committee.

3. BACKGROUND INFORMATION

- 3.1 In 2021/22, Audit Wales conducted a review of the way that public bodies undertake Equality Impact Assessments and in doing so meeting the relevant requirements of the General Equality Duty within the Equality Act 2010 and the Welsh Specific Public Sector Equality Duty.

- 3.2 Audit Wales published the resulting National Report in September 2022

- 3.3 The report concludes

'There are examples of good practice in aspects of the EIA process across the public bodies we looked at. There is also non-statutory guidance from the Equality and Human Rights Commission (EHRC) and on the Equality Impact Assessment In Wales Practice Hub (the Practice Hub) about the detailed processes for conducting an EIA. Many public bodies use this guidance to shape their approaches. However, there are areas for improvement'.

- 3.4 The report also sets out and Key Improvement Areas and Recommendations for Welsh Government and Public Bodies.

- 3.5 Appendix 2 sets out how the Council is undertaking actions that will address the Improvement Areas and respond to the Recommendations.

4. EQUALITY AND DIVERSITY IMPLICATIONS/SOCIO-ECONOMIC DUTY

- 4.1 This report provides an update on the work being taken by the Council to progress findings as reported by Audit Wales; therefore, an Equality and Socio-Economic Impact Assessment is not required.

5 WELSH LANGUAGE IMPLICATIONS

- 5.1 There are no Welsh language implications as a result of the recommendations set out in this report.

6 CONSULTATION/INVOLVEMENT/ENGAGEMENT

- 6.1 There is no direct requirement for Consultation/Involvement in this report. However, more widely, 'Involvement' is a key pillar to enable the Council to respond to the Audit Wales findings.

7 **FINANCIAL IMPLICATION(S)**

7.1 There are no financial implications aligned to this report.

8 **LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

8.1 There are no legal implications aligned to this report.

9 **LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

9.1 The Council is committed to promoting equality of opportunity in all its activities work in respect. We have reviewed and strengthened our [Equality Impact Assessment](#) and associated processes to reflect the requirements of the Socio-Economic Duty. The work outlined in response to the Audit Wales findings reflects the national Well-being goals, in particular a More Equal Wales, A Prosperous Wales and a Wales of Cohesive communities.

10 **CONCLUSION**

10.1 Audit Wales reports play an important role in supporting on-going improvement to the Council's governance and service delivery arrangements, and as part of this process, the Council utilises its Scrutiny Committees and Governance and Audit Committee in line with their Terms of Reference, to oversee the arrangements and the monitoring of progress.

10.2 In line with the Overview and Scrutiny Committee's Terms of Reference, the Committee has responsibility for reviewing and challenging the progress the Council is making toward implementing agreed actions and forming a view on the adequacy of progress being made.

10.3 Lastly, where the Overview and Scrutiny Committee consider there are matters of a 'governance', 'internal control' or 'risk management' nature that require further review, these can be referred back to Governance and Audit Committee for consideration.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE – 25 January 2023

REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES AND COMMUNICATION

Item: Audit Wales Report [Equality Impact Assessments: more than a tick box exercise?](#)

Background Papers

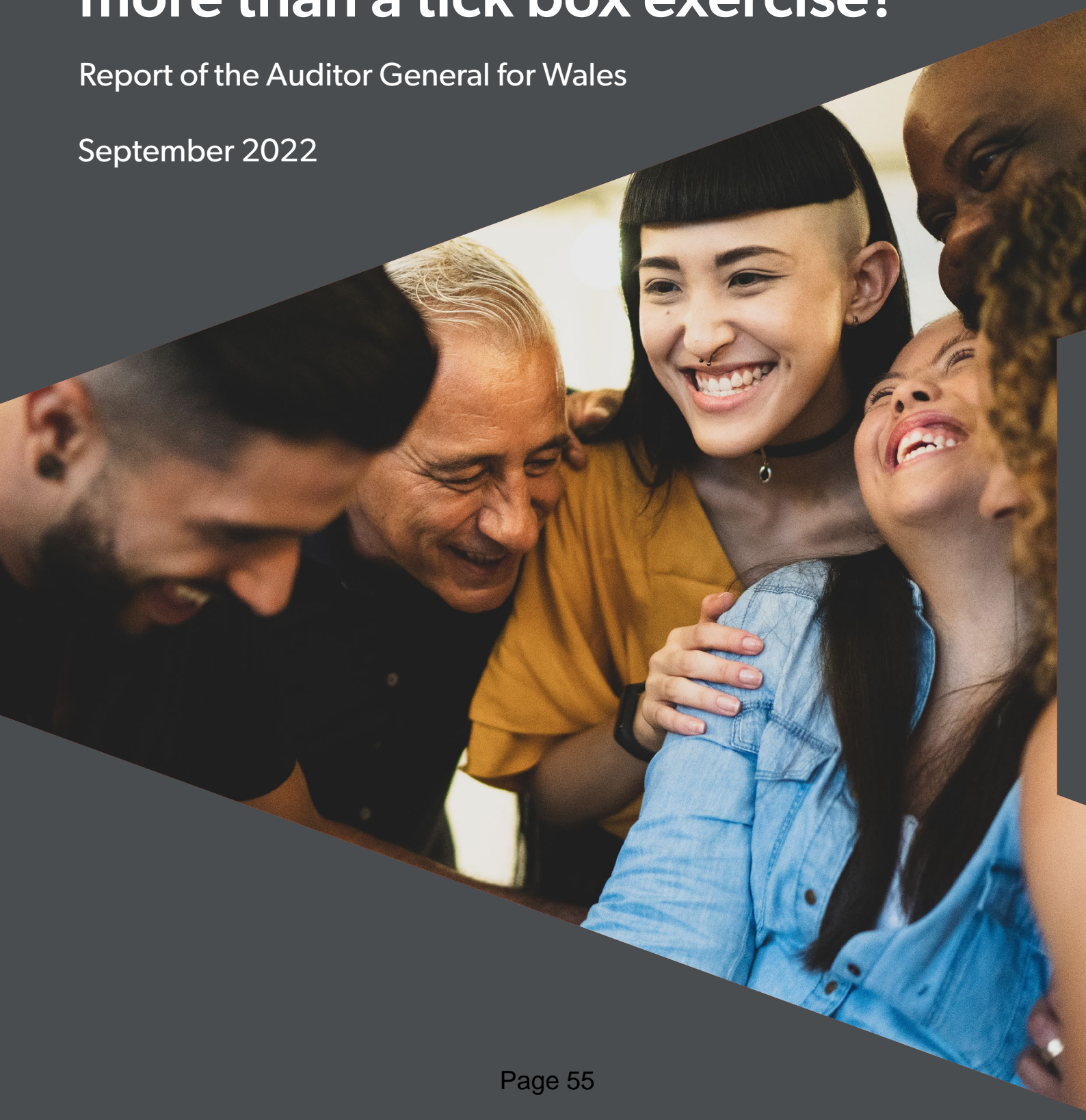
None.

Officer to contact: Lesley Lawson

Equality Impact Assessments: more than a tick box exercise?

Report of the Auditor General for Wales

September 2022



This report has been prepared for presentation to the Senedd under section 145A of the Government of Wales Act 1998.

The Auditor General is independent of the Senedd and government. He examines and certifies the accounts of the Welsh Government and its sponsored and related public bodies, including NHS bodies. He also has the power to report to the Senedd on the economy, efficiency and effectiveness with which those organisations have used, and may improve the use of, their resources in discharging their functions.

The Auditor General also audits local government bodies in Wales, conducts local government value for money studies and inspects for compliance with the requirements of the Local Government (Wales) Measure 2009.

The Auditor General undertakes his work using staff and other resources provided by the Wales Audit Office, which is a statutory board established for that purpose and to monitor and advise the Auditor General.

