



Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru  
Her Majesty's Inspectorate for Education and Training in Wales

# **Strategic Equality Plan Annual Review 2016-2017**

**September 2017**

**The purpose of Estyn<sup>1</sup> is to inspect and report on the quality and standards in education and training provided in Wales, including:**

- how far education and training meet the needs of learners and contribute to their development and wellbeing
- standards achieved
- the quality of leadership and management

Estyn inspects the following sectors:

- nursery schools and settings that are maintained by, or receive funding from, local authorities
- primary schools
- secondary schools
- all-age schools
- special schools
- pupil referral units
- independent schools
- further education
- independent specialist colleges
- adult community learning
- local authority education services for children and young people
- teacher education and training
- Welsh for adults
- work-based learning
- learning in the justice sector

Estyn works in collaboration with the Care and Social Services Inspectorate for Wales (CSSIW), Healthcare Inspectorate Wales (HIW) and the Wales Audit Office (WAO) to implement the Welsh Government's policy statement on Inspection, Audit and Regulation (IAR)<sup>2</sup>.

In partnership with Ofsted, Estyn has responsibility for inspecting learners in England who are funded by the Welsh Government and who attend independent special colleges, work-based learning courses and provision for young people in youth offending teams. Estyn inspects, through joint working with HMI Probation and HMI Prisons, the education of offenders in secure estate and prisons in Wales.

Estyn also:

- provides advice on the quality and standards of education and training in Wales to the Welsh Government and others
- promotes the spread of best practice in the delivery of education and training in Wales based on inspection evidence

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<sup>1</sup> Estyn's principal functions are set out in sections 75 to 78 of the Learning and Skills Act 2000 and section 20 of the Education Act 2005.

<sup>2</sup> Inspection, Audit and Regulation in Wales, Welsh Government Policy Statement, September 2009

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## **1 Introduction**

### **1.1 Introduction and background**

This document is the first Annual Progress Update against Estyn's Strategic Equality Plan (SEP) and Equality Objectives 2016-2020 and covers the April 1<sup>st</sup> 2016 to March 31<sup>st</sup> 2017.

The SEP was published in April 2016 by Estyn following consideration of best practice, legal responsibilities and local discussions. Experience of the previous SEP was also used in planning the next four year plan. The SEP supports Estyn's Equality Objectives and outlines key information about our equality, diversity and human rights activity. As well as fulfilling our duty under the Equality Act 2010, it considers a wide range of other legislation associated with equality and diversity.

The Equality 2010 Act general duty requires public bodies to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment, and victimisation and other conduct that is prohibited by the Act
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relationships between people who share a protected characteristic and those who do not

The SEP covers all the protected characteristics required by the Equality Act 2010:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including ethnic or national origin, colour or nationality)
- religion or belief (or lack of belief)
- sex and sexual orientation

### **1.2 Annual reporting requirements**

This Annual report provides information, as required by the Specific Duties for Wales, about the actions which Estyn has taken to meet its obligations for the reporting period of 2016-2017 under the Equality Act 2010. These are:

- the steps the listed body has taken to identify and collect relevant information
- how the public body has used this information in meeting the three aims of the general duty
- any reasons for not collecting relevant information
- a statement on the effectiveness of the authority's arrangements for identifying and collecting relevant information

- progress towards fulfilling each of the authority's equality objectives
- a statement on the effectiveness of the steps that the authority has taken to fulfil each of its equality objectives
- specified employment information, including information on training and pay (unless it has already published this information elsewhere)

Estyn may include in its annual reports any other matter it feels is relevant to meeting the general duty and the specific duties.

### **1.3 Our Strategic Objectives and Delivery Principles**

Estyn's SEP provides a framework and equality objectives for implementing and embedding requirements of the Equality Act 2010, which promotes an equal and diverse society. It also affirms our commitment to equality, diversity, dignity and respect as incorporated within Human Rights principles.

The Plan details the actions planned during the four years the Plan covers, 2016-2020. Some of the actions will only need to be completed once during this time, some each year and some as and when appropriate. This annual report summarises the progress made in the first year of the SEP 2016-2020, on actions that support the objectives within the plan and as such should be read in conjunction with the SEP.

We will maintain and build upon the commitments expressed within our previous equality-related schemes to:

- eliminate unlawful discrimination in all our functions and services
- take positive action to promote diversity in our workplace
- place a positive value on diversity and believe that differences in our workforce can add value and make us stronger, more flexible and ultimately more capable of delivering inspection and advice services that meet the needs of learners in Wales
- make sure that no user of our service, present or future employee or job applicant receives less favourable treatment on grounds of any protected characteristic
- refuse to tolerate discrimination, victimisation, bullying or harassment, direct or indirect, intentional or unintentional, against any person on any grounds whatsoever, including, but not limited to, those protected characteristics listed within the Equality Act 2010
- promote equality of opportunity and promote good relations between people regardless of background or characteristic, both within our workforce and in the wider community where possible, in order to eliminate discrimination and promote equality

Estyn's Executive Board (EB) and Employee Engagement Group (EEG) monitor the progress of the objectives set in the SEP and consider issues that arise during the year. As identified in the SEP there are two lead officers within Estyn specifically tasked with ensuring that Estyn complies equality legislative requirements; one for inspection and one for corporate policy.

