York:
Human
Rights
City

York Human Rights City Network Indicator Report

HUMAN RIGHTS IN YORK: A REASON TO BELIEVE?

#6, 2021

YORK HUMAN RIGHTS CITY DECLARATION

York, in becoming a Human Rights City, embraces a vision of a vibrant, diverse, fair and safe community built on the foundations of universal human rights. This vision is shared by citizens and institutions in our city, including the City Council, North Yorkshire Police, voluntary organisations and faith communities.

We are building on York's own particular history of democratic innovation, philanthropy and an international outlook, all of which have shaped our commitment to social justice.

This declaration marks an ambition, a significant point in a journey, not a final destination. As the United Kingdom's first Human Rights City we are committed to making our vision real, putting fundamental rights at the heart of our policies, hopes and dreams for the future.

Signed by
The Right Honourable Lord Mayor of York
at the declaration event at the Merchant Taylors' Hall,
on Monday 24th April 2017

Acknowledgements

This report was written by Paul Gready, with sections contributed by Marilyn Crawshaw and Jo Williams.

The York Human Rights City Network (YHRCN) is very grateful to all those who participated in the preparation of this report. In particular, we thank the following individuals for their contributions to this report: Will Boardman, Ioana Cismas, Alison Edeson, Amanda Hanusch-Moore, Steve Flatley, Nicholas Pleace, Ruth Potter, Alison Semmence, and Carole Zagrovic.

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EXECUTIVE SUMMARY

2021 started in a Covid-19 related lockdown and ended with the City of York Council Executive voting to exclude Blue Badge holders from the centre of the city.[1] These two events capture many of the human rights challenges facing York as we enter 2022. How do we deal with the legacies of Covid-19, and in particular the harsh light it has shone on inequalities in the city? And, how can we rebuild trust after a bruising process that led to a group of disabled people being knowingly and deliberately excluded from the city centre?

This report indicates that the legacy of Covid-19 is likely to include a sharp increase in inequality, for example affecting the gender pay gap and educational achievement. Poverty is an aligned concern, with between a quarter and a fifth of children in York living in poverty. The year ended with warnings that residents face a 'perfect storm' this winter, with the resumption of evictions (halted during the pandemic), the end of the £20 a week Universal Credit uplift, and a rise in food and fuel poverty.[2] Furthermore, in 2020-21, there was a 35.4% drop in the proportion of service users who have as much social contact as they would like. Rising demand for social care accompanied by a shortfall in financial and human resources has created a crisis in the sector. While York has shown some economic resilience and considerable community solidarity over the past two years, this report highlights inequality, poverty and social care as priority concerns for the future.

The Blue Badge decision is the biggest challenge to-date to York's Human Rights City status. Parts of the architecture set up to advance human rights in the city failed. The decision required complex considerations: whether to permanently extend the footstreet area in central York; on what grounds (economic benefits, environmental gains, security concerns); and how to weigh these issues against the need for all residents to access the city centre.

In the end, security, and the protection of the right to life against terrorist threats, were deployed by the City Council Executive and the police in a way that simply overrode other key human rights. The decision-making process was characterised by endless consultation, but many felt that they were not heard and that there was little attempt to find a compromise that would protect security **and** access. Consultation felt performative, as though the Council wanted to be seen to consult but in reality the decision was already made. As such the damage done is both to the rights of a group of York residents (disabled people) and to public trust in democracy and democratic decision-making in the city.

As a result of the Blue Badge decision, the York Human Rights City Network (YHRCN), a civil society coalition, is looking to reset its engagement with the City of York Council. From its inception, the YHRCN consciously adopted an approach where we worked with the Council where we could, but retained the right to criticise when needed. Elements of the human rights architecture created through this approach are no longer fit for purpose. The Human Rights and Equalities Board (HREB), a Council led body, must be replaced – it lacks power, resources and leadership, and as the decision on Blue Badge access approached it failed to meet or take a position on the issue.

The Community Voices project, run for several years by YHRCN and funded by the Council, engages with communities not reached by normal consultation processes, and supports them to set their own agendas for change and bring those agendas to the Council and other power-holders in the city. In 2021 the YHRCN used Community Voices to work with disabled groups, in part on the Blue Badge issue. Community Voices also needs rethinking, as there is no value in mobilising voices and agendas for change if the Council has no interest in listening or fails to deliver co-produced solutions in the aftermath of consultations – this runs the risk of further marginalising already marginalised groups.

Against this gloomy backdrop, this indicator report also showcases areas where the YHRCN and a human rights approach have over the years contributed to positive change. Slow, uneven, but clear progress is being made on tackling hate crime, creating opportunities for young people Not in Employment, Education and Training (NEETs), embedding a rights-based Housing First approach, and championing rights-respecting schools. Recommendations from last year's report on Covid-19 have contributed to new initiatives in the city. For example, a Poverty Truth Commission is being set up to address the pandemic's legacy in relation to poverty and inequality.

So, where do we go from here? In YHRCN's view it is too early to abandon the Human Rights City status. To do so would hurt supporters of human rights more than those who remain ambivalent or hostile. As set out above, the declaration of York as a Human Rights City in 2017 marked an intent, and an important point on a journey not a final destination. The journey has been particularly turbulent this year; it is not clear if the

Council Executive shares our intent. As we look to reset relationships and priorities, and rebuild trust, the YHRCN will use the Human Rights City status to highlight challenges in the city; to stand alongside those who remain marginalised and discriminated against; and to hold leaders and those with power to account. This sixth indicator report is offered to the city in this spirit.

The report contains the following five **recommendations**:

- The Council, and particularly the Council Executive, needs to provide residents of York with a reason to believe that it shares the intent to deliver on the promise of York being a Human Rights City. In a recent Six Point programme, the YHRCN called for a renewed statement of commitment, strong leadership, adequate resourcing, and a review of the city's human rights architecture, notably the Human Rights and Equalities Board.
- The Council needs to more generally rethink its approach to engagement with the public. Many in the Council believe that it 'does participation well'. This view is fundamentally at odds with the experience of many residents. Recent YHRCN research indicates that much current Council-led practice falls well short of engagement, co-design or co-production.[3]
- The YHRCN stands alongside the 'Reverse the Ban' coalition in calling on the Council Executive to reverse the prohibition on Blue Badge access to the city centre, and engage with disability groups to genuinely co-produce a solution that guarantees both security and access. This has become a defining issue for who we are as a city – we are better than the current decision suggests.
- Social care needs to be a priority for the Council and civil society groups. It is a sector in crisis nationally and locally, suffering from the effects of the pandemic, and from long term underfunding and lack of attention to staffing and training support. YHRCN proposes that a rights-based approach be adopted to seeking solutions in this sector, within the constraints set by national government.
- The City Council, civil society and other sectors such as business should support the Poverty Truth Commission, as a significant intervention to address poverty and as a new form of civic engagement. It will be led by community commissioners, with lived experience of poverty, with the aim of placing such commissioners at the heart of policy-making and practice on poverty in the city.

EQUALITY AND NON-DISCRIMINATION

The Right

All international and regional human rights treaties to which the UK is a party recognise non-discrimination as a fundamental human right. As a result, all public authorities, including at local level, are bound to respect, protect and fulfil the right to equality and non-discrimination. The table below includes relevant provisions of selected treaties and domestic legislation.