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Mae'r ddogfen hon hefyd ar gael yn Gymraeg.

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Auditor General's foreword

Discrimination and inequality continue to impact on the quality of life and life chances of people in Wales. My Picture of Public Services 2021 report highlighted that the COVID-19 pandemic had amplified some of the entrenched inequalities in our communities. Black Lives Matter, MeToo and other social movements have brought issues of discrimination and inequality to the forefront of public policy and debate.

Equality Impact Assessment (EIA) is an important part of the approach to tackling inequality in Wales. EIAs help public services meet their legal duties to avoid discrimination in the decisions they make and to promote equality of opportunity and cohesion.

Done well, EIAs are more than a means to show compliance. They support the growth of a mind-set and culture that put issues of equality at the heart of decision-making and policy development.

Our work shows that within individual public bodies there are good examples of aspects of the process of conducting an EIA. Through this report, I want to help all public bodies learn from those that are doing well and trying new approaches.

However, what we have seen and heard tells us that public bodies in Wales tend to use their EIAs defensively. Too often, they seem like a tick box exercise to show that the body has thought about equality issues in case of challenge. While legal challenge is of course an important risk to manage, this approach means public bodies are not using EIAs to their full potential, especially in terms of promoting equality and cohesion.

I hope this report will be of interest to anybody involved in public services and with an interest in tackling inequality and promoting equality. However, I want this work to be more than interesting. It needs to have an impact. Specifically, I expect:

- the Welsh Government to respond to the recommendations to work with partners to improve and update the overall approach to EIAs;
- all public bodies to respond to the recommendation that they review their own approaches to EIAs, including mindset and culture, drawing on the findings of this report; and
- those involved in scrutiny to use this report to challenge their organisation's overall approach to EIAs and the quality of individual EIAs used to inform their decisions.

I am pleased to say that this work has already had positive impacts. Our fieldwork questions have prompted some public bodies to check aspects of their own arrangements. And we have shared emerging findings with some public bodies that were updating their approach to EIAs. Closer to home, at Audit Wales, we are looking closely at our own processes and procedures to reflect the lessons identified in this work.

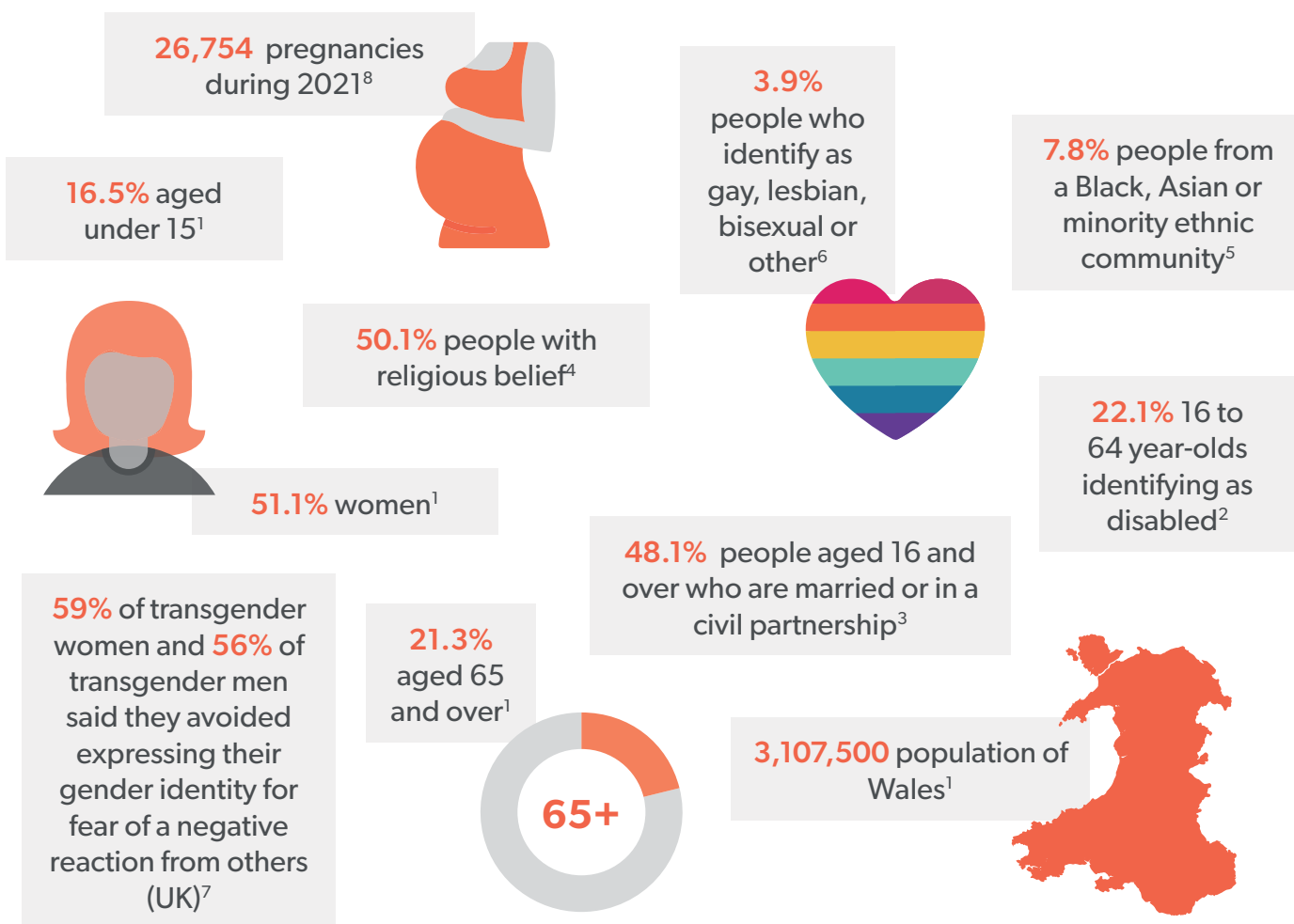


Adrian Crompton

Auditor General for Wales

Key facts

We set out below some key facts about the population in Wales in the context of the nine protected characteristics under the Equality Act 2010.



Sources:

- 1 Office of National Statistics (ONS), Population and household estimates, Census 2021, June 2022
- 2 StatsWales, Disability by age and sex (Equality Act definition) (2018-2020)
- 3 StatsWales, Marital status by age and sex (2018-2020)
- 4 StatsWales, Religion status by age (2018-2020)
- 5 ONS, Population estimates by ethnic group, England and Wales December 2021 (data for 2019)
- 6 StatsWales, Sexual identity by year, 2019
- 7 Government Equalities Office, National LGBT Survey, July 2018 (survey ran for 12 weeks from July 2017)
- 8 StatsWales, Initial assessment indicators for Wales, by mother's age, 2021

Key messages

Context

- 1 Tackling inequality is a long-standing goal of the Welsh Government. It features prominently in the 2021-2026 Programme for Government which includes the objective to ‘celebrate diversity and move to eliminate inequality in all of its forms’¹. The Well-being of Future Generations (Wales) Act 2015 makes ‘A more equal Wales’ a national goal. It defines this as ‘a society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances)’.
- 2 Equality Impact Assessment (EIA) is an important part of the approach to tackling discrimination and promoting equality in Wales. The Equality Act 2010 introduced the Public Sector Equality Duty (PSED) across Great Britain (**Exhibit 1**). The Welsh Government has made its own regulations² setting out some Wales specific duties that bodies listed in the Act need to follow to meet the PSED. Public bodies subject to the Act must assess the likely impacts of proposed policies or practices or proposed changes to existing policies or practices on their ability to meet the PSED. In doing so, they must comply with specific requirements to engage with groups likely to be impacted and monitor actual impacts.