Several Estyn publications already refer to our commitment to promote equality and diversity, including the following:

[Annual Report and Accounts 2016-2017](#)

[Annual Plan 2017-2018](#)

[Estyn's Corporate Governance Framework](#)

**2 Strategic Equality Plan – Progress and activities against objectives 2016-2017**

| <b>Objective 1: Ensure that the promotion of equality and human rights and elimination of discrimination and harassment is embedded and exemplified throughout Estyn</b> |  |  |
|--|--|--|
| <b>Ref</b>   | <b>Action</b>  | <b>Specific Related Characteristic</b> |
| 1.1  | <p><b>2016-2017</b><br/>A Survey will be issued to all staff in September 2017 canvassing their views on how Estyn corporately deals with equality and diversity issues and what further action could be undertaken to raise awareness or to improve processes and policy.</p>   | All                                    |
| 1.2  | <p><b>2016-2017</b><br/>Staff continue to be trained in the practicalities of the Equality Act 2010, ensuring that they are able to analyse the effects on equality of decisions and policy and act in accordance with Estyn’s values.</p>   | All                                    |
| 1.3  | <p><b>2016-2017</b><br/>All new starters attended an Equality and Diversity induction programme incorporating an introduction to the Equality Act and how Estyn meets its duties.</p>  | All                                    |
| 1.4  | <p><b>2016-2017</b><br/>The Employee Engagement group has Equality and Diversity as a standing item on its agenda. This ensures that opportunities are created to discuss and debate equality and diversity and share best practice and to explore opportunities for promoting equality and diversity events, e.g. national days. Articles written for the internal staff newsletter in 2016-2017:</p> <ul style="list-style-type: none"> <li>• Detailing the role of the two officers with a lead role for Equality and Diversity within Estyn</li> <li>• Mental Health at work</li> <li>• Domestic abuse</li> <li>• British Institute of Learning Difficulties</li> </ul> <p>Attendance at the Wales Audit Office (WAO) film festival and networking with attendees. Initial discussions have been undertaken with WAO about setting up a LGBT group within the Wales Inspectorates.</p> | All                                    |

| Ref   | Action   | Specific related protected characteristic |
|---|--|---|
| 1.7   | <p><b>2016-2017</b></p> <p>A review of all EIAs was carried out on new or amended functions, policies and practices, to ensure that they cover all protected characteristics and are being consistently applied. A shorter EIA was also developed to cover policies which required updating but changes were not significant to require a completely new EIA be completed. This procedure will be reviewed after it has been running for one year.</p> | All                                       |
| 1.10  | <p><b>2016-2017</b></p> <p>During 2016-2017 we have not received any complaints relating to our communication and reporting mechanisms. Significant work was undertaken at the beginning of the reporting year to ensure our methods were compliant with accessibility guidance and we will continue to monitor to ensure we keep up to date with best practice.</p>   | All                                       |
| 1.11  | <p><b>2016-2017</b></p> <p>As detailed in 1.10.</p>  | All                                       |
| <p><b>Objective 2: Foster good relations between those who share a protected characteristic and those who don't</b></p> |  |   |
| 2.1   | <p><b>2016-2017</b></p> <p>We continue to publicise (on our intranet) useful information and promote events relating to various protected characteristic groups. More specifically, the articles shared have been regarding news updates and events from:<br/>PRISM (Welsh Government Group),<br/>Stonewall Cymru and LGBT groups.</p>   | All                                       |
| 2.2   | <p>Estyn has promoted equal opportunities through announcements on Sharepoint, noticeboards and through the Estyn newsletter – see 1.4 and 2.1 above.</p>  | All                                       |



| Ref  | Action  | Specific related protected characteristic    |
|--|---|--|
| 2.3  | <p><b>2016-2017</b><br/>Liaison continues between Estyn and Welsh Government protected characteristics networks providing Estyn staff with opportunities to access these groups, attending events, raising awareness and providing support.</p>   | All  |
| <p><b>Objective 3: Advance equality of opportunity between people who share relevant protected characteristics and those who do not share relevant protected characteristics</b></p> |   |  |
| 3.2  | <p><b>2016-2017</b><br/>We continue to monitor the diversity of our workforce through our monitoring questionnaire and we will give consideration to the frequency with which is carried out. The results of the 2016-2017 monitoring exercise are detailed in Section 3.</p>   | All  |
| 3.3  | <p><b>2016-2017</b><br/>We will continue to operate our Flexible Working Policy which provides a wide-range of working options, e.g. providing flexibility to assist with managing family commitments. In 2016-2017 there were 6 requests to work flexibly, four of which were successful and 2 are being considered by EB during May</p>   | Sex<br>Pregnancy and Maternity<br>Disability |
| 3.5  | <p><b>2016-2017</b><br/>All staff have to do a workstation assessment on a regular basis. In addition, 12 members of staff were provided with ergonomic equipment to help to alleviate the impact of the issues they were having at their workstation. External assessors are utilised to provide desk-based assessments for choosing an appropriate chair and 12 chairs were purchased through this process in 2016-2017. When choosing accommodation, staff undertaking the booking ensure that they have taken into account the requirements of staff who have specific requirements from their accommodation.</p> | Disability                                   |
| 3.6  | <p><b>2016-17</b><br/>The feedback from external events is continually monitored to assess facilities to ensure that they are accessible to all protected characteristics.</p>  | All  |

