



*Rhagoriaeth i bawb – Excellence for all*

Arolygiaeth Ei Mawrhydi dros Addysg  
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate  
for Education and Training in Wales

# Gender Equality Scheme Annual Report 2009



**INVESTORS | BUDDSODDWYR**  
**IN PEOPLE | MEWN POBL**

This report provides an overview of the progress Estyn has made in the implementation of our Gender Equality Scheme (GES) between 1 April 2008 and 31 March 2009.

## **1 Background**

### **The Gender Equality Duty**

- 1.1 The Equality Act 2006 places a statutory General Duty on all public authorities to promote gender equality. When carrying out its functions, under the duty, Estyn is required (where relevant) to have due regard to the need to:
  - eliminate unlawful sex discrimination and harassment; and
  - promote equality of opportunity between men and women.
- 1.2 At present, there are no specific statutory duties in respect of public authorities in Wales. In order to assist us in meeting the General Duty, we decided to adopt the specific duties for public authorities in England as an interim measure until such time as specific duties are defined and implemented in Wales. These specific duties require us to publish a GES and an annual report containing a summary of:
  - the steps we have taken to fulfil our gender equality duty; and
  - the results of any information gathering we have carried out and what use has been made of the information gathered.

This is our second Gender Equality Scheme Annual report.

- 1.3 We published our first GES in May 2007, which sets out Estyn's commitment to gender equality and the steps that we will take to meet our gender equality duties over the period from April 2007 to March 2010. The scheme includes an action plan which sets out how we aim to deliver and promote gender equality in our work.
- 1.4 Our GES is available on our website: [www.estyn.gov.uk](http://www.estyn.gov.uk)

## **2 Progress**

### **Inspection**

- 2.1 Estyn provides an independent, high quality inspection and advice service in relation to education and training in Wales. We promote gender equality through our inspection and remit work, and draw the attention of providers to their own duty to promote gender equality (where relevant).
- 2.2 In line with our Common Inspection Framework, we report on issues of gender equality including equality of access to the curriculum and the monitoring of outcomes for all learners, regardless of their gender. All seven key questions in our framework address gender equality matters:
  - KQ1 Here we judge the outcomes in terms of standards for all learners, regardless of their social, ethnic or linguistic background and the extent to which all

learners demonstrate an awareness of equal opportunities issues and a respect for diversity within society. In addition we ask our inspectors to note if there are any groups, such as male or female learners, where there is evidence of underachievement.

KQ2 Here we judge whether teaching ensures that all groups, regardless of their background, are receiving appropriate teaching that is targeted at their needs, aptitudes and abilities. We ask whether teaching treats all learners equally, regardless of their race, gender or disability.

KQ3 Here we judge and report on whether the curriculum meets the diverse needs and interests of all learners, tackles stereotyping and ensures equality of access and opportunities for all learners.

KQ4 We report here on how well learners are cared for, guided and supported. We ask whether or not there is good provision for equal opportunities and judge whether or not the provider is promoting gender equality and challenging stereotypes in learners' choices and expectations.

KQ5 & 6 We report here on the extent to which management and leadership ensure that the provision has explicit aims and values that promote equality for all.

KQ7 Here we look at the adequacy, suitability and use made of staffing, learning resources and accommodation, including access for all learners.

2.3 Each inspection also asks to what extent the provider addresses:

- the quality of provision for equal opportunities; and
- to what extent the provider has positive and constructive attitudes to learners regardless of their gender.

2.4 We ask specific questions, including:

- Does the provider secure equal treatment of learners; and
- Does the provider recognise and respect diversity?

2.5 We also check and, if necessary, discuss and comment on providers' policies for inclusion and anti-discriminatory practice.

2.6 Estyn's inspection findings are published in our inspection reports which are available on our website.

2.7 In 2008, we continued to review our inspection guidance, handbooks and documentation in respect of the general duty and where required, the guidance has been updated. Our guidance for the following areas was updated in 2008:

- Independent schools;
- Special schools and Pupil Referral Units;
- Primary and nursery schools;
- Secondary schools;

- education provision for children before compulsory school age in settings; and
- Area Inspections.