1 Welsh Government, Programme for Government: update, December 2021

2 The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

Exhibit 1: the Public Sector Equality Duty and protected characteristics

The PSED requires public bodies, in exercising their functions, to have due regard to the need to:

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

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The Act and the Wales specific duties apply to public bodies including councils, NHS bodies, fire and rescue services, national parks, education bodies (further and higher education bodies and maintained schools), and the Welsh Government and some of its sponsored bodies.

- 3 An EIA can provide evidence that the body has met the PSED. There have been legal challenges to decisions based on the lack or adequacy of an EIA. Moreover, EIAs support good policy and decision-making more generally by:
- **ensuring decisions impact protected groups in a fair way** – EIAs can demonstrate what, if any, action could be taken to mitigate the impact on one or more protected groups negatively affected by a decision and to promote equality and cohesion;
 - **support evidence-based policy or decision-making** – EIA is a clear and structured way to collect, assess and present relevant evidence to support decisions; and
 - **making decision-making more transparent** – EIAs must be published where they show there is or is likely to be a substantial impact.

- 4 As well as the PSED, the Equality Act 2010 included provision for a new socio-economic duty for public bodies³. The socio-economic duty came into force in Wales on 31 March 2021. It requires that public bodies, ‘when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage’. The Welsh Government advises public bodies to consider the socio-economic duty as part of existing processes, including impact assessments. We are currently reviewing local government’s work to tackle poverty, including aspects of the socio-economic duty and the lived experience of people experiencing poverty.

About this report

- 5 We looked at the overall approach to undertaking EIAs in public bodies in Wales. To focus our work, we concentrated on the 44 public bodies originally subject to the Well-being of Future Generations (Wales) Act 2015. The main groups covered by the PSED that we did not include were the education bodies – further and higher education institutions and maintained schools – and Corporate Joint Committees.
- 6 We focused primarily on understanding public bodies’ approaches with a view to finding good or interesting practice and identifying any common areas for improvement. We did not evaluate individual public bodies’ approaches in detail. **Appendix 1** has more detail on our audit approach and methods. Where we identify individual bodies’ practices, this is not to say that they are necessarily alone in having good or interesting practices in that area.
- 7 Parts one to three of this report set out the findings from our consideration of the EIA process at the 44 public bodies. Below, we set out the main areas for improvement we identified. These include issues that go beyond how public bodies are conducting specific parts of the processes and offer insight about the overall approach to assessing the impacts of policies and practices and the underpinning mindset and culture.
- 8 The Welsh Government is currently reviewing the PSED Wales specific regulations. We have framed our key improvement areas and recommendations in the context of the opportunity the review offers to clarify aspects of the overall approach to EIAs in Wales.

3 The duty lay dormant on the statute book as the UK Government did not commence it. The Wales Act 2017 gave new powers to the Welsh Ministers and allowed them to commence the duty in Wales. It covers most types of public bodies subject to the PSED.

Key improvement areas

- 9 Positively, there are examples of good practice in aspects of the EIA process across the public bodies we looked at. There is also non-statutory guidance from the Equality and Human Rights Commission (EHRC)⁴ and on the [Equality Impact Assessment In Wales Practice Hub](#) (the Practice Hub) about the detailed processes for conducting an EIA. Many public bodies use this guidance to shape their approaches. However, there are areas for improvement (**Exhibit 2**).

Exhibit 2: key improvement areas for EIA



Greater clarity over which type of policies and practices must be impact assessed



Greater clarity about the arrangements for assessing the impact of collaborative policies and practices



Greater clarity about expectations to consider the PSED as part of an integrated impact assessment



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



More engagement and involvement of people with protected characteristics



Better monitoring of the actual impacts of policies and practices on people



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

4 Equality and Human Rights Commission, *Assessing Impact and the Equality Duty: A Guide for Listed Public Authorities in Wales*, October 2014; and Equality and Human Rights Commission, *Technical Guidance on the Public Sector Equality Duty: Wales*, August 2014.

Greater clarity over which type of policies and practices must be impact assessed

- 10 There is scope for the Welsh Government, working with partners, to clarify its expectations around which type of policies and practices must be impact assessed. As drafted, the Welsh specific duties require public bodies to assess all new policies or practices, or those under review. However, the EHRC's non-statutory guidance recognises that 'policies and practices' is a broad category and says public bodies may need to prioritise. It introduces the concepts of 'proportionality' and 'relevance', which it says public bodies can apply through a process known as 'screening'.
- 11 We think the current position is open to interpretation in terms of whether proportionality and relevance mean public bodies should: (a) prioritise big decisions, like budget decisions or major service change; or (b) prioritise decisions that are likely to have a big impact on certain groups, for example, small scale decisions could have a large impact on one section of the population. Further, many bodies have interpreted proportionality as determining the amount of work needing to be done to assess impacts, rather than whether a policy or practice needs an EIA.
- 12 The EIAs or screening decisions that public bodies publish are usually those that go to their boards or cabinets. They therefore tend to be at the more strategic or impactful end of the scale. While we did not examine in detail practices at individual bodies, we think there is a risk that public bodies may be informally filtering out smaller scale policies and practices that do not require decisions from boards or cabinet, even though they may impact on people with protected characteristics.

Greater clarity about the arrangements for assessing the impact of collaborative policies and practices

- 13 There is scope to clarify how public bodies should do EIAs in an environment of increasing collaboration. The law places duties on individual public bodies. Since the legislation came into force, public bodies are increasingly developing plans and delivering services through collaborative arrangements. The Welsh Government updated the legislation to extend the PSED and Wales specific duties to Corporate Joint Committees in local government, but there are other collaborative arrangements not covered. These include Public Services Boards and Regional Partnership Boards as well as multiple service specific collaborations.

- 14 The Welsh Government has not produced stand-alone guidance on the use of EIAs by collaborative arrangements, although guidance for Public Services Boards highlights EIA requirements for individual public bodies⁵. The EHRC's 2014 guidance predates the creation of many of these arrangements and offers high level advice that there should be a shared approach but does not say how this should work in practice.

Greater clarity about expectations to consider the PSED as part of an integrated impact assessment

- 15 Increasingly, public bodies are integrating their EIAs with other impact assessments. While there is no legal requirement to integrate assessments, the Welsh Government's guidance on the Well-being of Future Generations (Wales) Act⁶ emphasises the opportunities for bodies to integrate their approach to different duties, including those under the Equality Act 2010. Many of the equality officers⁷ we spoke to said that integrating impact assessments led to a streamlined process and a more rounded approach to thinking about impacts. The key downside can be that the assessment is longer and can appear daunting. Our review of EIAs also identified a risk that integrated impact assessments dilute the focus on the impacts of policies and practices on people with protected characteristics.
- 16 Public bodies are inconsistent in what they include in an integrated impact assessment. Mostly, they collate separate assessments in one document, rather than produce a truly integrated analysis of impacts. There is no specific guidance to support public bodies in conducting integrated impact assessments. Many equality officers would welcome clearer guidance from the Welsh Government about its expectations.

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

- 17 There are examples of EIAs that clearly identify likely impacts on groups of people. However, many EIAs we reviewed were descriptive. They identified that a policy or practice might impact on a group of people. But they did not show how it would impact people's lives in practice. This makes it more difficult for decision-makers to assess how important the likely impacts are and if any mitigating measures proposed would be sufficient.

5 Welsh Government, Shared Purpose: Shared Future Statutory Guidance on the Well-being of Future Generations (Wales) Act 2015 (SFSP 3: Collective Role (public service boards)), February 2016.

6 Welsh Government, Shared Purpose: Shared Future Statutory Guidance on the Well-being of Future Generations (Wales) Act 2015 (SFSP 2: Individual Role (public bodies)), February 2016.

7 We have used the term 'equality officer' throughout this report to refer to staff in public bodies with specific lead specialist roles for equality, whether that be their full-time job or part of their role. The way these roles are structured, and their seniority, varies.

