

# Women and Equalities Committee's inquiry on the role of the Government Equalities Office

Written evidence by Business Disability Forum, March 2021

## 1. About Business Disability Forum and our submission

- 1.1. Business Disability Forum is a membership organisation working with over 380 businesses to transform the life chances of disabled people. We do this by bringing business leaders, disabled people, and Government together to understand what needs to change to improve the life opportunities and experiences of disabled people in employment, economic growth, and society more widely.
- 1.2. We work closely with various Government policy units and have engaged with the Disability Unit and Cabinet Office during the last year regarding the development of the National Disability Strategy. We have been concerned for some time about the lack of strategic vision and delivery of disability inclusion from Government.
- 1.3. Our submission is divided into the following sections:
  - Section 2: The structure and function of the Government Equalities Office (GEO).
  - Section 3: The location of the GEO in Cabinet Office.
  - Section 4: The structure of disability strategy in central Government.
  - Section 5: The role of Minister for Women and Equalities.
  - Section 6: Liz Truss MP's "Fight for fairness" speech.
  - Section 7: Key recommendations.

## 2. The structure and function of the Government Equalities Office

- 2.1. The overall management of equalities and inclusion strategy in Government is fragmented and, to many, unclear. The Office is titled “equalities” but does not include all equalities and does not readily consider cross-intersectional considerations between equality groups. Its current scope is focussed on women, sexual orientation, and transgender equality (although we note recent failings to remove oppressive and unkind practices for these groups, particularly the failure to eliminate conversion therapies), and we therefore question why a central Government office titled “equalities” does not include disability (aside from other equalities and barriers).<sup>1</sup>
- 2.2. The GEO’s responsibilities – such as helping women to fulfil their potential at work, eliminating the gender pay gap, improving career progression, and addressing discrimination and inequalities – are not ‘single strand’ issues. Data tells us that disabled women experience a “double whammy” of gender and disability discrimination;<sup>2</sup> young Black people continue to hear racist language in education settings (95 per cent) and in employment (78 per cent);<sup>3</sup> and white students (particularly white men) from lower socioeconomic communities suffer an under-representation in higher education.<sup>4</sup>
- 2.3. The under-representations in these research projects were made visible by a cross-intersectional approach which moved beyond separating the restrictive nine protected characteristics that feature in the Equality Act 2010. Some of our members have also taken a similar approach to their equalities and inclusion strategies by disregarding initiatives and data collection by protected characteristics and instead

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<sup>1</sup> The language “women and equalities” was also questioned when the Women and Equalities Committee held an inquiry in 2018 on men and mental health. While people welcomed the inquiry itself, we received many questions from men and women about why the Committee was titled “women and equalities” instead of just “equalities”. It raised questions about the structure and understanding of equalities across Government and Parliament even though, as above, the topic of the inquiry itself was welcomed and was thought to be an important one for the Committee to open.

<sup>2</sup> Equality and Human Rights Commission (2018), “Pressing for progress: Women’s rights and gender equality in 2018”; Kim, Parish, and Skinner (2019), “The impact of gender and disability on the economic well-being of disabled women in the United Kingdom: A longitudinal study between 2009 and 2014”.

<sup>3</sup> This evidence was highlighted during the Education Committee’s inquiry “Left behind white pupils from disadvantaged backgrounds” (evidence sessions have been running during January and February 2021).

<sup>4</sup> National Education Opportunities Network (2019), “Working Class Heroes - Understanding access to higher education for white students from lower socio-economic backgrounds”.

addressing inequalities by barrier. In one employer's words "The protected characteristics are out of date [to use for addressing inclusion]".

- 2.4. For the above reasons, we believe a central Government equalities office whose remit is some equalities but not others is an outdated structure to continue any longer.
- 2.5. In addition, because of the above, we support social mobility strategy moving into the Government Equalities Office – but alongside all equalities having a central base here as well.

### **3. The location of the GEO in Cabinet Office**

- 3.1. The location of the GEO in Cabinet Office makes sense. However, a properly resourced (which includes adequate financial investment) strategic vision and delivery approach to cross-group equalities and inclusion across the UK is missing. Without this vision and the effective policies to cement the delivery of that vision, wherever the GEO is based, it will not be effective in advancing equalities and eliminating discrimination.
- 3.2. We therefore want to see the Government develop a cross-equalities strategy for the UK which does not define people and groups as 'one protected characteristic' only. It must instead address multiple cross-intersections experienced by groups and individuals, whether these are institutional barriers, background dependent, or a 'group' or 'experience' not currently covered within the listed protected characteristics of the Equality Act 2010. A recent example is how the Government's response to the pandemic has largely required having a Smartphone, good internet access, and being digitally active. For many this is not the case, and digital exclusion has now become an urgent equalities issue that was not readily visible when relying on the protected characteristics as written in the Equality Act 2010.