2.8 We also produced supplementary guidance for the following areas:

- independent and additional inspectors: More able and talented learners;
- inspecting Learning Pathways 14-19 in secondary schools and special schools; and
- inspecting in the Foundation Phase.

### **Remit work**

2.9 We also gather information and report on gender issues in our remit work. In our remit reports we make recommendations for local authorities, providers, the Welsh Assembly Government and other agencies as appropriate. These recommendations may include actions aimed at improving equality of access and provision.

2.10 During 2008/09, the following remit reports include elements which looked at issues relating to gender equality:

- Science education for 14-19 learners (May 2008);
- Progress in implementing the Physical Education and School Sport Action Plan (May 2008);
- Food and fitness in schools (May 2008);
- Best practice in the reading and writing of pupils aged 7 to 14 years (May 2008);
- Meeting the learning needs of children and young people who offend (June 2008)
- Merging the boundaries in adult community-based learning (July 2008);
- An evaluation of post-18 offender learning in Wales (February 2009);
- Using data to plan strategically for children and young people (February 2009);
- Inspecting Participation. Mapping the Common Inspection Framework against the National Children's and Young People's Participation Standards for Wales (February 2009); and
- Best practice in the reading and writing of pupils aged five to seven years (March 2009).

2.11 The full reports are available on our website and a summary of the findings are included in The Annual Report of Her Majesty's Chief Inspector of Education and Training in Wales 2007-2008, which is available on our website for reports published during this period. A summary of the findings for reports published in 2008/09 will be included in the Annual Report of Her Majesty's Chief Inspector of Education and Training in Wales 2008-09, which will be available on our website early in 2010.

### **Working groups**

2.12 Throughout the year, our staff continued to be involved with, and contribute to, a large number of external working groups and advisory panels, the purpose of which ranged from sharing information and good practice to developing advice and guidance to inform national policy relating to education and training in Wales.

## Consultation / Involvement

- 2.13 In 2007, we initiated the 'Estyn 2010' project. The project is aimed at reviewing the way we inspect education and training in Wales, seeking the views of learners and looking at the most effective ways of engaging with learners, parents and citizens before, during and after inspections. The project is a key piece of development work for us which will have wide implications for the organisation.
- 2.14 Our 'Estyn 2010' project began with an initial consultation phase with a wide range of stakeholders (towards the end of 2007 and early in 2008). Work on the 'Estyn 2010' project continued throughout 2008/09, with the involvement of stakeholders. We have been planning a project for the design and delivery of a new framework, and the specific inspection models that will operate within it, to be phased in as the current inspection cycles come to an end in 2010. Staff across Estyn have been involved in research and the exploration of specific issues raised through the initial consultation in more depth. Our staff conference in June 2008 involved all staff in discussions regarding several key themes within the project.
- 2.15 Between September and December 2008, we held informal discussions with key stakeholders through a series of regional meetings to consider early proposals for changes to our inspection framework. Their views were taken into account in making recommendations and in the preparation of a specific set of proposals for further consultation.
- 2.16 The new proposals give a stronger voice to the users of services. Inspections will incorporate new ways of gathering and reflecting stakeholders' views and customer satisfaction and reporting on learner well-being. We will take better account of learners' or where appropriate parents' views during inspections and devote a brief section in our reports to this. Where possible we will include learners much more in the inspection process.
- 2.17 We launched a second public consultation seeking views on our proposals for the new inspection framework in January 2009, which is due to end in April 2009. The consultation process will provide us with feedback as we finalise our proposals which aim to ensure that learners are at the heart of inspection in Wales.
- 2.18 We use feedback from questionnaires returned by education and training providers and the Welsh Assembly Government to improve the inspection process and the quality of our reports and have begun introducing new mechanisms which encourage feedback on all aspects of our inspection and remit work from the Welsh Assembly Government and an appropriate range of providers and stakeholders, and monitoring the impact of our recommendations to change outcomes for learners.
- 2.19 We have also begun to open a dialogue with a wider range of young people, and have strengthened our links with young people through Funky Dragon and Youth Forums. Funky Dragon worked with Estyn during the year, featuring links to our website and actively promoting our consultation work, particularly in relation to our Estyn 2010 consultation.

