

Dr. Theo Gavrielides
Race on the Agenda
Unit 101
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Our ref: TP/MMcC/104Gavrielides
Date: 5th March 2009

Dear Theo,

Many thanks for copying your letter to Harriet to me. I'm glad to see that the idea of forming a coalition to strengthen support around the Equality Bill has come to fruition and that things are moving forward.

The Commission has been moving forward steadily with our work on the Bill, and we look forward to publication, which we are told by colleagues at the GEO will be on 2nd April. In the period after publication your help, and that of your colleagues, will be integral to garnering support and ensuring we get the best possible Equality Act.

The Commission broadly agrees with the coalition on a number of the points you raise in your letter.

1. Public Sector Duty

- We agree that the Public Sector Duty (or Public Service Duty, as we would like to see it renamed) should extend across all seven equality strands. We have submitted a response to the GEO's consultation on the proposed socioeconomic duty in which we support the introduction of a duty which would see public bodies take account of socioeconomic status in decision making. We do not advocate, however, the creation of a new equality strand to cover socioeconomic status.
- We agree that the Act needs to look beyond traditional conceptions of "public authorities" and take into account other providers of public services in the private and voluntary sectors.

**Equality and
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2. Positive Action Measures

- We agree that the act should align domestic legislation with EU law and have asked Robin Allen QC to provide us with an opinion on how positive action could be extended. We expect a final version of that opinion soon and we will be happy to share it with you and your colleagues in due course.

3. Remedying discrimination in the private sector

- The Commission agrees that the £175bn of public procurement should be used to lever equality in the private sector. However, we are continuing to investigate the best way to achieve this.
- The Commission has been working closely with the Office of Government Commerce (OGC) to ensure that guidance regarding procurement is clear and provides a reliable guide for those involved in procurement processes.
- We have asked Counsel to assist us in investigating possible legislative measures and I will inform you of the outcome of this in due course.

4. Enforcement

- The Commission is committed to ensuring that provisions introduced in the new Equality Bill do not reduce the protection afforded to equality strands and have been working closely with the GEO to ensure that the new Bill strengthens protection and enhances outcomes for affected groups.

I wish you well in your meeting with Vera next week and I hope we can continue to work closely together as the Bill makes its way through Parliament over the next year. As ever, if there is anything I can help you or your colleagues with please get in touch with my office.

Yours sincerely



Trevor Phillips

Chair of the Equality and Human Rights Commission

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