

Equality & Rights Alliance Public Sector Duty Working Group:

Wednesday 13th April 2016

Present: Anne Walshe (NYCI), Paul Ginell (EAPN), Brid O'Brien (INOUE), David Joyce (ICTU), Ed Carroll (Blue Drum), Eilis Ni Chaitnia (NWC), Deirdre Malone (IPRT), Shirley Scott (DRCC), Damien Walshe (ERA)

Presentation by Damien Walshe (ERA) on Public Sector Duty, looking at the Duty, the duty in practice and a values-based approach to integrating Equality & Human rights. There was a discussion on ensuring that collective messages from ERA members in relation to Public Sector Duty need to use language civil and public servants are familiar and comfortable with and to make specific reference to the Public Sector values highlighted in the IPA report by Muiris MacCarthaigh.

Deirdre spoke about the Irish Prison Service and their ongoing strategic planning process and potential implementation of Public Sector Duty. IPRT have been consulted on this and the starting point for the development of the plan was to look at the current Prison Service values. There is a shortage of reliable information on what PSD is and what organisations need to do apart from the ERA report and there is currently a lack of detailed guidance from IHREC. IPRT utilises and promotes both equality and human rights in its advocacy work: if civil society doesn't agree on the value of both, we can't expect to persuade Public Bodies of their value. IPRT promoted PSD as an approach to benchmark how service is delivered but also to engage staff as well.

IPRT has done a number of reports on experience of specific groups of prisoners (for example Travellers & LGBT prisoners) and these have been welcomed by the Service but the larger fundamental questions around human rights and equality were less well understood and there is a danger of becoming a more siloed approach. As yet Prisoner Council do not exist so there is no structure that IPRT is aware of for Prisoners to be consulted on PSD. It is clear from this process that tools need to be provided to make it easier for Public Bodies.

Eilis said the NWC were looking at how Public Sector Duty could be used to further advance work on gender proofing and gender mainstreaming. One obvious focus would be to use the LCDCs to see how PSD could be implemented. The key will be to message the importance of PSD to existing Public Sector values to find a common ground between Civil Society and our aspirations for PSD and those that will be implementing it.

We also need to be honest- in some cases the relationships between Civil Society organisations and staff in Public Sector organisations are not good with some sectors. Relationships are not based on trust or transparency and LCDCs are often seen as the remit of Local Authorities to manage them, and the role of civil society is to be "invited in" through the PPN. We are often seen as disorganised and without a cohesive, collective vision or actions- one worker openly referred to working with the PPN as "trying to herd cats". We need to be clear in bringing a vision for PSD and what we want to overcome any stereotypes.

Paul pointed out that there was an Equality and Diversity Health-check developed in Westmeath Equal which covers in detail the process a public body would have to do based on equal status /employment equality. The pilot focussed more on compliance for staff and less on service delivery but extensive outline on how to review & develop an action plan that could be very useful to revisit, as it is a very practical tool which could be simplified and be used by civil society

Ed: Public Sector Duty has the potential to bring about cultural change within public bodies; however, we need to be mindful that this is not going to happen overnight, it will take time, need to

build capacity, training. This is new and we need to draw in material in different contexts- practical steps tell us how to “get up the escalator”; and these practical changes can inform and shape the cultural change that we want PSD to deliver.

In theory, change in Public Sector organisations is top down driven but often is left to key drivers within organisations. We need to move away from Public Services seen as opponents- to see public services as belonging to the public. However, there will be resistance- for example, there is no reference to equality or human rights in Arts Council or within documentation of the Dept of Arts, Culture & Heritage.

David Joyce said that PSD was honestly not an area of focus for the unions- yet. In the north & the UK, it is like second nature to workers as it has been in place for so long. The [TUC](#) have done a really good document on PSD which David circulated after the meeting. However, a challenge for Civil Society is that workers within Public Services don't feel valued, and have had huge alterations to their working lives under austerity. The challenge for us is to ensure that PSD doesn't become something else that “has” to be done, about compliance, forced from outside and becoming an exercise in box ticking; civil society needs to message the value for public Sector workers on how PSD can make a difference to workers as well.