## **Inspector Training**

2.20 We provide training for those who undertake inspection activity with us or on our behalf. Modules one and two of the initial training for independent and additional inspectors cover gender equality.

## **Monitoring**

2.21 We ask all staff and those on secondment to Estyn to declare their gender as part of our equality monitoring. We undertook an equality monitoring survey of all staff in 2007 and continue to ask applicants to provide equality information on our equal opportunities monitoring forms, during the recruitment process and on appointment.

2.22 Our full equality monitoring report for 2007/08 is available on our website. It contains information regarding the number of permanent staff in post, leavers, training undertaken, and recruitment by gender.

2.23 The report for 2008/09 will be published in September 2009.

## **Recruitment**

2.24 Our recruitment and selection policy and associated procedures are underpinned by the principles of:

- a. openness;
- b. fairness; and
- c. appointments based on merit.

2.25 We give due consideration to how and where we advertise vacancies, the composition of selection panels and the integrity of our procedures.

2.26 In addition to advertising in the national press and other job specific publications, we circulate our vacancies via the Minority Ethnic Women's Network.

2.27 We have continued to monitor and analyse recruitment information in respect of gender throughout the recruitment process. For recruitment exercises completed during 2007/08, 53.6% of applicants were female, as were 66.7% of appointed applicants. Analysis of the results did not identify any significant areas for improvement.

## **Work-life balance**

2.28 In Estyn, we want to recruit and retain the best people and recognise the value in supporting all staff. We already have a range of measures in place to help staff ensure that they are able to achieve a good work-life balance, within the framework of business requirements. For example, many of our employees are able to take advantage of flexible working arrangements and work a wide range of working patterns regardless of whether they have children, other caring responsibilities or health issues. We also offer generous parental and other special leave arrangements.

2.29 During the second half of 2008, we consulted staff on our draft Flexible Working Policy and are in the process of finalising detailed arrangements for flexible working in Estyn.

2.30 Currently 11.2% of Estyn's permanent staff work part-time, with men accounting for just over a quarter of this figure.

### **Pay**

2.31 Senior Civil Service (SCS) pay is determined centrally by the Cabinet Office. Pay determination for all staff below the SCS is delegated to Estyn.

2.32 Since 2001 we have been working to ensure pay differentials for staff (excluding SCS) are minimised by operating an incremental system through fixed scale points to allow all staff to reach the maximum of their pay scale within 5 years, subject to satisfactory performance.

2.33 We also provide enhanced maternity and paternity pay for employees who have one year's service.

2.34 Pay negotiations for staff below the SCS in Estyn are undertaken with the recognised trade unions in Estyn. Our 2008 pay negotiations round resulted in a settlement which guaranteed the system of incremental progression would continue.

2.35 We conducted an equal pay audit in July 2007. There did not appear to be any equal pay issues in Estyn that are not addressed by the incremental pay system and that necessitated particular actions as part of the pay negotiations.

2.36 It is through this ongoing programme of audits and negotiations that we demonstrate our commitment to identifying and addressing issues which might directly or indirectly result in pay inequalities.

### **Training**

2.37 As part of our commitment to training and development and in relation to our general duty, we will continue to review staff training needs and provide appropriate training.

2.38 We take care to arrange times and locations for training that take into consideration the different working patterns of staff, and use venues that are fully accessible.

### **Impact Assessment**

2.39 We have developed impact assessment guidance to assist staff in completing equality impact assessments. Training will be provided to staff who will be responsible for undertaking impact assessments in May/June 2009. The timetable for review of Estyn's functions, policies and practices will be revisited and once training has been completed we will begin a widespread review and impact assessment of employment and corporate issues as they refer to the general duty.