| Ref  | Action  | Specific related protected characteristic |
|--|---|---|
| 3.7  | <p><b>2016-2017</b><br/>No requests have been received for the learner/parent questionnaires to be provided in any other language other than the 26 language currently provided.</p>  | All                                       |
| <b>Objective 4: Ensure that equality of opportunity is embedded in our recruitment and selection processes</b> |   |   |
| 4.1  | <p><b>206-2017</b><br/>No issues were raised in the annual Recruitment Compliance Audit of our recruitment and selection procedures undertaken by the Civil Service Commission which assures us that recruitment panel members have are sufficiently aware of Equality and Diversity issues and that we have given due consideration to the composition of the panel in relation to the recruitment exercise.</p>   | All                                       |
| 4.2  | <p><b>2016-2017</b><br/>We continue to use the ‘two ticks’ symbol ‘positive about disabled people’ to demonstrate our commitment to supporting disabled staff.</p>  | Disability                                |
| 4.3  | <p><b>2016-2017</b><br/>All job applicants are asked to complete our equal opportunities monitoring form.<br/>We continue to monitor and analyse recruitment information, investigate reasons for any differential outcomes, and take remedial action, where appropriate, to ensure there is no discrimination and that we are promoting equality of opportunity.</p>   | All                                       |
| 4.4  | <p><b>2016-2017</b><br/>In addition to advertising vacancies on Civil Service recruitment website, in national press and other job specific publications we continue to ensure that our advertisements reach a wide audience covering all protected characteristic groups by circulating our vacancies to:</p> <ul style="list-style-type: none"> <li>• Race Equality First</li> <li>• Disability Wales</li> <li>• Valleys Race Equality Council</li> <li>• South East Wales Race Equality Council</li> </ul> | All                                       |

| Ref  | Action   | Specific related protected characteristic |
|--|--|---|
| 4.4 cont.  | <ul style="list-style-type: none"> <li>• Swansea Bay Race Equality Council</li> <li>• North Wales Race Equality Network</li> <li>• Minority Ethnic Women's Network</li> <li>• Disabled Workers Cooperative.</li> </ul>   | All                                       |
| 4.5  | <p><b>2016-2017</b><br/>We have had no complaints about our job descriptions and job advertisements age discriminatory. Application forms do not require applicants to state their age.</p> <p>Appointments are made through open competition with selection on the basis of assessment against competencies of the job, regardless of any personal characteristics.</p> <p>Under Estyn's Flexible Working Policy 6 staff applied to work flexibly (decisions to allow part-time working are assessed against business-need criteria) in 2016-2017, 4 of which were approved and 2 are pending a decision.</p> | All                                       |
| <b>Objective 5: Ensure that our processes for procuring goods and services promote equality and human rights</b> |  |   |
| 5.1  | <p><b>2016-2017</b><br/>Our Terms and Conditions of Contract require contractors to state that they comply with equality and diversity legislation. Guidance currently available states that all contractors who engage with Estyn have to act in accordance with the policies (including any racial discrimination and equal opportunities policies), rules, procedures and the quality standards of the Client as amended from time to time. This has been applied in all contracts awarded in 2016-2017.</p>  | All                                       |
| 5.2  | <p><b>2016-2017</b><br/>We ensured further development of our equality presence in the procurement of goods and services by employing best practice evident in other organisation. Procuring through Government run frameworks and portals we ensured we took advantage of agreed public sector protocols when applying equality to the contracting process.</p>   | All                                       |

| <b>Objective 6: Through our inspections and survey work, promote equality and identify good practice and disseminate that good practice across the relevant education sectors</b> |   |  |
|---|---|--|
| <b>Ref</b>  | <b>Action</b>   | <b>Specific related protected characteristic</b> |
| 6.1   | <p><b>2016-2017</b><br/>           Best Practice Studies are available here - <a href="#">Best Practice Case Studies</a>.<br/>           During 2016-2017 a number of case studies were published covering some of the equality and diversity issues and protected characteristics. These include:</p> <ul style="list-style-type: none"> <li>• <a href="#">Improving Pupils' Speech and Language</a></li> <li>• <a href="#">Improving Outcomes for Pupils Receiving Free School Meals</a>.</li> <li>• <a href="#">Encouraging Lees Engaged Learners</a>.</li> <li>• <a href="#">Helping Pupils with Additional Learning Needs Reach Their Potential.ch-their-potential</a></li> <li>• <a href="#">Engaging Parents to Improve Attendance</a></li> </ul> <p>Thematic Reports can be found here - <a href="#">Thematic Report Search</a>.<br/>           During 2016-2017 a number of thematic reports were published covering some of the equality and diversity issues and protected characteristics. These include:</p> <ul style="list-style-type: none"> <li>• <a href="#">Adult Community Learning In Wales</a></li> <li>• <a href="#">Raising Attainment Levels of Looked After Children</a></li> </ul> | All  |
| 8.3   | <p><b>2016-2017</b><br/>           The New Inspection Arrangements (NIA) due to be implemented in September 2017 have reviewed and updated how Equality and Diversity is addressed within the inspection process. Every effort was made to ensure the NIA consultations covered the hard to reach groups; the groups consulted are shown in Annex 1.</p>  | All  |
| 8.4   | <p>The provider's self-evaluation will generally follow the Common Inspection Framework (CIF) and this will include aspects of equality and human rights in line with 8.3 above.</p>  | All  |
| 8.6   | <p><b>2016-2017</b><br/>           Information gathered from the staff survey undertaken in October 2016 has been discussed in depth at both Executive Board level and within the Employee Engagement Group. Following on</p>   | All  |

| Ref       | Action   | Specific related protected characteristic |
|-----------|--|---|
| 8.6 cont. | <p><b>2016-2017</b></p> <p>from this, members of staff from the Employee Engagement Group wrote an article for the staff newsletter clarifying the routes through which staff can raise concerns about inappropriate behaviour and report bullying and/or harassment issues.</p> | All                                       |