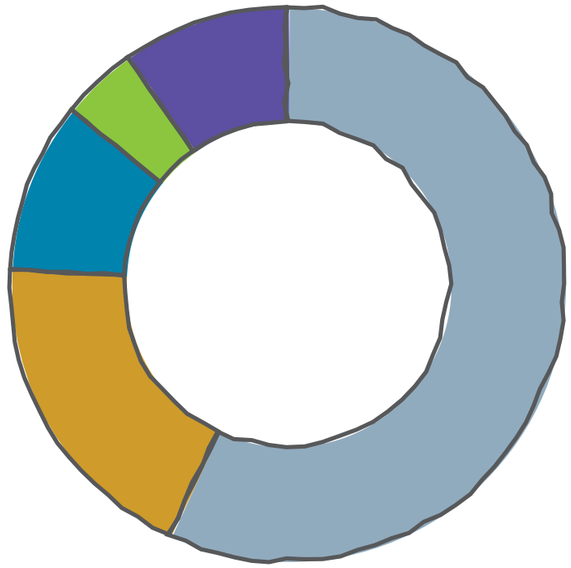
International Law	Domestic Law
European Convention on Human Rights, 1950, Article 14 International Covenant on Civil and Political Rights, 1966, Articles 2.1 and 26 International Covenant on Economic, Social and Cultural Rights, 1966, Articles 2.2, 3, 7.a.i, 10.3 Convention on the Rights of Persons with Disabilities, 2006, Articles 4, 5, 6, 23, 24, 25, 27, 28, 29, 30	Human Rights Art 1998, Schedule 1, Part 1, Article 14 (the Human Rights Act domesticates the European Convention on Human Rights) Equality Act 2010, Section 149

The Indicators

HATE CRIME

For the period from 31 October 2020 to 31 October 2021, North Yorkshire Police (NYP) recorded 402 hate crimes in York.[4] By far the greatest number were race-related (230 or 57%). Sexual orientation (77 or 19%), disability (40 or 10%), and misogyny/misandry (18 or 4.5%) represented the other categories of hate crime most frequently reported. Reported hate incidents are likely to be significantly higher than hate crimes.[5]

Hate crime by category 31 October 2020 to 31 October 2021



Race-related	57%
Sexual orientation	19%
Disability	10%
Misogyny/misandry	4.5%
Other	9.5%

Well over half of these recorded crimes took place between 8pm and 4am, with the largest number – 150 – between midnight and 4am. This indicates a strong link between hate crime and the night time economy. Police figures also suggest a summer peak in hate crime, likely due to more people going out as a result of an easing of lockdown restrictions and improved weather, with the highest monthly figures for June to September 2021 inclusive. Few of these crimes have resulted in prosecutions – around 15%.[6]

A further disturbing trend, informed by Covid-19 related lockdowns, is the rise in online hate crime. A study by Leonard Cheshire and United Response found that online disability hate crime rose by more than 50% across England and Wales in 2020-21. Repeat offender rates were up 89% on 2019-20. Few reports lead to charges being brought, and many disabled people spoken to for the research indicated that they would not report incidents of hate crime to the police.[7]

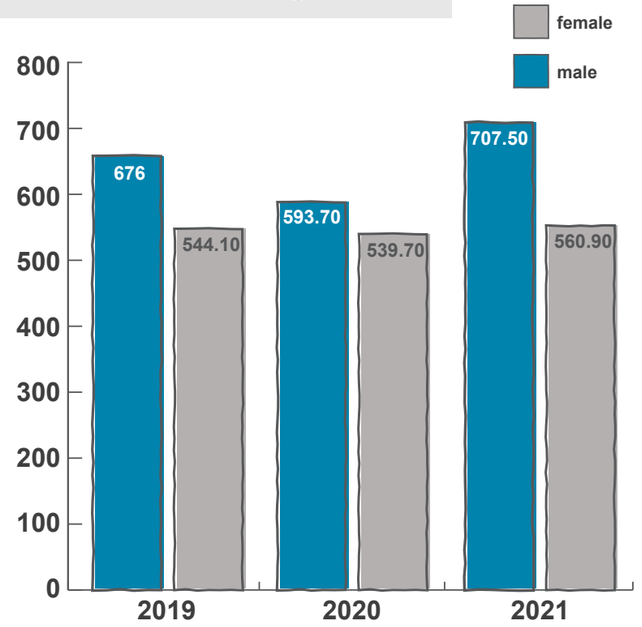
After hate crime was highlighted as an issue of concern in York in previous Indicator Reports, the Council-led Human Rights and Equalities Board (HREB) set up a Hate Crime Working Group in 2020 to support the development of third party Hate Crime Reporting Centres and to enable relevant groups and organisations, along with the City of York Council (CYC) and NYP, to meet regularly to discuss issues relating to hate crime in the city. After a slow start, ongoing work to address some of the challenges relating to tackling hate crime includes:

- The establishment of a sub-committee to create a comprehensive and consistent database on hate crime for the NYP and CYC. Such a database will be useful for identifying patterns and planning responses.
- The creation of Hate Crime Reporting Centres is based on the understanding that one way of tackling the challenge of under-reporting is to enable people to report to organisations that they already know. Organisations including the York Travellers Trust, York Racial Equality Network and MESMAC have now received relevant training. York CVS and Explore York will receive a less intensive and more generic training. It is not yet clear when all these centres will be fully operational, or when centres for other groups, such as disabled people, will be set up.

GENDER PAY GAP

The first year of the pandemic resulted in an alarming increase in the gender pay gap (difference in average hourly earnings, excluding overtime) in the city, based on figures from the Annual Survey of Hours and Earnings (ASHE).[8]

Median weekly wage in York



Comparative data on median weekly wage

Area	2019		2020		2021	
	Male	Female	Male	Female	Male	Female
York	£676	£544.10	£593.70	£539.70	£707.50	£560.90
Yorkshire and Humberside	£628.40	£515.10	£560.00	£459.80	£601.10	£498.10
Great Britain	£719.30	£578.70	£611.10	£509.10	£654.30	£558.10

The key findings in relation to the gender pay gap are as follows:

- Male median income increased in York by nearly 20% from 2020 to 2021; while female income increased by less than 4% in the same period.
- The pandemic has taken median male wages in the city for both men and women from below the median for Great Britain to above the national figure.
- The gender pay gap was significantly reduced in 2020, but increased rapidly to above pre-Covid levels in 2021: 2019 £131.90; 2020 £54; 2021 £146.60. This is likely to be in part because more female employees were placed on furlough during the pandemic.

In October 2021, the Office for National Statistics (ONS) reported that the gender pay gap among all employees in the UK had increased during the pandemic, from 14.9% in 2020 to 15.4% in April 2021, due partly to the disproportionate number of women on furlough, as noted above.[9] Although the 2021 figure is still down from the 17.4% figure in 2019, and the pre-pandemic long term trend was of a decreasing gender pay gap, recent explanations for this pattern place it in a less positive light.

A report by the Institute for Fiscal Studies, released in December 2021, found that the gender pay gap in the UK has reduced very little in the last 25 years, despite government initiatives to increase equality. On average, working-age women in the UK earned 40% less a week and £3.10 less an hour than men in 2019. Although the 40% earnings gap is about 13 percentage points lower than in the mid-1990s, the report calculates that more than three-quarters of the reduction in the earnings gap over the past quarter-century can be explained by the rapid increase in women's educational attainment. Other measures, such as parental leave and funding for child care, have had very little impact.[10]

CASE STUDY: Human rights and disabled people in York[11]

People who had previously used a Blue Badge to access York city centre had this right suspended under emergency powers at the start of the Covid-19 pandemic on the grounds that entry into and/or parking of vehicles within the footstreets area would inappropriately limit the introduction of social distancing measures. Once those measures were relaxed, the ban remained on grounds including that it was needed to encourage the local economy, for example through the expansion of pavement cafes. In November 2021 the Council Executive approved a permanent ban, on the grounds that it would lower the terrorist threat.

YHRCN had become aware of the growing unease within the disability community and beyond as temporary restrictions continued. This turned to great concern as the intention to move to a permanent ban became clear. The issue was taken to the YHRCN Steering Group in July 2021 which decided to issue a public statement expressing its grave concerns, arguing the need for the Council to consider, as a matter of legal obligation, 'the dignity and respect of disabled people' and making several recommendations.[12]

The Human Rights and Equalities Board (HREB) – the body set up by the Council, chaired by an elected member from the ruling administration and separate to YHRCN – considered our recommendations, rejecting some and accepting others. It invited York CVS to facilitate meetings between disability groups and Council officers under an independent chair to explore mutually acceptable ways forward. It also invited YHRCN to produce a report setting out the competing human rights interests and suggesting ways to approach decision-making within a human rights framework.

The York CVS meetings failed to identify ways forward when it became clear that Council officers were not prepared to discuss reinstatement of any Blue Badge parking within the footstreets. Given

the clear evidence that no alternative access arrangements would be suitable for many Blue Badge holders, this meant their exclusion would result.