- 18 In general, public bodies tend to identify negative impacts that they need to mitigate where possible. They are less likely to identify potential ways that the policy or practice could positively promote equality of opportunity and cohesion, even though this is a requirement of the PSED. Few public bodies have fully grasped the complexity of identifying likely impacts of policies and practices. None of the EIAs we looked at considered what is known as 'intersectionality'; the way that different protected characteristics combine. For example, while an EIA may identify impacts for Muslim people, it may not recognise that impacts could be very different for a Muslim woman compared to a Muslim man.
- 19 Many public bodies are thinking about how to identify the cumulative impacts of multiple decisions but few are doing so. Most do not have supporting systems that would enable those conducting EIAs to access the information needed about other decisions.
- 20 Most public bodies' formal processes and guidance say they will start thinking about impacts very early in the policy development process. However, many of the equality officers recognised that in practice EIAs often start late in the process, sometimes very shortly before a decision is due to be taken. This reduces the scope to shape the policy or practice and to mitigate impacts.

More engagement and involvement of people with protected characteristics

- 21 There are examples of public bodies seeking views from people with protected characteristics and drawing on their lived experience as part of the EIA. However, some third sector bodies are concerned that this does not happen nearly enough. We found that where public bodies seek views these often form part of a broader open consultation rather than focussing on specific groups with protected characteristics.
- 22 Some third sector organisations said that listening to people with protected characteristics was the action that would most improve EIAs. National representative public bodies could not always respond to the number of requests to take part in EIAs they receive and did not always have knowledge or information to respond to local issues.

Better monitoring of the actual impacts of policies and practices on people

- 23 Public bodies need to do more to monitor the impact of policies or decisions on protected groups. Equality officers at individual public bodies identified very few examples of public bodies monitoring the actual impacts of a policy or decision once implemented. Those examples put forward generally reflected broader monitoring of a policy's objectives rather than whether the impacts identified in the EIA materialised or whether there were other unanticipated impacts.

A shift in the mindsets and cultures that moves EIA away from being seen as an add-on 'tick box' exercise

- 24 From what we have seen there has not been a sufficient change in the mindset and culture in public services to put issues of equality at the heart of policy making. The mindset revealed by the EIA is often defensive: using EIAs to prove the body has paid due regard to equality in case of political or legal challenge. Often, the EIA seems like an additional 'tick box' exercise to be complied with rather than a tool to promote equality.

Recommendations

Recommendations

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

R1 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. **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.**

Building a picture of what good integrated impact assessment looks like

R2 Many public bodies carry out integrated impact assessments that include consideration of the PSED alongside other duties. But 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.**

Recommendations

Applying the equality duties to collaborative public bodies and partnerships

R3 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.**

Reviewing public bodies' current approach for conducting EIAs

R4 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 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.**



Supporting arrangements for conducting EIAs

01

- 1.1 Conducting an EIA can be complicated. Good support can help make the process of conducting EIAs easier and more effective by having a clearly spelled-out approach and process, underpinned by clear guidance and training. And public bodies can have expert advice to hand to support those involved in assessing the impacts of decisions.

Setting out the organisation's approach to EIA

What we looked for

A clearly spelled-out approach to EIA for the organisation, including whether the EIA should form part of a wider integrated impact assessment.

What we found

Almost all public bodies had a set process for conducting an EIA, although these vary from a stand-alone EIA to producing integrated impact assessments covering a wide and varying range of other legal duties and policy priorities.



Strategic equality plans

- 1.2 All 44 public bodies met the requirement to produce a Strategic Equality Plan (SEP). The SEP must include an organisation's equality objectives, how they will measure progress on meeting objectives, and how they will promote knowledge and understanding of the general and specific duty. The SEP must also set out the public bodies' arrangements for assessing the likely impact of policies and practices on their ability to meet the PSED. However, in our review of SEPs we found that only 17 of the 44 bodies did so and to varying degrees of detail.
- 1.3 A few public bodies have gone further than simply describing arrangements. For example, Conwy County Borough Council's SEP describes in detail its process for EIA, how its Cabinet uses EIAs to support decision-making, and scrutiny committees' role in ensuring the quality of EIAs. The Council's SEP also explains how it has used EIAs to inform its equality objectives.

Organisational approach – integrated and stand-alone assessments

- 1.4 Nearly all public bodies (42 of 44) have a set process for undertaking EIAs. Most said that they put information on intranet sites, alongside supporting documents, contacts and most often a Word template for completion. Our review of EIAs found no standard format across public bodies, although most closely followed the approach set out in the Practice Hub. Members of the North Wales Public Sector Equality Network⁸ have worked together to develop a standard template which most members of the network have adopted at least in part.
- 1.5 In around two-thirds (30 of 44) of public bodies we spoke to, the EIA forms part of a wider integrated impact assessment. There is no common approach to integrated impact assessments and no national guidance on what should be covered. There are some assessments that public bodies commonly include alongside the PSED (**Exhibit 3**). Some include other legal duties as well as policy priorities and practical considerations, such as finance. For example, the Welsh Government's integrated impact assessments sometimes cover climate change impacts, health impacts and economic impacts as well as a wide range of other legal duties, depending on the nature of the policy or practice.

8 The North Wales Public Sector Equality Network is an informal network of public bodies working together to advance equality. Representation includes North Wales local authorities, Betsi Cadwaladr University Health Board, North Wales Police and Police Authority, North Wales Fire and Rescue Service, Welsh Ambulance Services NHS Trust, and Snowdonia National Park Authority.

Exhibit 3: assessments commonly included in an integrated impact assessment alongside the EIA

Well-being of Future Generations	The Well-being of Future Generations (Wales) Act 2015 introduced seven well-being goals for Wales. It also established the sustainable development principle and five ways of working – long-term, integration, involvement, collaboration, and prevention – to demonstrate application of the principle. An integrated impact assessment may also include an assessment of the policy or practice against the seven goals, public bodies' individual well-being objectives and/or the five ways of working specified in the Act.
Welsh Language	The Welsh Language (Wales) Measure 2011 declares that the Welsh language has official status in Wales. It makes provision to promote and facilitate the use of the Welsh language and to treat Welsh no less favourably than English through the Welsh language standards. Part of applying the standards means that public bodies must consider the effects their policy decisions on the Welsh language.
Environmental impacts	There are various duties to carry out environmental impact assessments depending on the nature of the proposed policy or practice. These range from strategic assessments of plans and programmes to assessments of projects that potentially impact on habitats and biodiversity.
UN Convention on the Rights of the Child	The Rights of Children and Young Persons (Wales) Measure 2011 embeds consideration of the United Nations Convention on the Rights of the Child and the optional protocols into Welsh law. The UN Convention consists of 41 articles, which set out a wide range of types of rights including rights to life and basic survival needs, rights to development including education and play, rights to protection, including safeguarding from abuse and exploitation, and rights to participation and express opinions.

Socio-economic	The Socio-economic duty came into force on 31 March 2021. When making strategic decisions, such as deciding priorities and setting objectives, public bodies must consider how they can reduce inequalities associated with socio-economic disadvantage.
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- 1.6 Most integrated impact assessments involve collating separate impact assessments into a document template. Few seem to be a truly integrated impact assessment. Some public bodies are trying to make the connections between assessments and reduce duplication. For example, Carmarthenshire County Council, Powys County Council, Gwynedd Council, Denbighshire County Council and Wrexham County Borough Council have each developed, or are developing, an IT solution to bring together the relevant information needed to inform an integrated impact assessment.
- 1.7 Very few public bodies solely assess the impact on the PSED even when they do not consider their assessments to be integrated. In those public bodies that report having a standalone EIA process, the EIA often also includes Welsh-language and socio-economic impacts.
- 1.8 Previous research has found length is a barrier to the use of impact assessments in decision-making⁹. It was hard for us to judge any EIA or integrated impact assessment as too long as many factors affect the length including the nature of the policy or decision and the number of assessments undertaken. We reviewed some documents that were very long; for example, the integrated impact assessment of the Welsh Government's remote working policy was 45,000 words (average reading time 2.5 hours). The majority for which a word count was easily identifiable ranged between 2,500 and 7,500 words (average reading time 8 to 25 minutes).
- 1.9 Most public bodies that have chosen not to integrate their assessments had considered the option. Reasons for not integrating assessments included a concern that there would be insufficient regard to the PSED. This may be a valid concern. Our review suggests that, in some cases, the PSED is covered in limited detail and appeared secondary to other considerations even though all the public bodies we spoke to who conduct integrated impact assessments felt they sufficiently covered the equality element.

