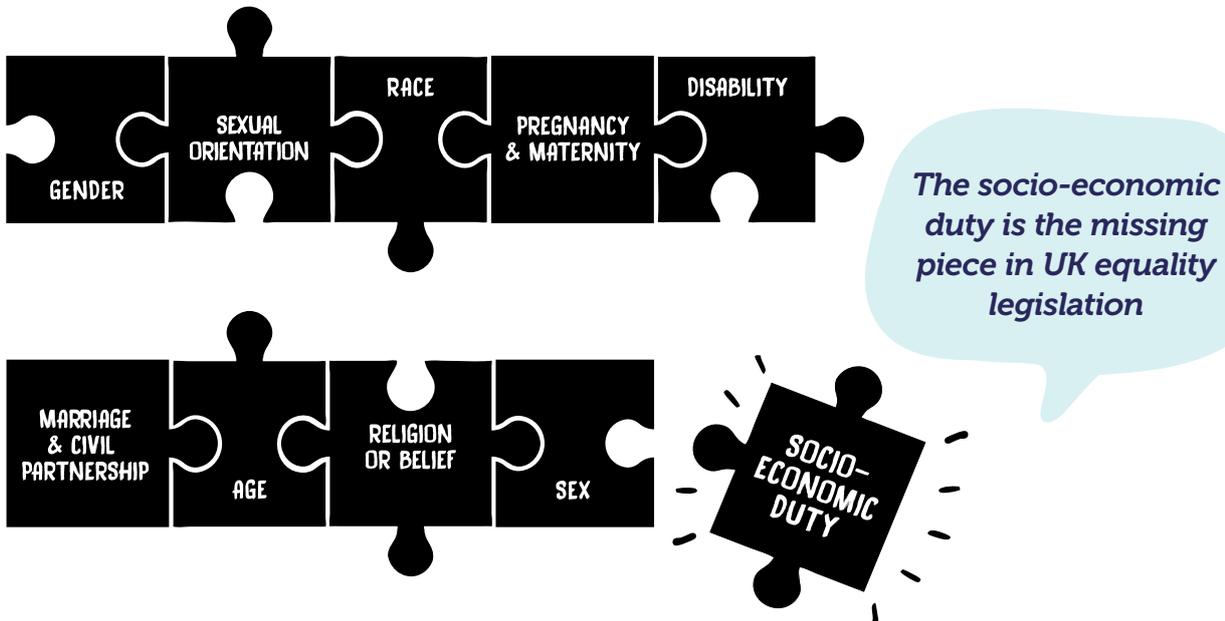


Do your duty for equality

The case for enacting the socio-economic duty in partnership with people with lived experience of poverty



Poverty2Solutions are a coalition of three groups rooted in their communities and led by people with direct experience of poverty.

This briefing sets out why Poverty2Solutions are calling on the UK government to 'do your duty for equality', that is: enact the socio-economic duty and develop guidance on best practice implementation and monitoring in partnership with people who have lived experience of socio-economic disadvantage.

What you need to know:

1. The socio-economic duty is the missing piece in UK equality legislation. Whilst a wide range of inequalities, such as age, gender and race are included, socio-economic status is not covered. This is a glaring omission.
2. Enacting the duty would rectify this. It would create a legal imperative for public authorities to pay 'due regard' to the desirability of reducing the inequalities caused by socio-economic disadvantage and poverty in their policy making and budgetary decisions. This would help to drive forward better policies and services and ultimately create a fairer society.
3. To ensure the duty has the transformative approach intended by the spirit of the law, it is crucial that guidance on best practice implementation and monitoring is developed in partnership with people who have lived experience of socio-economic disadvantage.
4. This work should include groups like Poverty2Solutions; 'experts by experience'.

'Let the hole in democracy be filled with our voices.'

Amanda,
Poverty2Solutions

Who are Poverty2Solutions?

- Poverty2Solutions are a coalition of three grassroots organisations led by people with direct experience of poverty: ATD Fourth World, Dole Animators and Thrive Teesside.
- They have been active since 2016, working together to develop policy solutions to poverty and insecurity, lobbying for change, and building links with other anti-poverty groups.

'We are the voice of our communities with the skills and experience to influence change. We are solution focussed and innovative.'

Corrina, Poverty2Solutions

What is the problem?

- More than one in five of the UK population (14 million people) currently live in poverty (JRF, 2018). This is simply unacceptable.
- A person's socio-economic background is a key determining factor of their life experiences. The Social Mobility Commission's (2019) *State of the Nation* report provides a damning insight into current socio-economic inequalities, which include:
 - Gaps between advantaged and less advantaged children open up before birth and persist throughout life. Children from poorer backgrounds still have persistently lower birthweights than those from richer backgrounds.
 - In 2018, 43% of children entitled to free school meals did not reach a good level of development by age five.
 - Those from better off backgrounds are almost 80 per cent more likely to be in a professional job than their working-class peers.
 - Individuals from more disadvantaged areas are more likely to suffer from lower levels of wellbeing.

What role does the law currently play?