The YHRCN report[13] set out the core principles that: 1) majority preferences can only override those of minority groups in very particular circumstances, and the outcome may not amount to systemic discrimination; and 2) that when weighing competing human rights, non-discrimination must be central in finding any solution. It also expressed concerns about the poor quality of relevant Council Equality Impact Assessments and of the process of data gathering and analysis. Its conclusions stressed the importance of the Council considering '… the implications of the "slow disaster" of further discriminating against an already disadvantaged group, and the implications for trust and public relations in the city, alongside the implications of "rapid disasters", such as the threat of terrorist attacks'. It again made recommendations.

The HREB did not meet to consider the YHRCN report or the feedback from York CVS – despite requests from several of its members to do so – prior to the November Council Executive meeting.

On 17th November, an open letter to the people of York in the local media from 16 disability- and age-related organisations and allies across the city (including YHRCN) urged the Council not to bring in a permanent ban. On 18th November the Council Executive voted unanimously to do so on the grounds that the risk to security from the terrorist threat was paramount. At the meeting itself a very large number of speakers from the disability community filled the public speaking slots.

Following its November Steering Group meeting, YHRCN issued a statement directly to the Leader of the Council, the Executive Member for Transport, the Chair of HREB and the Chief Operating Officer.[14] It asked for their commitment to York's Human Rights City status, a demonstration of that, and a complete overhaul of the HREB Board. It also decided to pause its work with the Council in the meanwhile.

The York Disability Week programme[15], clustered around the UN International Day of People with Disabilities (3rd December), has been supported by YHRCN since its inception. The permanent ban meant all its 2021 events had to be held outside the footstreets.

Throughout the whole of this period there have been growing levels of local, regional and national media attention – including the BBC, ITV, Sky News, The Guardian and The Independent – and significant social media activity. There have also been calls for York to lose its Human Rights City status. Not only has this reflected significant concerns that a group of residents and visitors with a 'protected characteristic' are permanently denied access to the footstreets area but also that other cities might follow suit if York's actions prove 'successful'.

The signatories to the open letter opposing the permanent ban have now come together to fight on under the banner Reverse The Ban – Reopen York to Blue Badge Holders. Its stated aim is:

We believe people with a Blue Badge should be able to access York's city centre in 2021 and thereafter, as they could in 2019. We call on the City of York Council and North Yorkshire Police to enter into meaningful discussions with disabled people; to agree access to the footstreets, with sufficient parking spaces, designed in a way that addresses legitimate security concerns.

Importantly the coalition recognises the importance of security measures while arguing that this does not need to lead to the exclusion of disabled people, as other cities have shown.

Indeed a report commissioned by the Council itself, the Martin Higgitt report,[16] has suggested practical ways forward. York Accessibility Action's highly successful Crowdfunder appeal means it is now exploring private and public legal action.

In January 2022, the Council Executive voted to install permanent physical barriers to the city centre, again despite appeals from the disability community. The accompanying Equalities Impact Assessment listed only **one** human right being impacted, Article 2: the right to life (i.e. relating to the terrorist threat). The omission of the human rights of disabled people was stark. Further, it concluded there was '…no potential for unlawful discrimination or adverse impact' even though the same document acknowledged elsewhere its impact on Blue Badge holders.

YHRCN will continue to support the Reverse The Ban coalition. As national and international human rights activists have experienced all too often, the fight for human rights is not always easily won but it remains crucial to not give up. As one of our Steering Group members said recently, this is about what sort of city we want to live in, all of us; whether we have sufficient systemic attention given to human rights within decision-making and service provision across the city; and whether human rights runs as a golden threat through all that we do.

EDUCATION

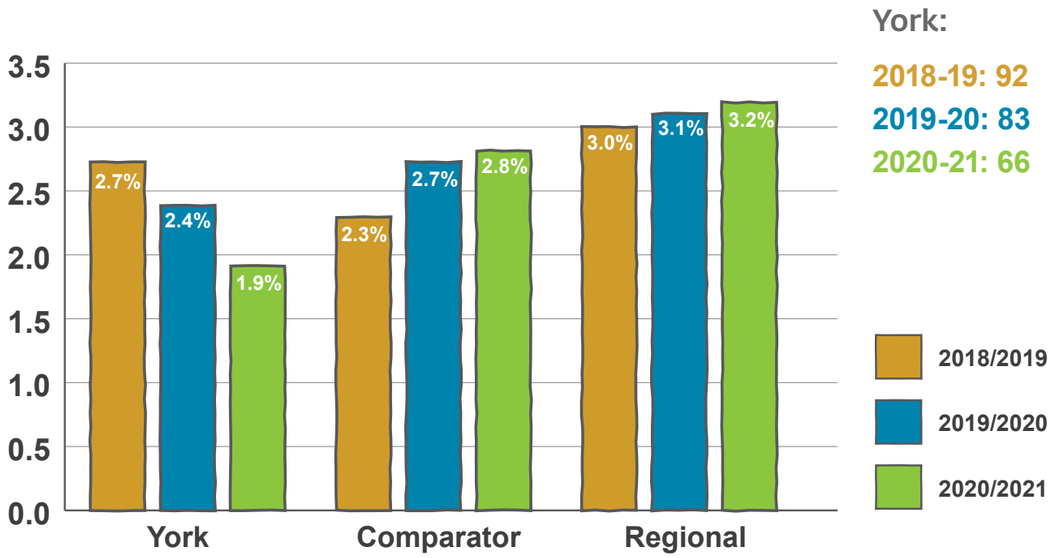
The Right

International Law	Domestic Law
International Covenant on Economic, Social and Cultural Rights 1966, Article 13 Convention on the Rights of the Child 1989, Article 28	Human Rights Act 1998, Schedule 1, Part2, Article 2 Equality Act 2010, Part 6, Chapter 1, Section 85 Education Act 1996, Section 13 Education and Skills Act 2008, Part 1, Chapter 1

The Indicators

PROPORTION OF 16-17 YEAR-OLDS NOT IN EDUCATION, EMPLOYMENT OR TRAINING (NEETS)

The number of NEETs in the city of York continues to decline:

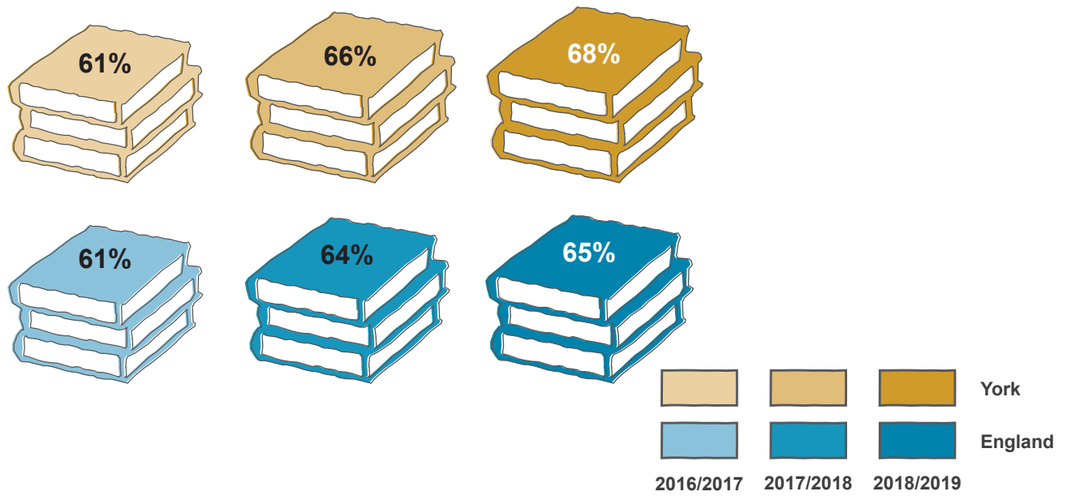


The percentage of 16-17 year olds who are NEET has dropped from 2.7% (2018-19), to 2.4% (2019-20), to 1.9% (2020-21). The figure had fallen further to 1.2% by December 2021.[17]

These figures compare well regionally and with data from comparator cities (cities with similar demographics) over the same period (see the graph, p. 14).

The meeting of the Human Rights and Equalities Board (HREB) on 16 September 2020 reviewed a paper updating members on the situation regarding NEETs in the city. At this point in the pandemic the main concerns were its potential impact on apprenticeships, and the threefold increase in age 16-24 unemployment since March of 2020.[18] In October 2021, a recovery in the numbers of apprenticeships had started, with numbers slightly higher than the national average, but apprenticeships were still only at 82% of pre-pandemic levels.[19] The claimant count for 16-24 year olds in December 2021 was reported as 505, compared with a pandemic high of 1,050 in February 2021 and a pre-pandemic (March 2020) figure of 380.[20] These figures illustrate both the effects of the pandemic and that the recovery has not yet returned the city to its pre-pandemic economic situation. However, it appears that at the end of 2021, the number of young people who were age 16-17 NEETs had in fact fallen.