⁹ Grace, C., Reducing Complexity and Adding Value: A Strategic Approach to Impact Assessment in the Welsh Government, Public Policy Institute for Wales, February 2016.

Specialist support and expertise

What we looked for

That there is specialist support and expertise available in the organisation to those conducting EIAs.

What we found

In most cases, policy leads are responsible for conducting EIAs and can access support from colleagues with knowledge in equality related issues and an in-depth understanding of the organisation's process for conducting an EIA.



- 1.10 In almost all public bodies, responsibility to undertake an EIA lies with the lead officer developing or reviewing a policy or practice. This is partly pragmatic, due to the number of EIAs public bodies conduct. Equality officers told us this approach meant that EIAs benefitted from policy leads' expertise on the topic area. However, they identified drawbacks, including the difficulty of ensuring consistency, getting EIAs started at the right time and ensuring quality.
- 1.11 All public bodies have equality officers (or equivalent) with knowledge in general equality issues and a detailed understanding of the organisation's EIA process. In all public bodies, staff conducting EIAs can ask equality officers for guidance when required. EIAs are mostly conducted without the input of an equality officer. The process at Aneurin Bevan University Health Board is one exception to this, where the first step for anyone who thinks they need to undertake an EIA is to contact the Equality Diversity and Inclusion specialist to discuss the proposed policy or practice and agree what actions they need to take, with ongoing support also provided. In smaller public bodies, where an EIA is more likely to relate to staff policies and decisions, the lead for conducting the EIA is frequently an HR officer who is also the equality officer.

Guidance to support those conducting an EIA

What we looked for

That there is guidance to support those conducting an EIA, setting out what they need to do and when, in line with the duties and their organisation's chosen approach.

What we found

There is non-statutory national guidance and support available setting out some good practice in the stages of an EIA, although there are gaps, notably in terms of integrated impact assessments. Most public bodies have also produced their own guidance to support their EIA process.



External guidance

- 1.12 The Welsh Government has not published statutory guidance on the application of the PSED in Wales or the Welsh specific duties. The EHRC published non-statutory guidance on the Welsh specific duties in 2014. Welsh Government guidance encourages public bodies to integrate different duties. But there is no specific national guidance on how to conduct integrated impact assessments and what should be included.
- 1.13 The Welsh Government, Welsh Local Government Association, and NHS Centre for Equality and Human Rights jointly developed the Practice Hub in 2015-16. This online resource provides information and support to public bodies in Wales to undertake EIAs. It provides a detailed eight step guide to good practice in undertaking EIA and gives information on the Welsh specific duties.

Internal guidance

- 1.14 Internally, most public bodies have produced guidance to support their EIA process. The format and detail of the guidance and quality vary across public bodies. Some provide step-by-step guidance which outlines the process and steps for completing an EIA. Some embed practical information and links within templates.
- 1.15 A few public bodies do not provide guidance on their individual processes. Some of these provide direct one-to-one support from an equality officer (or equivalent) to the individual completing the assessment. Others signpost staff to the external guidance on the Practice Hub.

Training

What we looked for

That training on conducting an EIA is available for staff involved in developing EIAs and those that use them for decision-making.

What we found

Most public bodies offer training to those involved with EIAs through a variety of media.



- 1.16 Around two-thirds (31 of 44) public bodies we spoke to provide formal training to officers who are likely to complete or have an interest in EIA. This training frequently extends to elected members, board members and decision-makers.
- 1.17 Methods of training vary. Some offer face-to-face delivery of training, with much of this via video calls since the start of the COVID-19 pandemic. Many public bodies include online modules and e-learning tools on equality, and EIAs as part of their general staff training. Those public bodies that do not offer formal training nevertheless provide one-to-one support to individuals conducting EIAs and upskill them through the process.

Quality assurance

What we looked for

An approach to ensuring the quality of the EIA process.

What we found

Half of public bodies had an approach to quality assurance, which varied from a simple sign-off on individual EIAs to more comprehensive peer learning to support improvement of the whole EIA process.



- 1.18 Half (22) of the public bodies have a quality assurance process in place for their EIA. The approach varies greatly. For some, quality assurance is about the quality of individual EIAs. Some require an EIA to be signed off by a senior officer. In Cardiff and Vale University Health Board, the lead officer conducting the EIA will work with an equality officer and a representative from Public Health Wales to review and interrogate the content of the EIA during its development. Other public bodies have begun to take a 'peer review' approach to developing EIA with input from experts from across the organisation.
- 1.19 A small number of public bodies use quality assurance to test the quality of their overall approach. For example, the Arts Council of Wales conducts an annual sample review of EIAs and uses the findings to improve the process.



Assessing impacts



02

- 2.1 The Wales specific duties require listed public bodies to assess the likely impact of proposed policies and practices, or those under review, on their ability to comply with the PSED. In doing so, they must have regard to certain types of information that they hold and meet specific requirements to engage with people or organisations that represent people with one or more protected characteristics. EHRC guidance and the Practice Hub set out in detail the steps public bodies can take to fulfil these requirements.

Screening

What we looked for

A clear approach to determining if an equality impact assessment is required.

What we found

Just over half of public bodies have a process for screening although many have stopped using screening, some due to risk of confusion or 'gaming' by staff.



- 2.2 There are no statutory exemptions setting out policies and practices that do not need to be assessed. However, the EHRC guidance and the practice hub include a 'screening' process to determine which policies or practices should have a full EIA.
- 2.3 Just over half (24 of 44) of public bodies we spoke to said that they have a screening process. Screening is most often a document template which an officer developing or reviewing a process or policy uses to determine whether they anticipate any impact on protected groups. The approach ranges in practice from a separate short impact assessment to a set of screening questions at the beginning of the full assessment template which determine whether to proceed with the full EIA.
- 2.4 Where a body decides it does not need a full EIA, they will usually retain a copy of the screening tool as evidence that it has considered the PSED. Most public bodies with a screening process will document the decision not to go ahead with a full EIA in the supporting papers that go to the cabinet or board.

- 2.5 Most often, the policy lead keeps the detailed record of screening. However, a few public bodies are trying to strengthen practice and ensure central records are maintained. For example, Cardiff Council has developed an online assessment tool to support policy leads through the process and encourage consideration of impact at the earliest stages of policy development. As well as sending advice and guidance to the officer completing the online assessment, the tool also sends a copy of the screening information to the equality officers.
- 2.6 The 20 public bodies who do not have a screening process had often consciously removed the screening step. Many said screening was an unnecessary step, as there are very few of their decisions that will not have potential to impact on the PSED. Some public bodies said that there was also scope for confusion, with lead officers completing a screening form, thinking it was an EIA. Others were concerned that some officers may 'game' the process: tailoring their responses to screening in a way designed to result in a decision that no further assessment was required.
- 2.7 Those public bodies that do not have a screening process usually provide additional guidance or a process chart, clarifying when to conduct a full EIA. All public bodies also offer the lead officer an opportunity to consult with an equality officer.

Timing

What we looked for

EIAs being started at an early stage to inform the development of a policy or decision.