### 3 Employment Information

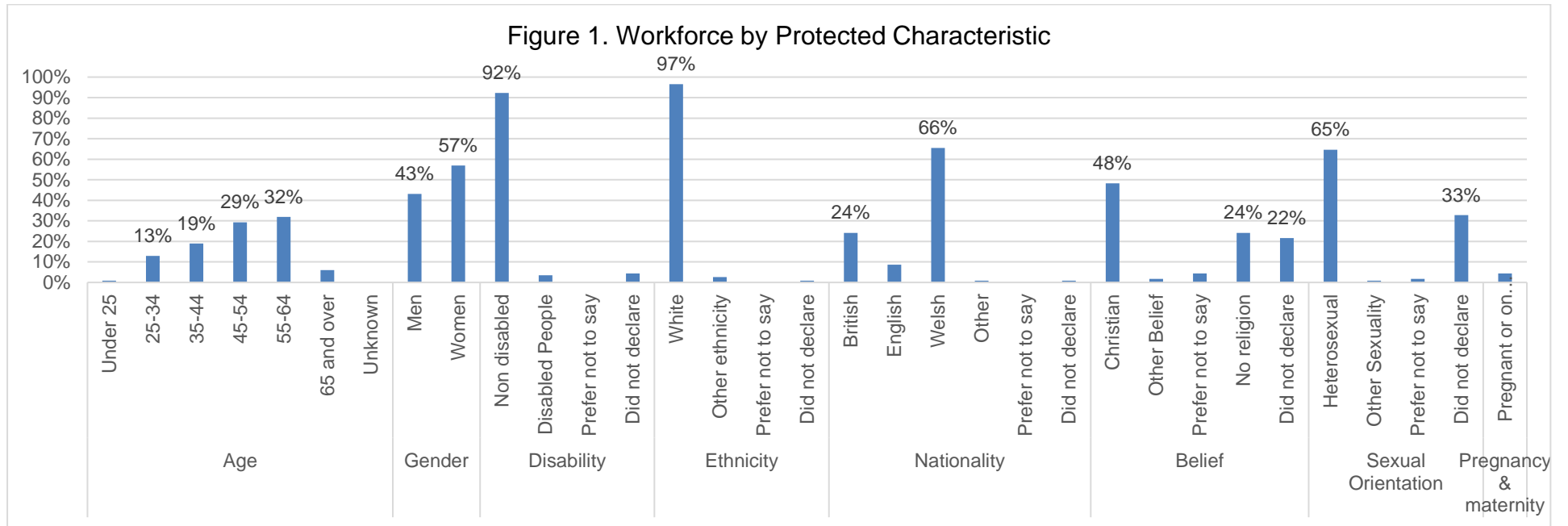
Estyn is required to collect and publish employment information on its employees by protected characteristic on an annual basis. In publishing this information, it is important to ensure the requirements of the Data Protection Act are being met, protecting employees' rights to confidentiality.

For the purposes of this information 'Did not declare' refers to the number of staff who did not respond to a diversity monitoring question and 'Prefer not to say' refers to the number of staff who have chosen not to disclose the information in response to a particular diversity monitoring question. We continue to compare our statistics with Census and Civil Service data and when comparing our statistics with the latest data available no anomalies were identified. All data was obtained from Estyn's HR Information System.

Data labels have not been included for figures lower than 10%.

