

HOME OFFICE

The outcome of the Equalities Red Tape Challenge and Reform of the Equality and Human Rights Commission

Baroness Verma: My right honourable Friend the Secretary of State for the Home Department (Theresa May) has today made the following Written Ministerial Statement:

I am today announcing the outcome of the Red Tape Challenge spotlight on Equalities, alongside the Government response to the consultation on the reform of the Equality and Human Rights Commission.

The Equalities Red Tape Challenge package balances the need to provide important legal protection from discrimination with identifying which measures in the Equality Act 2010 are placing unnecessary or disproportionate burdens on business.

The package aims to reduce these burdens through delaying or repealing the law. We have today published consultation documents on the removal of provisions relating to:

- employer liability for the harassment of an employee by a third party e.g. a customer;
- the power of Tribunals to make wider recommendations in a successful discrimination case; and the statutory mechanism by which individuals can obtain information where they think an employer, or service provider, has acted unlawfully towards them.

We will:

- proceed with the repeal of the socio-economic duty;
- delay commencement of the dual discrimination provisions in the Equality Act 2010;
- delay commencement of reasonable adjustments to common parts provisions.

We have also looked again at the public sector Equality Duty (PSED). This Government has a strong commitment to equality of opportunity. But we also have a strong desire to reduce unnecessary bureaucracy where it exists and consider alternatives to legislation. We committed last year to assess the effectiveness of the PSED specific duties. We have decided to bring forward that review and extend it to include both the general and specific duties to establish whether the Duty is operating as intended.

A proportionate approach to legislation goes hand in hand with our plans for the EHRC. We want the EHRC to become a valued and respected national institution. To do so, we believe it must focus on the areas where it can add value – as an independent equality body and ‘A - rated’ National Human Rights Institution. And, it must be able to show that it is using taxpayers’ money wisely.

Taking account of the views expressed in our consultation: Building a fairer Britain: Reform of the Equality and Human Rights Commission, we have decided to scrap vague, unnecessary and obsolete provisions from the Equality Act 2006 to focus the EHRC on its core functions.

In parallel, we are implementing a strong package of non-legislative measures, including:

- recruiting a new Chairman, to succeed Trevor Phillips who is standing down, and a new smaller Board;
- conducting a comprehensive review of the EHRC's budget;
- implementing tighter performance and financial controls set out in a new Framework Document.

We consider that this package has the potential to deliver the change in the EHRC's performance that we all want to see, but we will review the EHRC's progress at its next triennial review in Autumn 2013.

Copies of the consultation documents on removal of specific provisions in the Equality Act 2010, and the Government response to the EHRC consultation will be placed in the House Library and can also be found on the Home Office website at the following link www.homeoffice.gov.uk/equalities