

Response 105.

Subject: Youth Work in Wales Consultation

[Information redacted]

We welcome the opportunity to provide advice to inform the consultation on youth work in Wales. We have not responded to the consultation questions but have instead set out below relevant comments which come within our remit.

Currently, there is no reference to the Equality Act (2010) and Public Sector Equality Duty (PSED) in the draft Bill or accompanying documentation. Our experience as a [Information redacted] is that regulations which lack specificity and clarity can lead to ambiguity which can affect compliance. Moreover, there are potential synergies in aligning WBOFG requirements with PSED requirements in Wales' strategic youth work framework.

The proposed new statutory framework will require a local authority to develop a youth work strategic plan which includes objectives for youth work aligned to the seven well-being goals for Wales as set out in the Well-being of Future Generations (Wales) Act 2015 (WBOFG). We recommend the proposed legislation also references the Equality Act 2010, specifically local authority obligations to give due regard to general and specific public sector equality duties.

Public authorities and those carrying out public functions are subject to the Public Sector Equality Duty (PSED) under the Equality Act 2010. Organisations subject to the PSED must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. [Information redacted].

[Information redacted]. Local authorities must show accountability for how they consider equality and the impact on groups of people with protected characteristics in developing and monitoring strategic youth work plans. They must engage with young people with protected characteristics when developing a strategic youth work plan (Regulation 5). They must publish equality impact assessments on such strategic plans and monitor the impact of such plans on groups of people with protected characteristics (Regulation 8). [Information redacted] PSED guidance provides an overview to the specific duties, and [Information redacted] Technical guidance to the public sector equality duty: Wales provides more details on the specific duties and the requirements of listed public bodies.

We note the proposed legislation requires local authorities to report on progress against objectives in the strategic youth work plan. We recommend the legislation refers to equality objectives as well as well-being objectives and references key PSED obligations including obligations for consulting with groups of young people with protected characteristics in developing and monitoring the plan and the need to publish robust equality impact assessments.

[Information redacted]