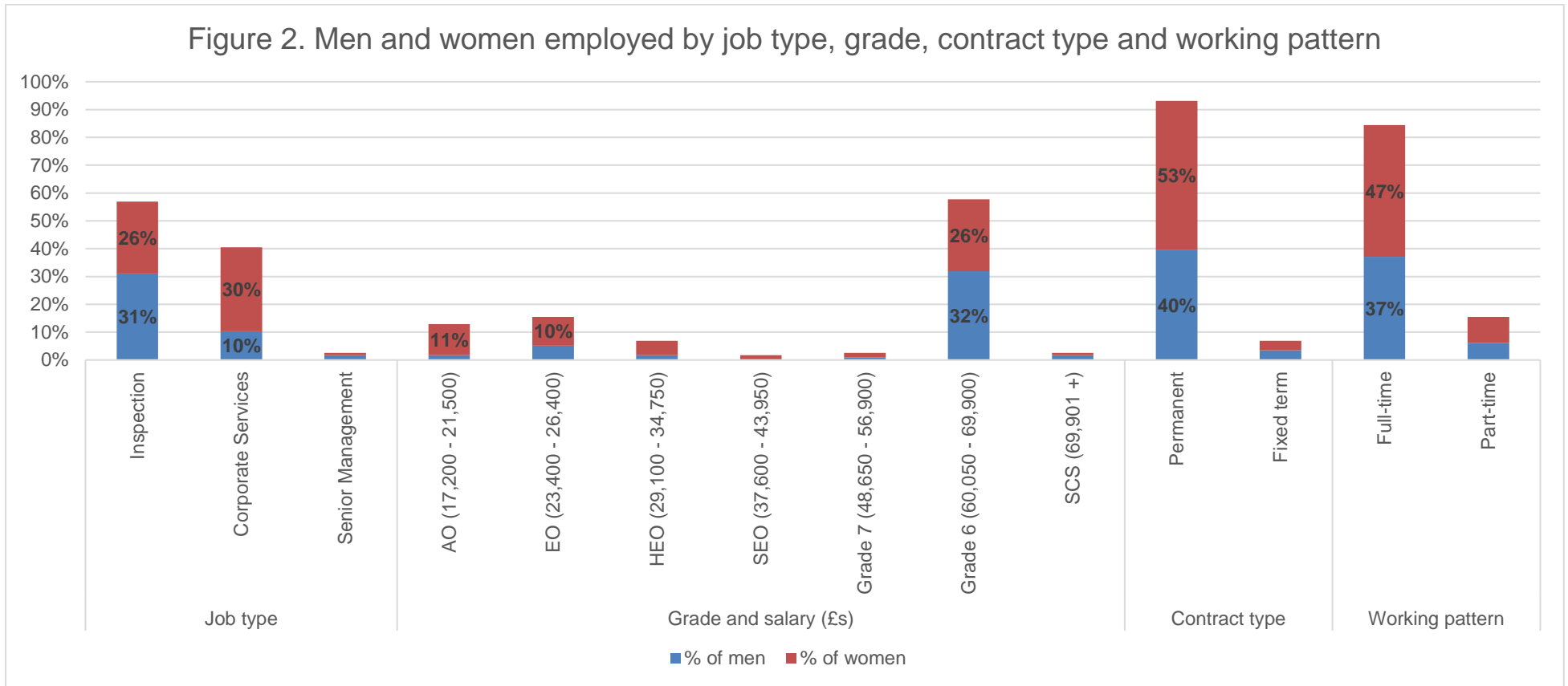
### 3.1 Workforce representation

As at 31 March 2017, Estyn employed 116 people. This is broken down by protected characteristic in Figure 1.



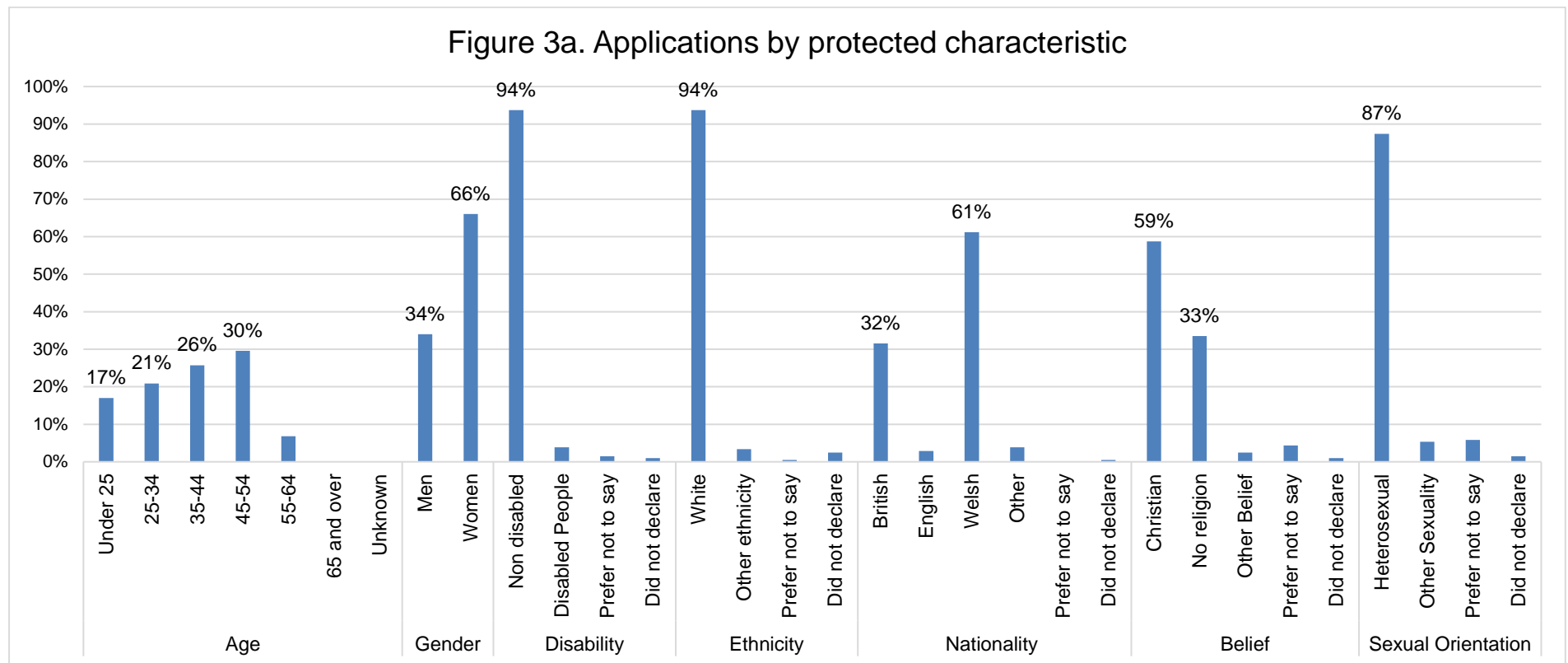
### 3.2 Job type, grade, pay, contract type and working pattern

Figure 2 illustrates the number of men and women employed broken down by job type, grade, pay, and contract type and working pattern as at 31 March 2017.