### **4. The structure of disability strategy in central Government**

- 4.1. In December 2019, a cross-government disability unit was announced. In the run up to this, the Disability Charities Consortium met with Cabinet Office about what was at that time a proposal for a Disability Unit to oversee and co-ordinate disability priorities across Government – a promising idea. However, in that meeting, we were asked what we think the Disability Unit should focus on. We responded with concerns that, at the time, the Government was already working on the 'Health is Everyone's Business' consultation, and had promised five more large projects,<sup>5</sup> some of which have still not been delivered in March 2021. We expressed concerns

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<sup>5</sup> These projects included a green paper on welfare support; a Statutory Sick Pay consultation; new standards for accessible homes; a consultation on supporting disabled people in work; a consultation on offering SMEs a rebate to get people back to work following sickness absence.

that a cross-Government approach to disability should not be looking for new foci; it should be seeking to deliver existing priorities and ensure these are done well and effectively. This further identifies the lack of disability inclusion vision and accompanying strategy from the Government. We have seen a restructure to form a Disability Unit, but we have not seen deliverables as a result. Again, a cross-Government equalities vision and strategy is lacking here. This has also been seen in the development of the National Disability Strategy; the aim and vision of the strategy is not clear.<sup>6</sup>

- 4.2. There appears an unequal, imbalanced approach to equalities. For example, the recent Race Disparities Unit has the important remit of “collecting, analysing, and publishing government data on the experiences of people from different ethnic backgrounds”. However, a similar aim does not exist for disability and disabled people; the Disability Unit has a different remit, which is to “break down the barriers faced by disabled people in the UK”. It is unclear why a race and ethnicity unit does not include ‘breaking down barriers’ and it is unclear why a disability unit does not have within its remit to improve data – something urgently lacking to understand the granularity of a diverse range of disabled people’s experiences and lives. Further still, the GEO’s remit is to advance career progression for women; but no such priority exists for disabled people in the Disability Unit, even though research continues to evidence career progression is lacking for disabled people and there continues to be an under-representation of disabled people in senior roles.<sup>7</sup>
- 4.3. This is an example of how the title of units are inconsistent and their remits are imbalanced. Seeing race and disability as two distinct experiences is rapidly becoming an unhelpful and outdated approach. We therefore want actions and commissions (or policy units) to become consistent, balanced and, as above, not existing as separate entities.

## 5. The role of the Minister for Women and Equalities

- 5.1. As per above sections, separating Government strategy and therefore the ministerial role, by protect characteristic is an outdated approach to equalities. The role therefore does not robustly champion equalities across Government. This is because the role, as well as equalities strategy, is fragmented across Government, and the

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<sup>6</sup> The Disability Charities Consortium have urged the Government to be clear on what the overall aim and vision of the Strategy is. The same challenge was put by WPI Economics in the Work and Pensions Committee oral evidence session on the disability employment gap on 24 March 2021 (oral evidence session [can be accessed here](#) and WPI Economics’ point is made at time 10:32).

<sup>7</sup> For example, Office for National Statistics (24 March 2020 output) “The Employment of Disabled People”.

role itself has failed to address strategic equalities issues on various occasions. Two key examples are as follows.

- 5.2. Firstly, when the Government's own statistics found that six in ten people who died from COVID-19 are disabled,<sup>8</sup> the Equalities Minister was entirely silent on this. The Disability Charities Consortium requested from the Minister for Women and Equalities a response from the Government, but the Government has still failed to respond to these figures.
- 5.3. Secondly, In Liz Truss' speech on 16 December, she said "It is fundamentally important that the role of Equality Minister is held by someone who has another Cabinet Job such as I do with Trade". This is unhelpful, particularly as equalities issues with Trade have needed the eye of NGOs and non-profit organisations to ensure equalities do not fall through the gaps, particularly in Brexit related negotiations. Examples include the draft of the Trade Bill which allowed ministers to change laws (such as the Equality Act 2010), without Parliamentary scrutiny to implement international trade agreements more easily. Organisations had to work hard and lobby to attempt to prevent this from happening. We have also since seen a public procurement consultation from Cabinet Office which did not adequately understand disability related requirements in UK equality law.<sup>9</sup> Therefore, the Equalities Minister occupying another role in Cabinet is an ineffective argument, particularly in the context of a dual role with trade.
- 5.4. If the UK Government is serious about a cross-Government, UK wide approach to removing barriers and advancing equality for everyone, the role of Equalities Minister must be a standalone, full time, strategic role based at the centre of Government. It is not a 'joint' role that someone can or should occupy while doing another central Government role.
- 5.5. The role of Equalities Minister must not just "champion" equalities but make it a lived reality and experience across the UK. Key to equalities policy development is realising the Government's commitment to co-productive policymaking. The publication of the Social Security Advisory Committee (SSAC)'s response to their consultation on how DWP engages with disabled people stated the following: "*The Department's Single Departmental Plan set out a commitment to 'Deliver policies, strategies and structures that are co-produced with disabled people. But it is not clear that co-production is what the Department actually means, and it was not what*

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<sup>8</sup> Office for National Statistics (2021) "Coronavirus (COVID-19) related deaths by disability status, England and Wales: 2 March to 14 July 2020" and "Updated estimates of coronavirus (COVID-19) related deaths by disability status, England: 24 January to 20 November 2020".