PEOPLE ATTAINING EXPECTED STANDARD OR HIGHER IN READING, WRITING AND MATHS AT THE END OF PRIMARY EDUCATION (END OF KEY STAGE 2: AGED 10-11) – DISADVANTAGE GAP



York figures on educational attainment from before the pandemic show an improvement at a quicker rate than the national level, with York 3% above the national average in 2018-19.

However, the gap between disadvantaged pupils (defined as children who were eligible for free school meals in the previous six years, children in care and adopted from care) and their peers was well above the national average and increasing. While the national figure was a consistent 20% achievement gap, the York figure rose from 26% in 2016-17 to 32% in 2018-19.[21]

In 2019-20 and 2020-21 data were not collected in York for this indicator due to the Covid-19 pandemic. That said, there is growing evidence that homeschooling during this period has further increased educational inequalities. National studies for England confirm this negative trend. For example, research has documented the following:

- Attainment gaps between free school meal (FSM)-eligible pupils and their peers for primary maths widened between the autumn of 2019 and the autumn of 2020 in England by between 10 and 24%, with younger children (Years 2 and 3) seemingly worst affected (there was no discernible change in the disadvantage gap for reading).[22]
- There was less engagement with remote learning from pupils with limited IT or study space, children in vulnerable circumstances, pupils with special educational needs and disabilities (SEND), and young carers; and pupil engagement and disadvantaged pupil engagement were both lower in schools in deprived areas.[23]
- The report Child of the North: Building a Fairer Future after Covid-19 provided similar insights at a regional level. For example, in primary maths, by the second half of the autumn 2020 term, pupils in the North East and Yorkshire and Humber experienced 4.0 and 5.3 months learning loss respectively, compared to less than a month in the South West and London.[24]

This research suggests the urgent need for measures to target the increase in educational inequality, brought about by Covid-19 and responses to the pandemic, through measures such as tackling poverty, a systematic digital access plan, and a renewed focus on children in vulnerable situations and SEND pupils.

CASE STUDY: RealisingRights project and Rights-respecting Schools[25]

REALISING RIGHTS PROJECT

The City of York Safeguarding Partnership (CYSCP) has been working with the organisation RealisingRights on a project to embed children's rights protected by the United Nations Convention on the Rights of the Child (UNCRC) across the city. The CYSCP has created a steering group of practitioners/leaders who work with children and young people in York with representation from sectors including early years providers, schools, colleges, special educational needs and disability (SEND) services, charitable youth organisations and health.

The CYSCP has funded six workshops provided by RealisingRights to develop the steering group's knowledge of the UNCRC and how it relates to policy and practice. Three workshops have been delivered to date and three more are to follow. An Appreciative Inquiry approach[26] is being utilised as a tool for creating organisational change, aiming to improve outcomes by using a rights realisation framework to shape our policy and practice.

The City of York's Youth Council has been involved with the project and wider participation of children and young people will be advanced in the final three workshops, as the project develops. The steering group is working with RealisingRights to apply for external funding to ensure that the project can be extended beyond the workshops. RealisingRights have started to work with Dorset County Council's children's services and local area teams on a similar project and collaboration and support between York and Dorset has commenced. Several researchers are interested in supporting the external evaluation of the project.

DEVELOPING RIGHTS RESPECTING SCHOOLS WITH UNICEF

The City of York's educational psychology service, the SEND local participation officer and the YHRCN have worked on promoting rights respecting schools in York with support from our regional advisor from Unicef's Rights Respecting Schools Award (RRSA).

Part-funding has been sourced from the Rugby League World Cup to support schools/settings to embark upon the award.

Five settings signed up to the award following a virtual launch event and all have achieved the Bronze award to date: Wigginton Primary, Haxby Road Primary, Clifton with Rawcliffe Primary, Westfield Primary and St. Paul's Nursery. The City of York Council also funded two virtual workshops delivered by Unicef and the educational psychology service in October and November 2021 for early years, school and college settings on 'strengthening safety and well-being using a child rights approach'. Twenty seven participants from various settings across the city attended.

The educational psychology service is working with Realising Rights and two Dorset schools who have achieved the gold RRSA to create a video about what the RRSA means in practice. Educational settings in York will be invited to a virtual meeting in the spring term of 2022, at which we will show the video and hold a question and answer session with the two head teachers from Dorset. We aim to encourage more York settings to find out about children's rights and embark on a rights respecting journey.

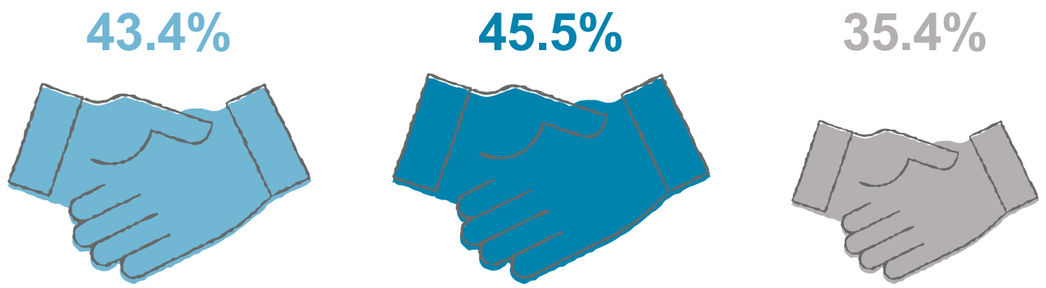
HEALTH AND SOCIAL CARE

The Right

International Law	Domestic Law
International Covenant on Economic, Social and Cultural Rights 1966, Article 12 Treaties protecting particular groups (women, children, persons with disabilities) also include health and social care protections e.g. Convention on the Rights of Persons with Disabilities 2006, Article 12	Care Act 2014, Section 1 and 2 National Health Service Act 2006, Section 1 National Health Service Constitution 2015 Health and Social Care Act 2012

The Indicators

PROPORTION OF SERVICE USERS WHO HAVE AS MUCH SOCIAL CONTACT AS THEY WOULD LIKE



There was a significant decline – of 10% – in the percentage of service users who had as much social contact as they would like, between 2019-20 and 2020-21.[27]

Among the reasons for this are the isolation resulting from measures to combat Covid-19, and the crisis in the care sector brought about by intersecting challenges including the pandemic, staff shortages and

austerity-informed budget cuts. Press reports at the end of 2021 suggested that there would be a 1% rise in Council Tax in York to fund social care. The aim is to increase spending by £4.3 million in adult and children's social care in an effort to ensure that those in vulnerable situations receive the support that they need in their communities. But this proposal is accompanied by measures to increase adult social care charges, cut funding to residential and nursing support packages and the supported living budget, and a lack of clarity about how these figures will be affected by budget deficits.[28] Social care and social contact will clearly be priority human rights concerns in York as we emerge from the Covid-19 pandemic.