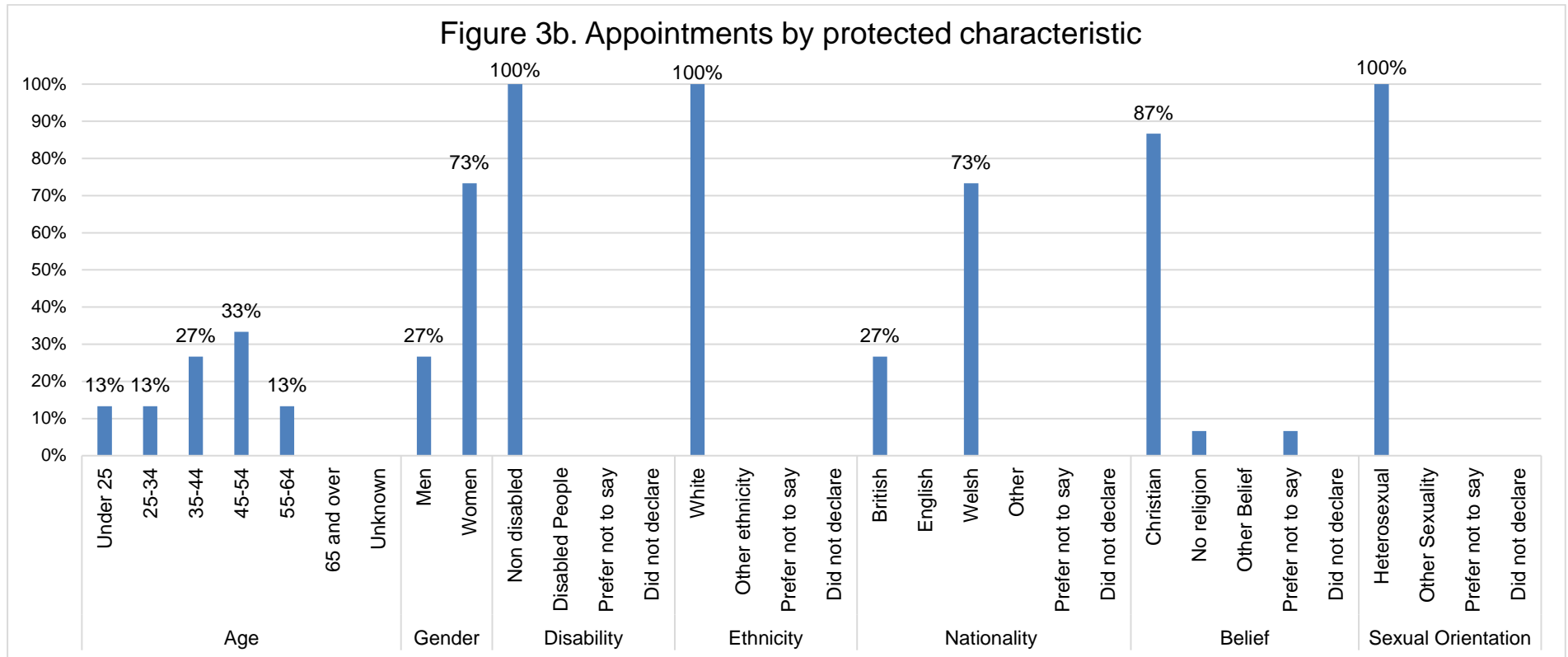
### 3.3a Recruitment 1

In 2016-2017 Estyn received 206 applications from individuals applying for jobs with Estyn through external open recruitment. We advertised for a number of vacancies from Administrative Officer to Strategic Director level. In total, 15 appointments were made. These figures include existing employees applying for vacant posts through open competition. Figures 3a & 3b illustrate the number of applicants and appointments made through external open recruitment by protected characteristic between 1 April 2016 and 31 March 2017. We do not ask applicants to inform us if they are pregnant or on maternity leave as part of the recruitment process.





