

The Rt Hon Caroline Nokes MP
Chair, Women and Equalities Select
Committee

From: Baroness Falkner, Chairwoman

Our ref: 789Nokes

By email only

Thursday 4 November 2021

Dear Caroline,

At my appearance before your Committee last week alongside our Chief Executive, Marcial Boo, I agreed to write with further information that you and Committee members requested. This is appended.

I look forward to our next meeting and to engaging with your Committee further as we implement our new Strategic Plan and our ambitious agenda to enforce equality and human rights legislation in Great Britain.

With best wishes,



Baroness Falkner of Margravine
Chairwoman
Equality and Human Rights Commission |

1. Cost and details of the impartiality training

The impartiality training carried out for our staff and Commissioners was completely free, as it was developed and delivered in-house. I attach the slides used in the training, as requested.

2. Appointment of Lord Shinkwin as a Commissioner at the EHRC

During the hearing, it was said that Lord Shinkwin's appointment as a Disability Commissioner had been cancelled by the Board before he could take up his post. This is not correct.

A number of Equality and Human Rights Commissioner appointments, including the role of Disability Commissioner, were advertised in late 2016. Lord Shinkwin unsuccessfully applied for the Disability Commissioner role. He was instead appointed to the role of Commissioner on the Board of the Equality and Human Rights Commission in April 2017 by the Secretary of State for Women and Equalities, in line with public appointment rules. No candidate was offered the role of Disability Commissioner. Lord Shinkwin subsequently withdrew his acceptance of the role of Commissioner in December 2017. As I noted in the session, the appointment of Commissioners is a matter for the Government, not the Board of the Commission.

The former statutory Disability Committee, which had been chaired by the Disability Commissioner, was dissolved on 31 March 2017 by an order made under the Equality Act 2006 by the Secretary of State. The Board formally decided to dispense with the role of Disability Commissioner at its meeting on 11 May 2017. The Commission published a detailed justification for why this decision was made, so that rather than “just one named champion of disability rights on the Board (the former role of Disability Commissioner)...all Board members, including a disabled Commissioner, Caroline Waters, now share the responsibility to champion disability issues”¹.

3. Pay gaps at the Commission

In our 2020-21 Annual Report and Accounts, laid before Parliament on 15 July 2021, we reported on our gender, ethnicity and disability pay gaps. This is done in arrears, so the figures are from data as at March 2020. Although we are not obliged to report our Gender Pay Gap, we believe it is good practice to do so, and to publish our ethnicity and disability pay gaps too. The data are below.

	31 March 2020	31 March 2019
Gender Pay Gap	- 1.3% mean - 0.4% median	0% mean 0% median
Ethnicity Pay Gap	8.6% mean	-1.4% mean

¹ <https://www.equalityhumanrights.com/sites/default/files/parliamentary-briefing-question-for-short-debate-disability-commissioner-for-ehrc.pdf>

	0.4% median	7.6% median
Disability Pay Gap	6.3% mean 0.9% median	-0.3% mean 5.0% median

In the year to March 2020, covered by our most recent pay gap figures, the Commission paid non-consolidated awards to all eligible staff who fully achieved or exceeded their performance objectives in that performance year, in line with Treasury pay guidance. To be eligible, staff needed to be in post and receive a performance rating in March 2019. On this basis, 73% of our ethnic minority staff were eligible for a bonus, compared to 79% of white staff. This difference contributed to the ethnicity pay gap in the year.

4. Visibility of the Commission and correspondence, year-on-year

	Apr 20 – Sept 20	Apr 21 – Sept 21
Media Mentions	1,279*	929
Website Visitors	1.84 million	2.08 million
Twitter Followers	38,400	43,400
Correspondence	1,694	2,210

* There was a spike in attention in 2020 due to the publication of high-profile investigations.

5. Contracts awarded to Civil Society Organisations

We currently have contracts in place with 3 civil society organisations: Inclusion Scotland, Disability Wales, and Inclusion London who are conducting research or analysis, to a total value of £73,562. These were

all awarded in September 2021 through an open commercial tender process in line with Cabinet Office procurement guidelines. We also have contracts in place with a range of research, consultancy and business services companies. Government rules require us to publish all payments over £25k monthly. Our website contains further listings of contracts below £25k, which exceeds Government requirements.