LIFE EXPECTANCY (LE) AND HEALTHY LIFE EXPECTANCY (HLE)

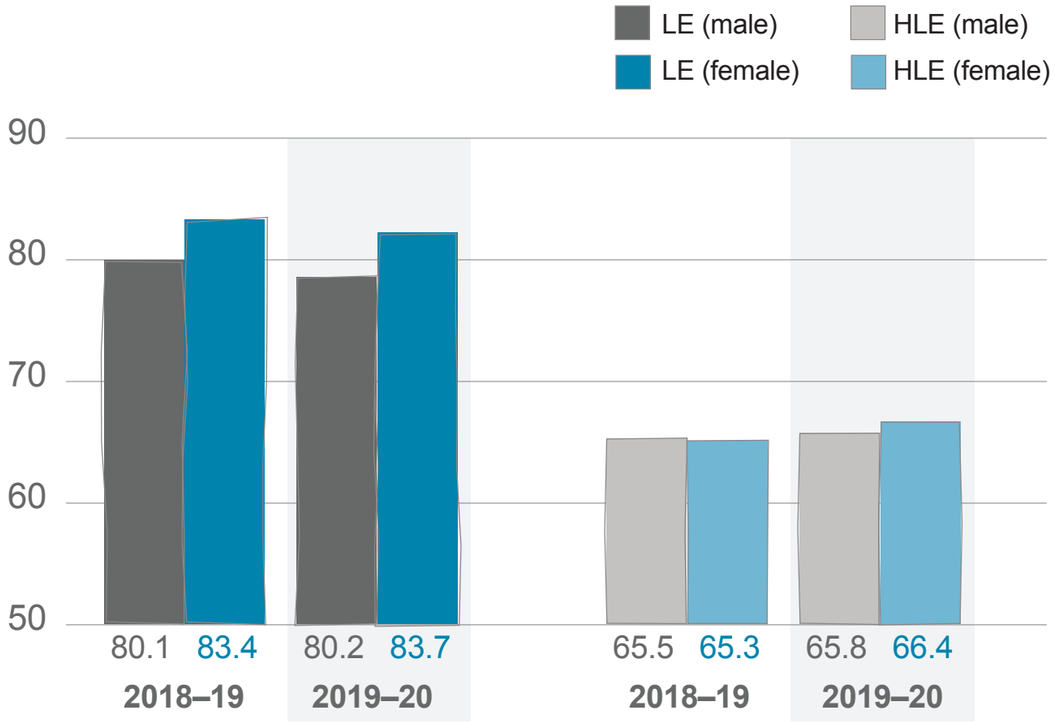
Indicator Reports from previous years have noted the large gap between LE and HLE in York (HLE is defined by the government as 'the average number of years that an individual is expected to live in a state of self assessed good or very good health'); the fact that women currently live a greater proportion of their lives in poor health than men do (see graphic on p. 20); and that life expectancy varies by as much as 10 years depending on where you live in the city.

Whilst available figures for York cover only the very start of the pandemic, national figures again suggest that this indicator has been negatively affected by Covid-19. Public Health England has reported that:

In the decade prior to the pandemic in England, improvements in life expectancy had slowed down. The very high level of excess deaths due to the pandemic caused life expectancy in England to fall in 2020, by 1.3 years for males and 0.9 years for females. This was the lowest life expectancy since 2011 for males and females.

Furthermore, inequalities have increased. The gap in male life expectancy between the most and least deprived areas in England was 10.3 years in 2020, 1 year larger than in 2019. For females, the gap was 8.3 years in 2020, 0.6 years larger than in 2019. This level of inequality is the largest for two decades. While Covid-19 is the main contributory factor to these developments, higher mortality from heart disease, lung cancer, and chronic lower respiratory diseases in deprived areas remain important contributors. The Public Health England report concludes that it has: 'highlighted how the direct impact of COVID-19 pandemic has disproportionately affected people from ethnic minority groups, people living in deprived areas, older people and those with pre-existing health conditions.'[33]

York figures for LE and HLE in recent years[29 30 31 32]



2010/21 figures not available

THE RIGHT TO HOUSING

The Right

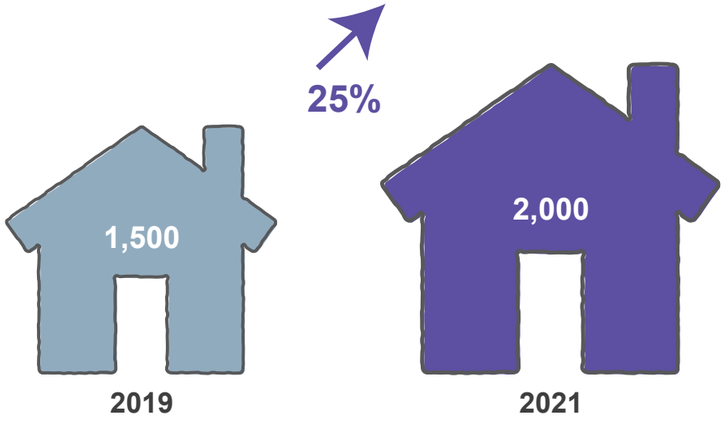
International Law	Domestic Law
International Covenant on Economic, Social and Cultural Rights 1966, Article 11 Convention on the Rights of the Child 1989, Article 27.3	Human Rights Act 1998, Schedule 1, Part 1, Article 8 Housing Act 1996, Part 6 & 7 Protection from Eviction Act 1977 Homelessness Reduction Act 2017

Indicators

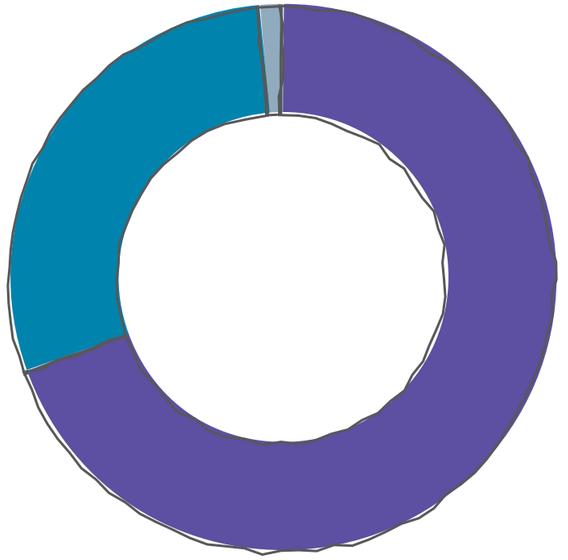
Two snapshots from the end of 2021 suggest that York continues to face significant issues relating to access to affordable housing and homelessness. In October 2021, it was reported that York's housing services faced a 'perfect storm', created by Brexit (through labour and goods shortages) and Covid-19, resulting in a 25% increase in the housing waiting list, with numbers on the list rising from 1,500 in 2019 to 2,000 in 2021.[34] In December, it was reported that four homeless people died in York during the first year of the pandemic (2020), more than for the whole of North and East Yorkshire.[35]

Statistics for 2020-21 have been affected by Covid-related measures introduced by national government which required Councils to house rough sleepers or those at risk of becoming rough sleepers in hotels, and bed and breakfast or other temporary accommodation, and to find alternative accommodation for those in hostels and shelters who could not self-isolate. A number of relevant measures, such as the Universal Credit uplift and a general halt to possession proceedings and evictions, as well as extended notice periods, have ended, and are extremely likely to negatively impact the housing situation and homelessness in the city.

Housing waiting list



Homelessness in York 2020/21



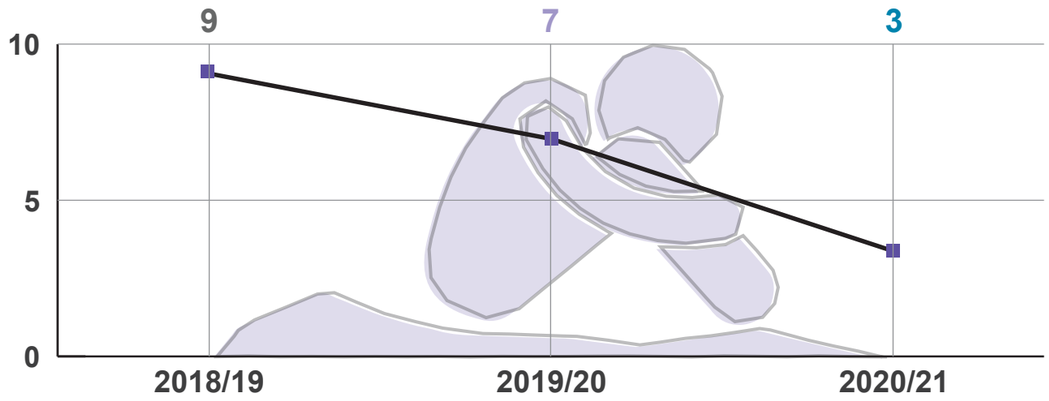
Threatened with homelessness – prevention duty owed	566
Homeless – relief duty owed	237
Not threatened with homelessness within 56 days – no duty owed	11

STATUTORY HOMELESSNESS[36]

Figures for households assessed and where a homeless duty was owed appear to have been increasing prior to Covid-19, but to have then fallen possibly as a result of Covid-related measures: 2018-19: 767; 2019-20: 883; 2020-21: 814.[37]

A breakdown of statutory homelessness is set out in the graphic above. Of those households owed a prevention or relief duty, 98 had a history of mental health problems, 51 physical ill health and disability, 48 an offender history, 45 drug dependency needs, 44 alcohol dependency needs, 40 had a history of repeat homelessness and 40 were at risk of or had experienced domestic abuse. Further, 26 were young people aged 16-17, while 28 were aged 18-25 and required support to manage their independence.