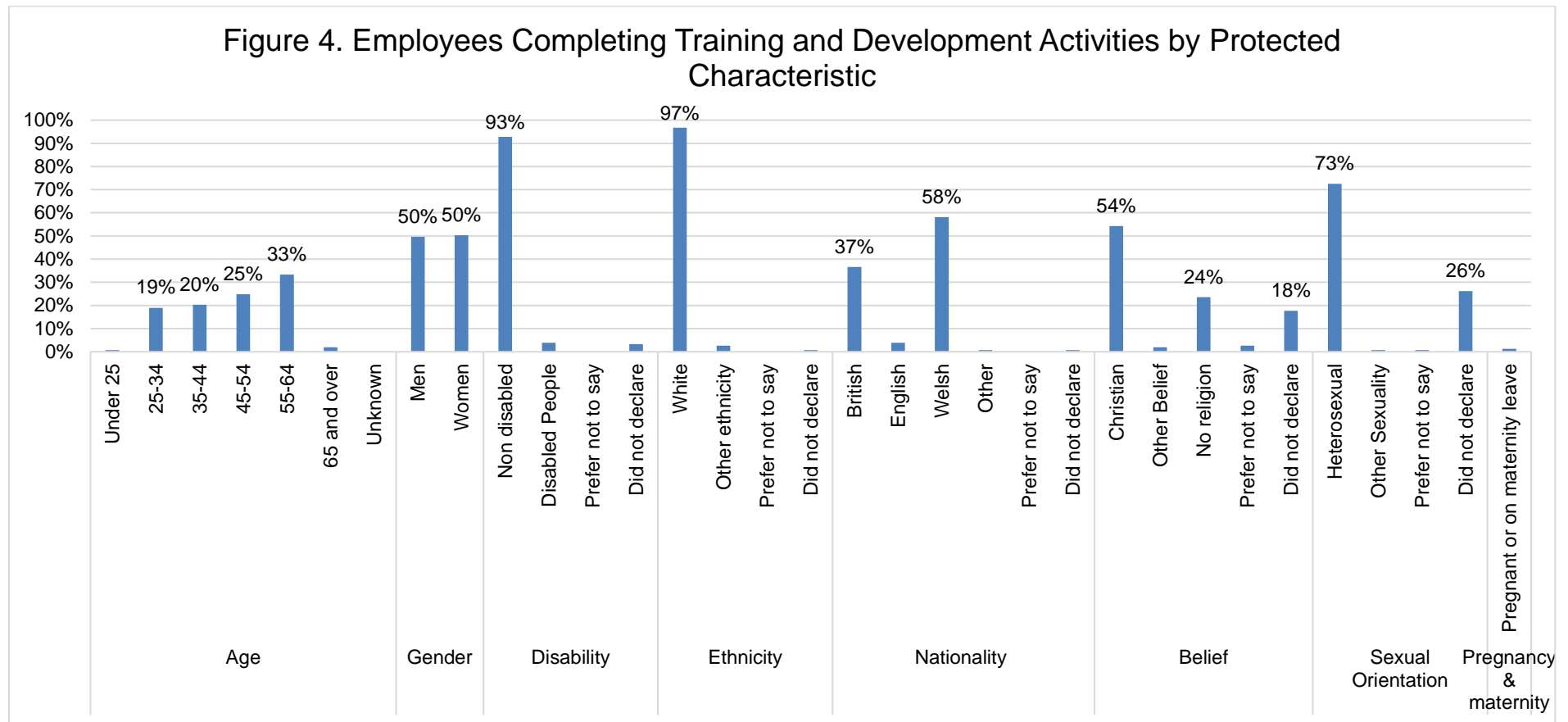
### 3.3b Recruitment 2



### 3.4 Training

In 2016-2017, Estyn received 153 training requests from employees. This figure excludes professional development weeks and sector networks for Inspectors and Corporate Services away days for Corporate Services staff. All employees who applied for training succeeded in their application.

Figure 4 illustrates the number of employees who completed training between 1 April 2016 and 31 March 2017 by protected characteristic.



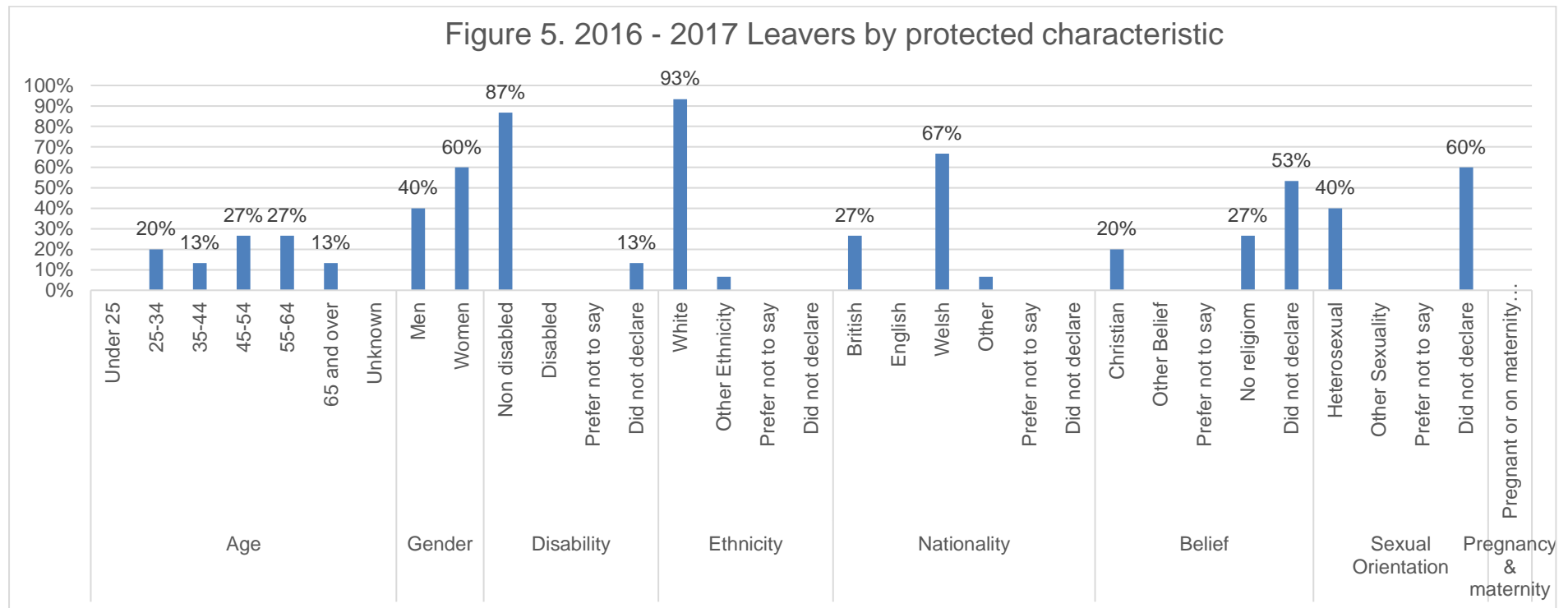
### 3.5 Grievance and disciplinary procedures