What we found

All public bodies intend to carry out an EIA as early as possible, but many recognise this is often not the case in practice, and in some cases EIAs are very late in the policy development or decision-making process.



- 2.8 All 44 public bodies intend that EIAs should be started as early in the development or review of a policy as possible. But many public bodies acknowledged that this often does not happen in practice.
- 2.9 The timing of EIAs is affected by whether policy leads know that they are required to do an EIA and if resources – staff and time – are available at the appropriate point. Sometimes, if public bodies must make decisions very quickly, they either do not do an EIA or do them late in the decision-making process. This can be too late to consider changing a policy to lessen any possible negative impact or to build on positive impacts.
- 2.10 Decisions at the start of the COVID-19 pandemic were often made without an EIA. This reflected the urgency of decisions but meant that the impact on vulnerable people was not formally assessed. In August 2020, the Senedd’s Equality, Local Government and Communities Committee¹⁰ recommended that the Welsh Government should ensure that each major policy or legislative decision is accompanied by an effective equality impact assessment, and an analysis of the impact on human rights. The Welsh Government accepted the recommendation, and since August 2020 has published dozens of impact assessments related to the COVID-19 pandemic on its website.

¹⁰ Senedd Equality, Local Government and Communities Committee, Into sharp relief: inequality and the pandemic, August 2020.

- 2.11 In most public bodies, papers accompanying decisions that go to cabinets or boards contain a box or section that refers to consideration of the equality duties. This serves as a backstop to prevent public bodies from making decisions without any regard to the duties, even though this generally would be very late in the process.

Use of evidence

What we looked for

Use of a range of evidence to support the assessment, including the views of those likely to be impacted and data on lived experience.

What we found

Public bodies use a mix of evidence, although there are gaps in available data on some protected characteristics and the inclusion of the views and lived experiences of people with protected characteristics is patchy.



Quantitative data

- 2.12 EIAs need a sound evidence base to inform their conclusions. The depth and detail of the information base vary across organisations and by assessment. The depth of information and analysis often depends on the scale of the decision and the availability of relevant and specific evidence.
- 2.13 All public bodies expect to include some quantitative data, such as demographic information or service level data. Around two-thirds (29 out of 44) of public bodies include at least some examples of internal information sources and point to publicly available data in their guidance and templates. Some go further. For example, Merthyr Tydfil County Borough Council includes in its guidance a detailed list of sources where policy leads can find relevant evidence, with embedded links to external data sources.
- 2.14 There are some significant data gaps in the data that is available to public bodies. Generally, there is little information available about some protected characteristics, particularly sexual orientation, gender reassignment, and pregnancy and maternity. Data that is available at a national level is sometimes not available at a health board, council, or ward level, which makes it difficult for public bodies to understand their local populations with protected characteristics.

Qualitative information

- 2.15 The inclusion of qualitative information based on the views and experiences of people with protected characteristics is also patchy. When introducing new policies or changing services public bodies often undertake a consultation exercise. In the examples we saw, these were often targeted to the public in general, and it was difficult to see if the public body had sought to engage specifically with people from protected groups.
- 2.16 Nonetheless, we did see examples of EIAs where evidence from engagement with groups was covered. For example, when Snowdonia National Park Authority undertook an EIA on its communication and engagement strategy, the assessment considered how the strategy could engage with people who speak languages other than English or Welsh. It also considered impacts on those who were digitally excluded, a group that is more likely to include older people and more women than men.
- 2.17 Some respondents to our general call for evidence said that drawing more on the views and experience of people with protected characteristics would improve the quality of EIAs. This includes engaging with individuals and grassroots organisations as well as national organisations representing protected groups. Some respondents said that public bodies should do more to publicise consultations by a range of means, including but not restricted to social media.
- 2.18 Some all-Wales third sector bodies responding to our call for evidence said that they were often asked to provide views for EIA and that some cannot respond to all the requests they receive. Sometimes they do not have information on local services and impacts.
- 2.19 A few public bodies are trying to draw on the lived experience of people with protected characteristics through different forms of consultation. Some use existing networks for staff with protected characteristics to understand different perspectives. Others, draw on existing relationships with third sector groups to understand the lived experience.

Identifying and mitigating likely impacts

What we looked for

Clear identification of likely impacts, including positive impacts in promoting equality, as well as negative ones.

Some consideration of cumulative impacts arising from other decisions that impact the same group or groups and how different protected characteristics combine (intersectionality).

Clear recommendations for mitigating negative impacts that have been acted on before the decision is made.

What we found

While there are examples of public bodies identifying specific impacts, often EIAs describe impacts in very broad terms. Very few identify the cumulative impacts of multiple decisions on groups or consider how different protected characteristics intersect. Very few can show how recommendations for mitigating impacts are followed through.



Specific impacts

- 2.20 Positively, our review of EIAs found examples of public bodies clearly identifying specific likely impact of policies or practices on protected groups. However, many EIAs included statistics to describe the population of people with protected characteristics without being clear how the policy or practice would likely impact on them. We also observed a tendency for EIAs to focus on negative impacts, thereby missing positive impacts and opportunities to improve cohesion and reduce inequalities.
- 2.21 We found that most EIAs reviewed provided data and information on each protected group separately. For example, the EIA on Conwy County Borough Council's Older Peoples' Domiciliary Care Finance and Commissioning Project set out the likely impact on people with each protected characteristic.

2.22 Most public bodies' approaches to EIA involve making recommendations to overcome negative impacts. Public bodies should incorporate mitigating actions into the policy development process, recognising it is not always possible to mitigate all negative impacts, such as with reductions in service. Very few public bodies have a process in place to track whether they have implemented the mitigating actions, after a decision is taken. In Hywel Dda University Health Board, the EIA has an associated action plan with a review date. In Aneurin Bevan University Health Board the Equality, Diversity, and Inclusion specialist keeps a database of actions arising from EIAs for monitoring purposes.

Intersectionality

2.23 Increasingly, it is understood that inequality is intersectional. People's characteristics interact in a complex way to give a unique experience of inequality. For example, the experience of a Muslim woman cannot separate 'female' and her experience as a Muslim. It will differ from that of a Muslim man and of a non-Muslim woman. However, we did not see examples of such nuanced understandings of inequality in the examples we reviewed.

Cumulative impacts

2.24 Public bodies in Wales make many decisions each year that, taken together, can be very detrimental to people from protected groups. For example, one respondent to our call for evidence gave the example of how individual decisions to reduce or close facilities and services such as public toilets, library services, day centres, and bus services had a cumulative impact on many older people who use the services. They said that, while each individual decision might not be significant, together they meant that some older people were becoming isolated.

2.25 The few instances we found where public bodies have begun to give thought to cumulative impacts tend to be when public bodies are making several decisions at the same time. For example, councils usually undertake a cumulative approach to assessing the impacts of their proposed budget each year. Individual service changes being proposed because of budget changes are assessed simultaneously allowing a better overview of potential impacts for the budget.

2.26 Typically, however, public bodies make decisions separately. One of the respondents to our call for evidence to decision-makers highlighted that it is difficult in principle to predict the likely impacts of multiple decisions in a complex landscape. Practically, the ability to take account of impacts from other decisions relies on the policy lead knowing about other decisions within an organisation and having access to the EIAs. A small number of public bodies are trying to address this information gap by using an IT solution to undertake the EIA (**paragraph 1.6**). This way, the assessment of impact for each policy change and decision is held centrally, making it easier for policy leads to bring together the information.

Decision-making

What we looked for

That the EIA and likely impacts it identifies are considered at the point of decision-making.

What we found

Equality officers' views varied around the extent to which their organisations prioritised the EIA in decision-making. Most respondents to our general call for evidence said public bodies did not pay sufficient regard to protected characteristics. The small number of responses from decision-makers suggest a view that the EIA is seen as a 'tick box exercise'.