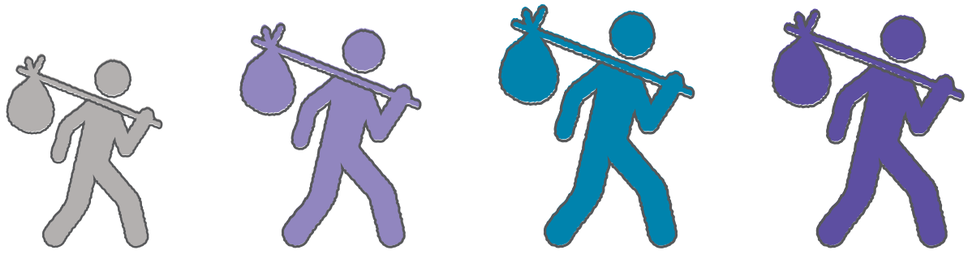
ROUGH SLEEPER COUNT



The number of people sleeping rough on a single night in York is as follows: 9 (2018-19), 7 (2019-20), 3 (2020-21).[38] The figure for 2020-21 was affected by emergency measures set in place by the City of York Council to house rough sleepers during the pandemic.

NUMBER OF HOUSEHOLDS IN TEMPORARY ACCOMMODATION

Figures for this indicator are also fairly stable, declining slightly between 2019-20 and 2020-21 (estimated). In conclusion, measures put in place during the Covid-19 pandemic to protect homeless people, stop possessions and evictions, and provide additional forms of economic support meant that in 2020-21 all our key indicators on housing improved. However, as these measures are withdrawn and the economic legacies of the pandemic become clearer, it is very likely that housing will become a stress point in the city in the coming year.



49	57	62	60
2017/18	2018/19	2019/20	2020/21 (est)

CASE STUDY: Housing First

The third Indicator Report in 2018 highlighted homelessness as an issue of concern in the city. Community Voices, a YHRCN-led initiative to engage with groups in the city not reached by conventional consultation processes and support them to set their own agendas for change, had facilitated a period of engagement with homeless people in the city prior to the drafting of the Indicator Report.

THE REPORT'S RECOMMENDATIONS INCLUDED THE FOLLOWING:

- The Human Rights and Equalities Board (HREB) should oversee implementation of... [relevant recommendations]... whilst investigating ways to mitigate the wider issues around housing affordability within the city.
- City of York Council should review how housing officers and service providers are implementing the Housing First policy in the city to ensure that it adheres to its human rights framework for all categories of people.

Ongoing, if again very slow, work has been undertaken by the Human Rights and Equalities Board (HREB) in relation to the recommendation on Housing First. A Task Group was set up to focus particularly on homelessness and rough sleeping, and the city's Housing First Model. Housing First is a distinctive, and human rights-based, approach to homelessness which seeks to support people with multiple and complex needs:

There are no conditions around 'housing readiness' before providing someone with a home; rather, securing housing is viewed as a sustainable platform from which other issues can be addressed. Housing First is a different model because it provides housing 'first', as a matter of right, rather than 'last' or as a reward.[39]

Some progress has been made in defining challenges and moving the city from a 'York version' of Housing First to a purer version of the approach. For example, a key challenge is York's limited and

expensive housing stock, and the need to go beyond the Council's own housing stock in finding solutions to homelessness. Efforts are underway to build a multi-agency response to both increase the housing options available and support people requiring assistance.

However, significant challenges remain. Most importantly from the perspective of the YHRCN, there remains weak understanding within the Council of Housing First as a human rights-based approach, and a reluctance to frame the approach in these terms (rather than, for example, as 'people-centred'). Housing needs to be understood and articulated as a human right and as a gateway to other human rights, because having a settled address enables connections to be made to the NHS and other support services, and more broadly empowers people to see themselves and behave as citizens.

A DECENT STANDARD OF LIVING

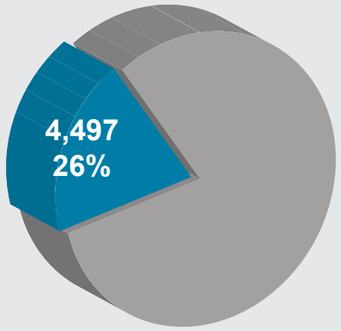
The Right

International Law	Domestic Law
International Covenant on Economic, Social and Cultural Rights 1966, Article 11 Convention on the Rights of the Child 1989, Article 27 Convention on the Rights of Persons with Disabilities 2006, Article 28 Convention on the Elimination of All Forms of Discrimination against Women 1979, Article 14 European Social Charter 1961, Article 4 (1)	There are no domestic laws specifically relating to the right to a decent standard of living

Indicators

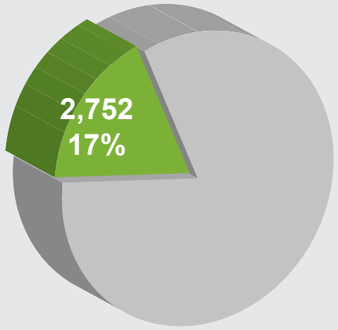
CHILD POVERTY

York Central



Percentage point change since 2015 **1%**

York Outer



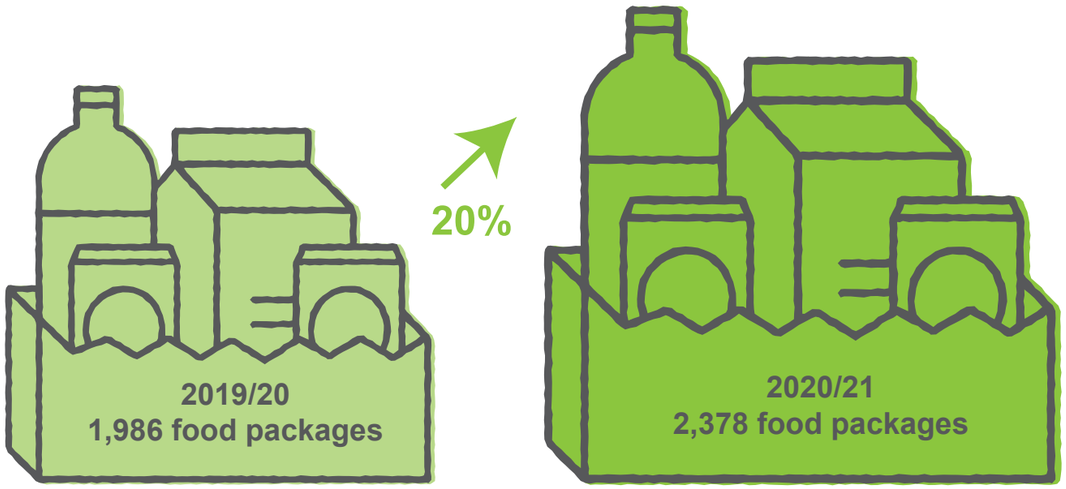
Percentage point change since 2015 **2%**

The proportion of children (under 16) in York who are living in families whose reported income is less than 60 per cent of UK median income is as follows: 11.1% (2017-18), 11.9% (2018-19) and 13% (2019-20).[40] In November 2021, End Child Poverty provided significantly higher figures for child poverty in the city (as their figures include housing costs), reporting that in York Central, 4,497 or 26% of children live in poverty, an increase of 1% since 2015. In York Outer, 2,752 or 17% of children live in poverty, an increase of 2% since 2015. Contributory factors include rising housing costs, energy bills, the end to the £20 Universal Credit uplift, and precarious employment.[41]

At a regional level, child poverty rates in the North of England fell from a high level in the late 1990s and by 2008 the North East and Yorkshire and Humber had rates close to or below the UK average. But a decade blighted by austerity, Brexit and Covid-19 has reversed this positive trend:

From 2014 child poverty in the North began to rise again, and much faster in all the Northern regions than the UK as a whole. Now, in the North, nearly a third of children live in poverty. Nearly 60% of local authorities in the Northern regions have above average levels of children in low-income families.[42]