There are many positive examples that we can use to work with public servants on the potential benefits of PSD. Eilis: There are many examples of gender and mainstreaming, especially in the private sector and the benefits of more diverse in workforce. Paul said that the work done by Julie Smyth and others in the Combat Poverty Agency around the NAPSincl- process can be used for Civil Society to build up its knowledge, for ERA as a collective to show what has (and hasn't) worked in the past.

There was agreement that clear examples of what Public Sector Duty looks like, how it is done and a framework in very practical steps needed. For this, there needs to be a public sector body willing to be part of a pilot/demonstration model. Practical application is the challenge for PSD, but we also need to recognise that in some respects equality proofing has also been done with some success, and we can build on existing work.

There will always be well-meaning individuals in almost all public bodies, especially at a local level- the challenge will be to get the right process embedded within organisations. We also need to recognise that successes in the public sector will have a multiplier effect- public sector bodies will value the experience and practice of other public servants. IHREC have been identified in having a key role to drive this process.

Next steps for ERA

Could we deliver a seminar in autumn on Public Sector Duty? ERA as a focal point to draw on existing work & develop new ideas and comment on work IHREC is developing (or not?). There are a range of platforms to work from- the legal basis is new, not necessarily the ideas behind it. We need to ensure we have strong Union engagement and participation in this

Anne: We need to recognise that getting PSD “right” will be a slow process- it is new- and we need to chart out our vision for Public Services, what Civil Society do over time, the very real dangers of consultation fatigue, (inc participation strategy with young people)

Questions for Public Bodies in relation to Public Sector Duty

- How are they going to do it?

- Who is going to lead it? And who will participate?
- Why- why should we do this- and meaningfully- embed into organisation

Anne: ERA has a large membership, but we need to ask how many people can ERA bring on board collectively to share vision & toolkit. Some ERA members don't know about PSD, are not engaged- and there is a piece of work to do there

ERA needs to develop resources that are practical and beneficial to members as a diverse membership will not all be starting from the same analysis or resources levels. While we recognise the potential for PSD to be a driver, it is another "tool" to achieve equality and we need to be careful not to "oversell" it to our members.

Pilot/Demonstration Model:

There are easier sites for a pilot- need to look at picking somewhere with work already done, with key people there- but not one model- needs to be broad to reflect diversity in services (Dublin bus as an example?)

Developing an ERA Vision for Public Services

There was agreement that who this was being communicated to would determine its content. One vision could be internal to ERA members, where we can talk about the potential transformative nature of PSD and our aims for a more equitable Ireland. - to promote the possible & potential

An External ERA message would need to use language to connect to public servants and not scare them away: PSD and how it would connect with their vision and values (rather than solely using Equality & Human Rights language which can be alien and not seem as relevant to Public Sector Workers, especially those who don't feel valued in their work)

We need to continue to have conversations about values with ERA members: values are intrinsic but not spoken about collectively. Values are the elements that can energise people and re-motivate. Values could be the hook to hang PSD on for Public sector, especially if they are linked to existing Public Sector Values. We also have to be realistic- we will face resistance to change within the Public Sector.

In terms of ERA's analysis: we need to clarify our message to Public Servants on:

- What does PSD mean to Public Servants (link to values)
- Why should we do it? (benefits for staff & organisations In terms of service delivery, value for money etc)
- How to do it (Practical help)

Language about the benefits of PSD, such as sustainability should improve messaging as will integrated service delivery (internally within larger organisations). We also need to recognise that there will not be a "one size fits all" approach to PSD: different public bodies will need different approaches. ERA as a collective will need to be cohesive on what PSD can mean for us as civil society- how to use it and also what impact it might have for us.

Next date for meeting: Thursday 2nd June, NWCI, 1-3pm