- 2.27 The consideration given to EIAs in decision-making varies across public bodies in Wales. In general, equality officers felt that decision-makers take assurance in knowing that the policy lead has completed an EIA. Decision-makers will have access to a summary or the complete EIA accompanying each decision in their cabinet or board papers.
- 2.28 The equality officers we spoke to had mixed views over the extent to which their organisations placed sufficient weight on the EIA in decision-making. Over three-quarters of respondents to our general call for evidence who answered the question (29 of 37) disagreed that public bodies in Wales give appropriate due regard to people with protected characteristics when developing policies or making changes to services.
- 2.29 Generally, equality officers were not aware of instances where decision-makers challenged the content or recommendations of an EIA at the point of decision. Most felt that the accompanying EIA should have considered and shaped the policy sufficiently that there would be no need for such challenge at that late stage.
- 2.30 We only received ten responses to our call for evidence from decision-makers. While it is hard to draw conclusions from such a limited evidence base, it is notable that three of the ten referred to EIAs being used like a 'tick box'.



Reporting and monitoring impacts

03

- 3.1 Public bodies must publish reports of the assessments where they show a substantial impact (or likely impact) on their ability to meet the PSED. They must also monitor the actual impact of the policies and practices subject to an equality impact assessment.

Reporting

What we looked for

Public information about decisions and a clear description of how the EIA has influenced the decision-making.

What we found

Most public bodies publish some of their EIAs as part of a wider set of papers and they are often not easy to find.



- 3.2 Almost all public bodies in Wales publish their EIAs, at least in part. Typically, they publish EIAs with decision-related papers, such as cabinet or board papers. There is usually a section on the body's website which holds all the papers for each meeting and is accessible to the public¹¹. There are a few exceptions in some of the smaller public bodies, who do not routinely publish their EIAs.
- 3.3 It can often be difficult to find EIAs which relate to a specific decision on public bodies' websites. The EIAs which feature more prominently and are easier to locate often relate to strategic decisions such as budgets or key corporate strategies. Newport City Council have tried to bring EIAs into a central location on their website to make them more easily accessible, while recognising that this approach relies on the individuals completing EIAs sharing them for publication, which sometimes does not happen.

¹¹ In some instances, bodies do not publish EIAs if they form part of a paper that is held back from publication due to its confidential or sensitive nature. However, these EIAs can sometimes be obtained via a Freedom of Information request if someone has a particular interest in seeing them.

Monitoring impacts

What we looked for

A clear approach to monitoring the impacts of the decision after it is implemented, including those identified as part of EIA as well as any unexpected impacts.

What we found

Very few public bodies monitor the impact of the decisions in the context of the PSED.



- 3.4 Some public bodies require those completing EIAs to identify a review date when monitoring is supposed to occur. We saw examples where EIAs set out plans for monitoring. For example, a Powys Teaching Health Board EIA included plans for monitoring service use after a change in surgery opening hours and for an independent evaluation of the service change. Also, Conwy County Borough Council's EIA for its review of domiciliary care included detailed arrangements for monitoring the impact using data and information that are routinely reported, including individual feedback from people receiving care.
- 3.5 However, equality officers had seen little evidence of the impact of policies and practices being monitored in light of the EIA. Those public bodies that outlined a monitoring process were often referring to the monitoring of an implementation of a policy or practice against its objectives or targets, not the impact that the decision had on people with protected characteristics.
- 3.6 In general, public bodies do not consider the impacts of policies and practices in terms of the PSED until there is another decision due on the same policy or practice. At that point, the body conducts a new EIA. Many of the equality officers we spoke to seemed unsure about how, in practice, they would monitor the impact of a decision on protected groups and would welcome more guidance.

Challenging EIAs

What we looked for

That the organisation identifies and applies lessons from any challenge to decisions on the basis of equality or the quality of the EIA.

What we found

Many equality officers did not think there had been any challenges to EIAs conducted by their organisation, but where there has been challenge some public bodies are using it as a learning opportunity.



- 3.7 Decisions made by public bodies can be challenged based on the EIA. Public bodies that do not have a clear record showing that they have considered the likely impacts of their decisions for people with protected characteristics leave themselves open to challenge. This could potentially include a judicial review. Some equality officers did not know what process someone would use to challenge an EIA. The majority said that any challenges would go through their general complaints process, with the involvement of the relevant service, equality officers and legal team.
- 3.8 Many equality officers thought there had not been any challenge to an EIA conducted by their organisation. Those that were aware of challenge taking place said that it was something that happens infrequently. Almost half of respondents to our general call for evidence who answered the question (17 of 35) said they had challenged some aspect of an EIA. We do not know if this was a formal or informal challenge.
- 3.9 Equality officers who had experienced challenge to an EIA said their organisation can resolve the issues either by making changes to a policy or practice, or by providing evidence that they had considered the impacts. Respondents to our general call for evidence gave examples of issues they raised being resolved. For example, one had objected to the EIA conducted on a new bus interchange because the council had not sought the views of people with protected characteristics on the proposals. Following their intervention, people with low vision visited the site and suggested changes to make the interchange more accessible.

3.10 While there are positive examples of public bodies responding to challenge, several respondents to our general call for evidence who had challenged aspects of an EIA reported not receiving any response to their challenge. A few equality officers told us that their organisation had learnt from the experience of having an EIA challenged. One had used examples of challenge from other public bodies to inform its EIA training as a particularly useful way of making impacts more easily understood to lead officers conducting EIAs.



Appendices

1 Audit approach and methods

1 Audit approach and methods

Audit approach

Our main aim was to provide insight about the approach to EIAs undertaken across the public sector in Wales. We wanted to highlight good practice and identify opportunities to improve. To help shape our thinking about what good practice to look for, we drew heavily on existing guidance materials, in particular that produced by the Equality and Human Rights Commission (EHRC) and the [Equality Impact Assessment in Wales Practice Hub](#) hosted by Public Health Wales NHS Trust.

We set out to explore to what extent public bodies have integrated their approach to undertaking EIAs, including the new socio-economic duty and the cumulative impact of decisions. We also explored what difficulties public bodies experience that affect the quality and timeliness of EIAs. We looked at how public bodies monitor the impact of decisions on their population. Each of the sub-sections in the main body of this report describes what we were looking for through our work.

In looking across the public bodies, we focused on the 44 public bodies originally subject to the Well-being of Future Generations (Wales) Act 2015. The Auditor General for Wales is the external auditor of each of these bodies, which include local authorities, health boards and some NHS trusts, national parks, and fire and rescue services. They also include the Welsh Government and some of its sponsored bodies. Our audit coverage did not include education bodies – further education, higher education or maintained schools – that are subject to the PSED. It also did not include the four Corporate Joint Committees (CJCs) established by the Local Government and Elections (Wales) Act 2021 and which are subject to the PSED.

Audit methods

Document review: We reviewed documents from each of the 44 public bodies, including those relating to the equality plans and details of the organisation's EIA process. We also reviewed details of their process for integrated impact assessments. We reviewed a sample of 29 EIAs provided by public bodies: 11 by local authorities, eight by health bodies, two fire and rescue, two national parks and six by the Welsh Government or its sponsored bodies.

Interviews: We interviewed the equality officers or their equivalent in each of the 44 bodies. We have used the term 'equality officer' throughout this report to refer to staff in public bodies with specific lead specialist roles for equality, whether that be their full-time job or part of their role. The way these roles are structured, and their seniority, varies.

Call for evidence: We sought wider views about people's experience of EIAs through a call for evidence between October 2021 and June 2022. We publicised this generally and in particular to third sector organisations. We received 40 responses, 23 from individuals and 15 responding on behalf of an organisation (two did not say).

We also sought the views of decision-makers through a separate call for evidence open between February and June 2022. We received ten responses (eight from individuals working in local authorities, one health and one fire and rescue).