- 2.40 In 2008 we undertook an impact assessment of our recruitment and selection guidelines. A summary of the conclusions drawn from the assessment are outlined in paragraphs 2.40 to 2.42 below.
- 2.41 Our recruitment and selection guidelines take account of good practice and relevant legislation on gender and other equality strands and set a fair, consistent approach to recruitment and selection. While the impact of the recruitment and selection guidelines could be different based on the unique needs of each group, there is no evidence to say that any individual or group is, or will be, disadvantaged as a result of the procedures or guidelines as long as they are followed consistently by those undertaking recruitment and selection activities.
- 2.42 The ongoing monitoring of recruitment data will enable us to monitor the application of our recruitment and selection procedures and guidelines, identify if there are any adverse effects on any particular individual or group of applicants and help to ensure that we pick up on any issues in a timely manner. If we identify adverse effects as a result of such monitoring, this would lead to a further review of the procedures and guidelines in order to address any issues raised.
- 2.43 The impact assessment highlighted the following points for consideration which will be considered as part of a wider review of recruitment and selection in Estyn in 2009:
- providing refresher training for recruitment board members which covers equality.
  - ensuring testing methods are appropriate for all applicants; and
  - reviewing penetration of advertising among under-represented groups.
- 2.44 In March 2009 we undertook an impact assessment of our internal communication strategy. A summary of the conclusions drawn from the assessment are outlined in paragraphs 2.44 to 2.46 below.
- 2.45 Our internal communication strategy takes account of good practice policy and procedures and consideration was given to equality issues and the potential impact of the strategy on different individual's or groups. The strategy was developed following a full consultation with all staff and secondees and their feedback was used to shape the development of the strategy.
- 2.46 The strategy is a working document and proposes regular consultation with staff in order to benchmark the success of the implementation of the strategy and identify any issues or requirements which we may need to address, as and when they arise.
- 2.47 Issues relating to equality will be considered in proposals for revised and new channels of internal communication as they are developed.

## Reports

- 2.48 Throughout 2008/09 we have continued our work to encourage a wider readership of Estyn's reports by publicising them better in the press and making sure that they are more accessible to a wider range of reader. All Estyn reports are available on our website and summary documents of our larger reports are available presenting the key messages. For the third year, a summary version, 'Excellence for All' presented the main findings from 'The Annual Report of Her Majesty's Chief Inspector 2007-2008' in a more easily accessible format. For the first time, the Chief Inspector presented the main findings in a webcast. All of these versions of the report are available on our website.
- 2.49 Our Estyn 2010 consultation highlighted that the majority of citizens want more accessible, more customised, audience-specific reports. In response to this, we will explore the possibility of publishing customised reports for different audiences as we phase in the new inspection arrangements from 2009 to 2011. We intend to develop new ways of ensuring that the outcomes of our inspection and advice work are presented in a more attractive, accessible format and that they are better publicised via an improved range of mechanisms, including an improved website, in order to encourage wider readership, influence more audiences and ensure better outcomes for learners.

## Procurement

- 2.50 Where we have a contract or other arrangement with others to carry out any of our functions and the general duty applies to those functions, we are responsible for ensuring that that duty is met.
- 2.51 The general duty does not override the regulations on public procurement, under which we buy or obtain services from outside organisations. Our procurement documentation includes reference to gender equality in the standard terms and conditions for goods and services and requires all contractors to comply with all current statutory obligations, including the gender equality duty. We also ask that contractors evidence in their business statement any equal opportunities policies/strategies they may have in place.
- 2.52 We also require contractors of school inspections to provide a quality statement with their submission for contracts. Our guidance to Contractors on completion of the quality statement includes a section on the need for Contractors to have an appropriate equal opportunities policy that shows that they take account of the need to consider these issues in training and in drawing up and deploying teams of inspectors.

## **3 Next Steps**

- 3.1 Estyn has made good progress in taking forward gender equality in 2008/09. The challenge going forward is to ensure that gender equality continues to be embedded throughout our work.

## **4 Acknowledgements**

4.1 This report was prepared by Jenny Powell.

**Human Resources**  
**April 2008**