Foodbank use: York Foodbank



FOODBANK USE

Due to the proliferation of foodbanks in the city during Covid-19, securing a full picture of foodbank use in the city is difficult. Data from one such outlet, York Foodbank, indicates the following:

- In the 2020-21 financial year York Foodbank distributed 2,378 3-day emergency food packages, representing support for 3,703 adults and 2,508 children.
- This was an increase of slightly under 20% from 2019-2020, during which 1,986 food packages were distributed, supporting 2,930 adults and 2,095 children (see the graphic, p. 28). The increase in provision in 2019-20, in comparison to the previous year, was due to a surge in demand in March 2020 at the outset of the pandemic.
- The increased demand at York Foodbank was not sustained beyond the summer of 2020, for reasons including:

1. The increased availability of food provision in pop-up 'foodbanks' run by local communities.
2. The impact of the Universal Credit uplift of £20 per week.
3. The provision of School Holiday vouchers to families.
4. York Foodbank increased the content of their packages, in order to reduce the number of repeat visits.[43]

A spokesperson from York Food Justice Alliance said:

The demand on foodbanks just continues to go up and up and there has been a proliferation of providers. No-one has time anymore to collate the figures from across the city but anecdotally it's easily doubled over the year and we have more and more working families using us. Frankly the rise in need is shocking, people are struggling and we're concerned about the effects on people's self esteem and mental health as well as their physical health.[44]

She went on to express concern about the fact that no-one has an accurate picture of demand anymore and is worried about how people will cope as energy prices and living costs are now soaring too.

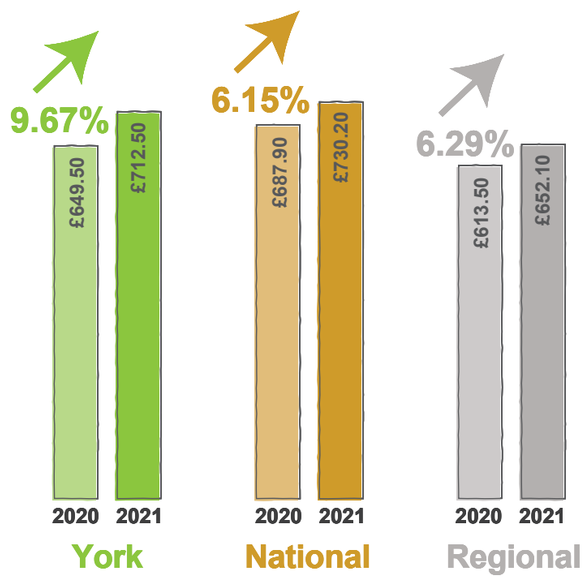
EARNINGS GAP[45]

The figures and graphics on this page illustrate two divergent trends. On the one hand York in some respects has weathered the economic challenges of Covid-19 well. Average gross weekly pay by workplace rose almost 10% between 2020 and 2021, comfortably above both regional and national comparator figures. But, on the other hand, the city's economy is more unequal than ever – while at regional and national levels the wage gap remained more or less the same between 2000 and 2021, in York the wage gap increased by over 11 %. This is likely to be in part because of the number of people on lower wages in the city who were on furlough, notably women in low wage jobs.

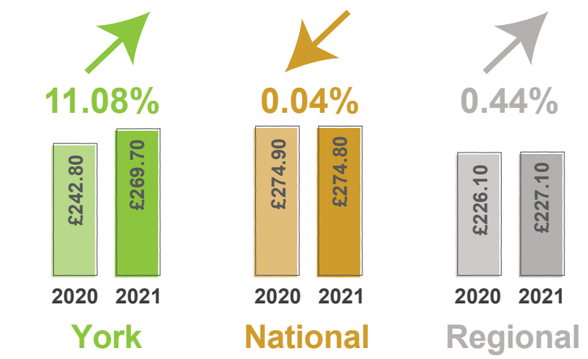
Between 2000 and 2021 in York the wage gap increased by over

11%

Average gross weekly pay by workplace



The earnings gap measures the difference in weekly wages between those earning median (mid-point or average) wages, and those on low wages (25th percentile)



WORK WITH YORK YOUTH COUNCIL

In 2019, York Youth Council approached the York Human Rights City Network (YHRCN) to say they thought young people needed a human rights report tailored to their interests and needs – and in a less stuffy format than our annual report! Work on it halted during the pandemic but picked up again online in autumn 2020. So what did we do together?

In 2019 York Youth Council ran a survey with secondary school students asking which human rights they thought should be prioritised or improved for them. Next, YHRCN volunteers, Kirsty and Viktoriia, pulled out the direct views of young people in all the reports they could find from local services and groups in the previous year and showed the Youth Council what they had found. Michael and Emma (volunteers) then took over and added in some findings from more recent reports and mapped everything against relevant international human rights conventions. Below are just two examples of what young people said:

Youth poverty not only harms people's lives practically (not being able to afford the bus and having to walk, not having enough food on the table) but also can lead to exclusion from social situations and from decisions that are made about you. The way other people see you is also influenced by poverty. It makes it seem like you deserve the hardship you experience.

The climate crisis… affects all our lives, our future careers, the air we breathe and the water we drink, and even the economy.

Michael and Emma also added links to useful organisations and projects so that everyone could see how the findings, the human rights conventions and resources fitted together.[46]

Next, the Youth Council decided to re-run their survey in 2021. One respondent spoke for others in welcoming the chance to express their views:

I really appreciate this survey being created to give young people some form of voice.

And others highlighted absent voices:

The homeless youth in York do not get the help they need, since services to make their voices heard are lacking in York at the moment.

Among other questions, those taking part were asked if they'd ever heard of the United Nations Convention on the Rights of the Child (UNCRC) (only just over a third had done so), whether they'd like to know more about their rights (the majority said they would), and which human rights they thought were most important for young people in York from a list provided.

The young people also made suggestions about *how* they'd like to learn more about their rights, including through posters, printed booklets, videos, school assemblies and powerpoint audio presentations.

From all of these different sources – the two surveys and reports from different services and groups – the same five human rights came high up the list of priorities for young people (thought poverty and climate were also prominent as shown by earlier quotes):

- Right to Education
- Right to Health (physical and mental)
- Right to Safety and Security
- Right to Non-discrimination
- Right to Housing

The next step was for our volunteers to identify who could be held accountable (and how) by young people, either individually or as a group, if their rights were not being fully met.[47]

The final step was for the Youth Council to decide *how* they could raise awareness about all of this with young people in the city. Our volunteers had earlier searched for any educational and awareness-raising materials already 'out there' nationally and internationally and shown them to the Youth Council. New volunteers Leah and Martha are currently adding to these and putting together a 'tool kit' of possible materials for the Youth Council to use as they take this forward.

At each step, with the permission of the Youth Council, we also shared our working documents with the multi-agency Voice and Involvement Sub Group of the City of York Safeguarding Children Partnership (CYSCP) and sought their feedback. Some of our material fed into the new RealisingRights Project initiative in the city that is described elsewhere in this report.

Thanks go to the Youth Council and to our volunteers Kirsty, Viktoriia, Emma, Michael, Leah and Martha. Thanks also to Shiona and Helen, the Council staff that support the Youth Council.

We'd also like to express our thanks to the York Rotary Ainsty group for their donation to support this work.

THE YORK YOUTH COUNCIL DESCRIBE THEMSELVES THUS:

We are a group of passionate young people aged 11 to 18 who live in or go to school in York who want to make York better for everyone especially children and young people.

Our vision is to empower young people to have a voice and influence decision makers.

We annually support schools and youth organisations to take part in the national UK Youth Parliament 'Make Your Mark' ballot. In 2020-21 young people in York voted for mental health, the climate emergency and free university education as the issues most important to them for the UK, and locally, they voted for domestic abuse, homelessness and access to training and jobs.