- In many respects, the UK is a standard bearer for equality law. The Equality Act 2010 both significantly expanded the number of protected characteristics and also placed a duty (the public sector equality duty) on public authorities, including central government, to have '*due regard*' to the need to eliminate discrimination and advance equality between those who share a protected characteristic, and those who do not. This duty has its roots in the preceding Race Equality Duty 2001, which came out of the Macpherson report on the murder of the black teenager Stephen Lawrence.
- To further improve the strength of the UK's legal framework, there is an urgent and pressing need to address the absence of socio-economic status from the Equality Act. Whilst the Act does in fact include a duty (at Section 1) relating to socio-economic disadvantage, this was abandoned in 2010 by the then-Home Secretary Theresa May.
- In practice, this means that when developing and enacting major policy and spending decisions, government has *no requirement at all* to consider how such decisions could lessen or even worsen the barriers faced by those locked in poverty and on low incomes.

Enacting the socio-economic duty: a key part of the solution

- Done well, the duty would help put tackling socio-economic inequality at the heart of decision-making. It would provide a *legal imperative* for public authorities to pay 'due regard' to the desirability of reducing the inequalities caused by socio-economic disadvantage and poverty as they design and implement policies and enact service provision, ultimately helping to build a fairer and more equal society.
- Had the duty been in place throughout the design and implementation of Universal Credit, for example, a huge amount of human suffering could have been avoided, and a truly inclusive, progressive policy instead been enacted.
- Further, had the duty been in place for the past 10 years it may, for example, have prevented the closure of hundreds of children's centres or perhaps led the government to set an example on the voluntary living wage (which those from working class backgrounds are less likely to be paid) by paying it to all its staff and contractors.

Making the duty a success: partnering with people with lived experience

- Simply passing the duty into law, however, will not in itself lead to better policy-making and fairer outcomes. This would simply be the first step in a longer and more ambitious journey.
- It is vital to ensure the duty drives forward the transformative approach to policy-making intended by the spirit of the law, and is not reduced to a tick-box exercise - as has been the case with some adherence to the public sector equality duty. To fulfil the duty's potential, it is crucial that *guidance on best practice implementation and monitoring is developed in partnership with people who have lived experience of socio-economic disadvantage*.
- This development work should include organisations like Poverty2Solutions, who are a core group of 'experts by experience'.

What might the guidance cover?

A substantive and formal process of engagement would be needed to develop guidance in partnership with people with lived experience. Here, the UK government could learn lessons from the ground-breaking work of the Scottish Government and their experience panels, which

HOW THE DUTY COULD MAKE A DIFFERENCE



Prevent the human suffering that comes from policy making that doesn't consider the impact on people e.g. Universal Credit



Save public money by avoiding costly errors in policy making and developing preventative interventions



Help to develop better private sector practices e.g. extending the "Decent Homes Standard" to private rented properties

'It is now time to rethink how decisions are made and enacting the socio-economic duty alongside developing best practice guidance gives us a wonderful opportunity to work together in a true partnership for the good of all.'

Sue, Poverty2Solutions

have seen social security claimants help shape Scottish social security policymaking, implementation and monitoring. Drawing on their own experiences, Poverty2Solutions have developed some core principles that should inform partnership work on developing the duty and associated guidance. These include:

- *Recognising* that the knowledge about how best to enact the socio-economic duty is held by those in communities who have lived experience of socio-economic disadvantage.
- *Understanding* that meaningful involvement is not about gathering a thousand stories, but about understanding the collective experience, truthfully represented.
- *Accepting* that real success comes when there is a bringing together of different types of expertise (lived experience and other expertise such as statistical analysis or policy knowledge) through collaboration and co-production.

What Poverty2Solutions seek is to drive forward and be part of a cultural shift so that policy is not done to, but rather with communities who have lived experience.

'Our voice means something, and we have the knowledge, skills and abilities that should inform the debates, that lead to policies that have had a major impact on our lives.'

Kathleen, Poverty2Solutions

Case study: how the socio-economic duty is already working in practice

Newcastle City Council made a strategic decision to treat the socio-economic duty as if it is in force (Just Fair, 2018). As a result, the council's budget proposals are assessed in terms of their potential impact on those experiencing socio-economic disadvantage in order to minimise detrimental impacts wherever possible (Newcastle University & Newcastle City Council, 2018).

This has led to a range of initiatives including the development of a successful pilot homelessness prevention project (Wearing, 2019), a requirement that major housebuilding contracts include an element for apprenticeships and training opportunities (which is monitored as part of the overall contractual obligations), as well as adherence to the Equality Framework for Local Government and Fairness Commission principles.

Poverty 2 Solutions are working tirelessly to campaign for the enactment of the duty, and to begin the process of transformative change that this would represent. The coalition believe its enactment would enliven democracy, give voice to those with lived experience of socio-economic disadvantage, and improve social and economic futures for us all.

References:

Joseph Rowntree Foundation (JRF) (2018) *UK Poverty 2018*, York: JRF, p.2.

Just Fair, (2018) *Tackling socio-economic inequalities locally: Good practices in the implementation of the socio-economic duty by local authorities in England*, London: Just Fair.

Newcastle University and Newcastle City Council, (2018) Visit by the UN Special Rapporteur on Extreme

Poverty and Human Rights, Philip Alston, to the UK from 5 to 16 November 2018, [Written Submission](#).

Social Mobility Commission (2019), *State of the Nation 2018-19: Social mobility in Great Britain*, London: Social Mobility Commission.

Wearing, H., (2019) *Newcastle City Council celebrates Sage's success from homelessness prevention pilot*, Newcastle City Council, Citylife, 11 June 2019.