While the responses we received to the calls for evidence are not necessarily representative of individuals, the third sector or decision-makers, they have provided useful detail which we have included through the report and which informed our overall analysis.

Stakeholder engagement: The EHRC is responsible for promoting and enforcing equality and non-discrimination laws. We met with officials in the EHRC Wales Team regularly throughout our work, discussing our scope and emerging findings. We also met with the Welsh Local Government Association's equality network and the Chair of the All-Wales NHS Equality Leadership Group. We interviewed officials from the Welsh Government with responsibility for equality policy.

Wider audit intelligence: We drew on existing intelligence from our local financial and performance audit work, where that was relevant to equality impact assessments.



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Audit Wales
National Report
[Equality Impact Assessments: more than a tick box exercise?](#)
Recommendations/Improvement Areas
Overview and Scrutiny Committee 25 January 2023

[Equality Impact Assessments: more than a tick box exercise?](#)

Published September 2022

What are we trying to achieve, the outcome	<p>As set out in our current Strategic Equality Plan, our aim is to make Rhondda Cynon Taf a place where everyone matters and where no one experiences discrimination or disadvantage because of their identity or background. In doing so, seeing everyone in Rhondda Cynon Taf as an equal citizen whilst recognising that people will have different needs. As the largest employer in the area, RCT leads by example and fulfils its legislative duties to ensure Rhondda Cynon Taf is a place where discrimination and prejudice have no place, because its the right thing to do.</p> <p>Our Corporate Plan 2020-24 sets out our approach to treat residents equally, with understanding and respect, with all having access to quality services, whether they wish to engage with the Council in English or Welsh.</p>
Why we need to do it:	<p>Over recent years we have been working to strengthen and improve our use and application of data and information to shape decisions that impact on residents both now and in the future. Lessons learnt about our communities from our experience of dealing with the pandemic, particularly in areas of high deprivation, have confirmed the value of ensuring that within communities, no one is left behind. Part of this work has been to continue to strengthen and embed Equality Impact Assessment and associated processes into the business of the Council to shape/inform decision making, as well as meet our statutory duties. We welcome the Audit recommendations/improvement areas to support and challenge our progress.</p>

	Recommendations	Council's response	Next Steps	Time Scale	Responsible Officer
1.	<p>Clarifying the scope of the duty to impact assess policies and practices</p> <p>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.</p> <p>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.</p>	<p>Agree with recommendation</p> <p>The Council would welcome clarity in this respect</p>	<p>Contribute to and keep abreast of Welsh Government changes to address this recommendation.</p>	Ongoing	Christian Hanagan/ Melanie Warburton
2.	<p>Building a picture of what good integrated impact assessment looks like</p> <p>Many public bodies carry out integrated impact assessments that include consideration of the Public Sector Equality Duty (PSED) alongside other duties. But 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</p>	<p>Agree with recommendation</p> <p>The processes and duties could be better integrated at national level in order to maximise the real value added rather than the processes arising from the plethora of reporting etc. duties to which they are subject.</p>	<p>Contribute to and keep abreast of Welsh Government changes to address this recommendation.</p>	Ongoing	Melanie Warburton

	Recommendations	Council's response	Next Steps	Time Scale	Responsible Officer
	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.				
3.	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.	Agree with recommendation. There is a clear disconnect between the past and current requirements in respect of collaboration and the implications where partners are subject to differing requirements.	Contribute to and keep abreast of Welsh Government changes to address this recommendation.	Ongoing	Melanie Warburton
4.	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	Agree with recommendation See also Key Improvement Areas below	Continue to review and consider all relevant guidance and information, including	March 2024	

	Recommendations	Council's response	Next Steps	Time Scale	Responsible Officer
	approach. Public bodies should review their overall approach to EIAs considering the findings of this report and the detailed guidance available from the 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.		the Equality Impact Assessment in Wales Practice Hub , pending the findings arising from the Welsh Government Review of the PSED Wales specific regulations		

	Key Improvement Areas	Council's response	Next Steps	Time Scale	Responsible Officer
AWEQIA01	Greater clarity over which type of policies and practices must be impact assessed	Agree -see above re national clarity. Locally, we reviewed and strengthened our Equality Impact Assessment and associated processes to reflect the requirements of the Socio- Economic Duty in 2021/22. We know there is more to do to embed the Equality Impact Assessment and the associated processes, integrate with wider processes for data informed decisions,	See above re Welsh Government findings. In the meantime, how the Council is applying the Public Sector Equality Duty PSED has been reflected in the Equalities section of the Council's Self Assessment, considered by Governance and Audit Committee in December 2022 and Council on 18 January 2023 .	Dec 22 Jan 23	Melanie Warburton/Lesley Lawson

	Key Improvement Areas	Council's response	Next Steps	Time Scale	Responsible Officer
		improve visibility and demonstrate the added value for residents.	We will also use AW findings to continue to challenge and strengthen our arrangements.	30 Jun 23	Melanie Warburton
AWEQIA02	Greater clarity about the arrangements for assessing the impact of collaborative policies and practices	Agree There is currently no defined process for assessing the impact of collaborative policies and practices.	We will consider how EQIA processes can be strengthened to better incorporate collaborative policies and practices as part of our ongoing review of best practice.	March 2024	Melanie Warburton
AWEQIA03	Greater clarity about expectations to consider the PSED as part of an integrated impact assessment	Agree The Council's Impact Assessments, including the PSED Impact Assessment, are currently stand alone, i.e. are not integrated. Any future plans to integrate the Assessments will include the PSED. In the meantime, there are opportunities to raise greater awareness of the requirements, processes and outcomes of the PSED Impact Assessment.	As indicated above, EQIA01 we will review Equalities and Human Rights Commission (EHRC) and Practice Hub guidance ensuring that best practice is incorporated into existing arrangements and processes. Take steps to strengthen support to services through the development of a wider range of information/materials, e.g. videos and e-learning.	March 2024	Melanie Warburton

	Key Improvement Areas	Council's response	Next Steps	Time Scale	Responsible Officer
AWEQIA04	Better and more timely identification of the practical impacts of decisions on people and how different protected characteristics intersect	Agree We recognise we need to do more to engage with people with protected characteristics and how this intersects with the practical impacts of decisions.	We are currently reviewing our approach to engagement with people with protected characteristics will take account the findings within the report as part of this review	Dec 2023	Melanie Warburton / Chris Davies
AWEQIA05	More engagement and involvement of people with protected characteristics	Agree We recognise we need to do more to engage with people with protected characteristics. We are currently reviewing our approach and will take account the findings within the report to review our approach. The Council would welcome further guidance from Welsh Govt in this respect.	We will continue to review our approach and widen engagement with people with protected characteristics. The findings Research Project currently being supported Regional Infuse Programme will be used to inform and strengthen our approach. We will engage with Welsh Government to seek further guidance.	Sept March 2024	Melanie Warburton/ Chris Davies

	Key Improvement Areas	Council's response	Next Steps	Time Scale	Responsible Officer
AWEQIA06	Better monitoring of the actual impacts of policies and practices on people. A shift in the mindsets and cultures to move EIA away from being seen as an add-on 'tick box' exercise	Agree We are currently developing of a single and consistent source of Council within a new Data Repository. This resource will also provide easy access to relevant data that will inform/support and challenge the Equality Impact Assessment and greater opportunity and for more robust and integrated monitoring of impacts of policies and practices etc on people both now and in the future.	As well as putting in place the Data Resource we will consider how we can develop processes to better monitor the impact of decisions and review existing practices and monitoring frameworks so that they are integrated into the Council's monitoring framework.	Data Resource in place by July 2023 Monitoring Frameworks in place Dec 2023	Melanie Warburton/Chris Davies Melanie Warburton/Lesley Lawson

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