<sup>9</sup> Our letter to Liam Fox, our submission to the Joint Committee on Human Rights on international agreements post-Brexit, and our submission to Cabinet Offices; recent consultation on public procurement can be supplied to the Committee if helpful.

*we saw happening*".<sup>10</sup> The principles of co-production and co-design are essential for the Equalities Minister to understand and deploy across all cross-intersectional equalities policy analyses and development.

## 6. Liz Truss MP's "Fight for fairness" speech

6.1. The following aspects of Truss' speech are welcomed:

- 6.1.1 An approach to equality based on "core principles of freedom, choice, opportunity, and individual humanity and dignity". These are principles that many disabled people do not currently experience in many areas of their lives and interactions with Government and public services.
- 6.1.2 Moving beyond the "narrow focus of protected characteristics". As above, we agree this is an outdated approach and we are keen that the structure of strategy and roles in Government reflect this.
- 6.1.3 The Equality and Human Rights Commission (EHRC) being focussed on enforcement. The Government must invest appropriately in the EHRC for them to be able to do this role effectively. The EHRC has been well-placed to open equalities and human rights inquiries, and their research has filled gaps where Government data has otherwise lacked. Such research has been crucial in adding to the understanding of disabled people's experiences.<sup>11</sup> The EHRC's enforcement role should continue and include their role in evidence gathering and inquiries.
- 6.1.4 "A new life path analysis of equality [using] longitudinal datasets". This is important for a range of cross-intersectional equalities, but is especially lacking for disabled people, particularly as a National Disability Strategy is imminent and it is unclear which data have been used to evidence the strategic aims within this strategy.

6.2 The following points in Truss' speech are concerning:

- 6.2.1 Developing "the most comprehensive equality data project yet" for race and ethnicity is important – but it is also important for other equalities, such as disability. Elsewhere in her speech (as above), Truss said the Government would "move beyond the narrow focus of protected characteristics". Therefore, longitudinal data sets are crucial, but must account for cross-intersectional groups and experiences. Some disability-based research, such as "Barriers to

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<sup>10</sup> Social Security Advisory Committee (2021), "How DWP involves disabled people when developing or evaluating programmes that affect them: A study by the Social Security Advisory Committee Occasional Paper No. 25", page 8.

<sup>11</sup> Examples include research outputs on crime and disabled people; the experience of being disabled in Britain; the disability pay gap; accessible transport; and recruitment of workers into low paid occupations.

employment and unfair treatment and work”<sup>12</sup> and the Life Opportunities Survey<sup>13</sup> were incredibly helpful data sets for understanding disabled people’s experiences, and they can provide a framework that can be adapted into a cross-intersectional methodology for understanding a wider range of in/equalities.

6.2.2 Truss said that “there are too many cases where your destination in life is decided by where you started it”. While we agree with this, inequalities are not always entirely about background or “where you started”. Some discrimination and inequalities are experienced when people enter public systems and institutions, such as education, public services (such as the benefits and welfare system), and employment, which often has nothing to do with background and is instead about systemic, institutional discrimination. For example, on 24 March 2021, Chi Onwurah MP asked the Equalities Minister to respond to why new technologies used by central Government departments do not recognise Black faces; we continue to see research published showing some employers are wary of recruiting disabled people; and a Government survey developed to consult on the upcoming National Disability Strategy asked respondents if they would consider being in a relationship with someone who has a disability. These discriminatory attitudes and structural inequalities are not about background or ‘where someone started’ in life. They are systemic, structural biases introduced by uninformed policymaking that people encounter as they move through life and through various settings. Acknowledging (and eliminating) this is vital for any equalities strategy – and minister – to understand and acknowledge in equalities strategy and in cross-equalities analysis methodologies.

## 7. Key recommendations

7.1. The remit of the GEO should be cross-equalities and cross-intersectional. This includes a commitment to mixed-method longitudinal data collection that understands and uncovers the lived experience of inequalities in the UK.

7.2. The GEO should develop a resourced strategic vision and action plan to address inequalities across the UK. This must also have appropriate financial investment.

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<sup>12</sup> Equality and Human Rights Commission (2013) “Research report 88: Barriers to employment and unfair treatment at work: A quantitative analysis of disabled people's experiences”.

<sup>13</sup> This was a longitudinal study led by the Office for National Statistics and the Office for Disability Issues between 2009 and 2014 and was published in 2015.

- 7.3. The role of Equalities Minister should be standalone, strategic, and hold individual Government departments to account for their equalities related initiatives and activities.
- 7.4. The Government should ensure appropriate and sufficient investment in the EHRC so that it can continue to deliver strategic equalities and human rights research, inquiries, and expand its enforcement role.
- 7.5. The Equalities Minister must develop a framework for cross-intersectional co-design and co-production when designing policies and public services.





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