The number of staff who were or are involved in a reported grievance under the formal procedure, either as the person raising the grievance or the respondent, in the period 1 April 2016 to 31 March 2017 was less than five. We are therefore unable to report the data due to the small numbers involved.

There were no staff subject to formal disciplinary proceedings in the period 1 April 2016 to 31 March 2017.

### 3.6 Leavers

There were 15 leavers during the period 1 April 2016 – 31 March 2017. Figure 5 illustrates the profile of leavers by protected characteristic.



## 4 Summary

- 4.1 This Annual Report shows the progress that Estyn has made in achieving the objectives set out in the SEP and continued monitoring of activity will ensure that this progress is maintained.
- 4.2 Using the results from our Equality and Diversity Employment Monitoring, any new best practice identified and stakeholder comments received, we will continue to ensure our action plan is fit for purpose and meets the ever changing environment it relates to.

## Organisations consulted on the New Inspection Arrangements

| Category                                   | Organisation  |
|--|---|
|  | <p><u>National</u></p> <p>1 Welsh Refugee Council<br/> 2 Wales Strategic Migration Partnership<br/> 3 Race Council Cymru<br/> 4 Minority Ethnic Women's Network Wales<br/> 5 Bawso<br/> 6 Displaced People in Action</p> <p><u>Central south Wales</u></p> <p>7 Race Equality First<br/> 8 Polish Home Association Cardiff<br/> 9 Hindu Cultural Association Wales<br/> 10 South Wales Chinese Association<br/> 11 Oasis Cardiff<br/> 12 South Riverside Community Centre</p> <p><u>South east Wales</u></p> <p>13 SEWREC<br/> 14 The Sanctuary project, Newport<br/> 15 Pakistan Association of Newport &amp; Gwent</p> <p><u>South west Wales</u></p> <p>16 African Community Centre, Swansea<br/> 17 Polish-Welsh association, Llanelli</p> <p><u>North Wales</u></p> <p>18 North Wales Chinese Association<br/> 19 BAWSO, Wrexham</p> |
| 2 People with physical disabilities        | <p>20 Disability Wales<br/> 21 Mencap Cymru<br/> 22 Scope Cymru<br/> 23 Disability Sport Wales<br/> 24 Disability Arts Cymru<br/> 25 Leonard Cheshire Disability Wales.<br/> 26 Aspire<br/> 27 Disabled Parents Network<br/> 28 MS Society Cymru<br/> 29 Mirus Wales<br/> 30 Shaw Trust<br/> 31 SNAP Cymru</p>  |
| 3 People with sight or hearing impairments | <p>32 RNIB Cymru<br/> 33 Action on Hearing Loss Cymru<br/> 34 British Deaf Association Cymru<br/> 35 Sight Cymru<br/> 36 Deaf Access Cymru<br/> 37 North Wales Deaf Association<br/> 38 Wales Council for Deaf People<br/> 39 North Wales Society for the Blind<br/> 40 Cardiff Institute for the Blind</p>   |

## Organisations consulted on the New Inspection Arrangements

| Category                             | Organisation  |
|--------------------------------------|---|
|                                      | 41 Wales Council of the Blind<br>42 Sense<br>43 Deafblind Cymru   |
| 4 People with learning difficulties  | 44 Disability Wales<br>45 People First<br>46 Learning Disability Wales<br>47 Wales Dyslexia<br>48 Leonard Cheshire Disability Wales<br>49 Mirus Wales<br>50 Shaw Trust<br>51 SNAP Cymru                             |
| 5 People with mental health problems | 52 Mind<br>53 Disability Wales<br>54 Hafal<br>55 Gofal<br>56 Bipolar UK Wales<br>57 Shaw Trust<br>58 Pobl Cymru   |
| 6 Gypsies and travellers             | 59 Gypsies and Travellers Wales<br>60 Save the Children Cymru – Travelling Ahead Project<br>61 Romani Cultural & Arts Company<br>62 Liaison officers in local authorities (via Welsh Local Government Association). |
| 7 Very rural / isolated communities  | 63 Talysarn (Gwynedd)<br>64 Penycae and Pant (Wrexham)<br>65 Llangefni (Ynys Mon)   |