RECOMMENDATIONS

The report contains the following five recommendations:

- The Council, and particularly the Council Executive, needs to provide residents of York with a reason to believe that it shares the intent to deliver on the promise of York being a Human Rights City. In a recent Six Point programme, the YHRCN called for a renewed statement of commitment, strong leadership, adequate resourcing, and a review of the city's human rights architecture, notably the Human Rights and Equalities Board.
- The Council needs to more generally rethink its approach to engagement with the public. Many in the Council believe that it 'does participation well'. This view is fundamentally at odds with the experience of many residents. Recent YHRCN research indicates that much current Council-led practice falls well short of engagement, co-design or co-production.[48]
- The YHRCN stands alongside the 'Reverse the Ban' coalition in calling on the Council Executive to reverse the prohibition on Blue Badge access to the city centre, and engage with disability groups to genuinely co-produce a solution that guarantees both security and access. This has become a defining issue for who we are as a city – we are better than the current decision suggests.
- Social care needs to be a priority for the Council and civil society groups. It is a sector in crisis nationally and locally, suffering from the effects of the pandemic, and from long term underfunding and lack of attention to staffing and training support. YHRCN proposes that a rights-based approach be adopted to seeking solutions in this sector, within the constraints set by national government.
- The City Council, civil society and other sectors such as business should support the Poverty Truth Commission, as a significant intervention to address poverty and as a new form of civic engagement. It will be led by community commissioners, with lived experience of poverty, with the aim of placing such commissioners at the heart of policy-making and practice on poverty in the city.

ENDNOTES

1 Blue Badge parking permits let disabled drivers and passengers park nearer their desired destination.

2 Citizens Advice in York Braced for a 'Perfect Storm', The Press, 2 November 2021. Available at: *https://www.yorkpress.co.uk/news/19686768.citizens-advice-york-braced-perfect-storm/* (accessed on 24 January 2022).

3 YHRCN, Supporting a Human Rights-based Approach to Co-production in York After the Covid-19 Pandemic, Policy Brief 2, January 2022.

4 Data from North Yorkshire Police (NYP) have been used here as the most reliable source of data. These data from the NYP come from their Hate Crime Dashboard, which records all hate crimes reported to them. It does not include all hate incidents. A hate incident is where the victim perceives it to have been motivated by hostility and prejudice, but the event is not considered to be a crime. Where something takes place and it constitutes a crime and the victim perceives it to be motivated by hostility and prejudice, then it is recorded as a hate crime. North Yorkshire Police, Hate Crime Dashboard Dates 2020-2021. Data received via email on 16 November 2021.

5 Key challenges in recording hate crime include the difficulties in obtaining reliable and consistent data, and the lack of sufficiently disaggregated data.

6 Low prosecution of hate crimes is not a challenge peculiar to York. Reasons for this include hurdles within the criminal justice system (taking hate crime seriously, tensions between a victim's perception of an event and the evidence needed for prosecution, etc.), and efforts to find alternative remedies. NYP is trialling restorative justice for 'low level' offences (those where the offender has no previous convictions for a hate crime offence and has admitted guilt), and where victims do not want to go through a trial process but seek the opportunity to tell the offender the harm they have caused.

7 Leonard Cheshire and United Response, Lockdowns Trigger Surge in Disability Hate Crime, 6 October 2021. Available at: *https://www.leonardcheshire.org/about-us/our-news/press-releases/lockdowns-trigger-surge-disability-hate-crime* (accessed 1 December 2021).

8 York Open Data. Available at: *https://data.yorkopendata.org/dataset/annual-survey-of-hours-and-earnings/resource/c6dcf4ea-2dc8-4f64-997a-380b368b67fc* (accessed 1 December 2021). Please note: most data on York Open Data are collected across years, so 2020-21 data is for the period from 1 May 2020 to 30 April 2021. As such, these statistics relate to the pay period that includes 21 April 2021, at which time approximately 3.7 million employees were furloughed under the Coronavirus Job Retention Scheme (CJRS). Pay estimates include furloughed employees and are based on actual payments made to the employee from company payrolls and the hours on which this pay was calculated, which in the case of furloughed employees were their usual hours (as included in the CJRS claim).

9 ONS, Gender Pay Gap in the UK: 2021, release date 26 October 2021. Available at: *https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/genderpaygapintheuk/2021* (accessed 8 December 2021).

10 Andrew, A., Bandiera, O., Costa-Dias, M. and Landais, C., Women and Men at Work, IFS Deaton Review of Inequalities, 2021. Available at: *https://ifs.org.uk/inequality/women-and-men-at-work* (accessed 8 December 2021).

11 This section of the report was written by Marilyn Crawshaw of the YHRCN.

12 YHRCN Statement on Access to York City Centre, July 2021. Available at: *https://www.yorkhumanrights.org/blue-badge-access/* (accessed on 24 January 2022).

13 YHRCN, Human Rights Report on Blue Badge Exclusion in York, October 2021. Available at: *https://www.yorkhumanrights.org/blue-badge-access/* (accessed on 24 January 2022).

14 YHRCN Statement, Access to York City Centre and Implications for York as a Human Rights City, 2 December 2021. Available at: *https://www.yorkhumanrights.org/blue-badge-access/* (accessed on 24 January 2022).

15 See *https://sites.google.com/view/iddpyork/events-list-2021?authuser=0* (accessed on 24 January 2022).

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17 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-117c* (accessed 4 February 2022).

18 Update on Young People Not in Education, Employment and Training (NEET), paper presented to the Human Rights and Equalities Board, 16 September 2020.

19 Decision Session – Executive Member for Economy and Strategic Planning – Wednesday, 20 October 2021. Available at *https://democracy.york.gov.uk/ieListDocuments.aspx?CId=735&MId=12758&Ver=4* (accessed 4 February 2022).

20 Email from Alison Edeson, 28 January 2022.

21 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-ks2b/resource/4699a801-a50c-4e40-9304-36fe3167a531* (accessed 1 December 2021).

22 Weidmann, B., Allen, R., Bibby, D., Coe, R., James, L., Plaister, N. and Thomson, D., Covid-19 Disruptions: Attainment Gaps and Primary School Responses, Education Endowment Foundation, 2021. Available at: *Covid-19_disruptions_attainment_gaps_and_primary_school_responses_-_May_2021.pdf* (accessed 13 January 2022).

23 Lucas, M., Nelson, J. and Sims, D., Schools' Responses to Covid-19: Pupil Engagement in Remote Learning, Slough, NFER, 2020. Available at: *https://www.nuffieldfoundation.org/wp-content/uploads/2020/06/NFER_-schools_responses_to_covid_19_pupil_engagement_in_remote_learning.pdf* (accessed 13 January 2022).

24 Pickett K., Taylor-Robinson D., et al., The Child of the North: Building a Fairer Future after COVID-19, The Northern Health Science Alliance and N8 Research Partnership, 2021, p. 6. *https://www.n8research.org.uk/media/Child-of-the-North-Report-compressed.pdf* (accessed 13 January 2022).

25 This section of the report was drafted by Jo Williams, from the City of York Council and YHRCN.

26 Cooperrider, D. and Srivastva, S., Appreciative Inquiry in Organisational Life, Research in Organisational Change and Development, 1987, Vol. 1, pp. 129-69.

27 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-ascof1i1* (accessed 1 December 2021).

28 York is Set for 3% Council Tax Hike, The Press, 6 December 2021. Available at *https://www.yorkpress.co.uk/news/19765966.city-york-council-wants-raise-council-tax-3-per-cent-next-year/*; Groups Slam City of York Council 'Cuts', The Press, 11 December 2021. Available at: *https://www.yorkpress.co.uk/news/19776840.groups-slam-city-york-council-cuts/* (accessed 13 January 2022).

29 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-phof36* (accessed 1 December 2021).

30 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-phof16* (accessed 1 December 2021).

31 Data in e-mail from Will Boardman, 8 December 2021.

32 Data in e-mail from Will Boardman, 8 December 2021

33 Public Health England, Health Profile for England 2021. Available at: *https://fingertips.phe.org.uk/static-reports/health-profile-for-england/hpfe_report.html#summary-2---deaths-involving-covid-19* (accessed 13 January 2022).

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35 Four Homeless People Died in York in First Year of Pandemic, Figures Show, The Press, 13 December 2021. Available at: *https://www.yorkpress.co.uk/news/19776730.four-homeless-people-died-york-first-year-pandemic-figures-show/* (accessed 13 January 2022).

36 Unless otherwise stated, housing data were sourced from the Department for Levelling Up, Housing and Communities. Available at: *https://www.gov.uk/government/collections/homelessness-statistics* (accessed on 24 January 2022).

37 Prevention means that homelessness will occur within 56 days if the local authority does not assist; Relief that homelessness has occurred, and temporary accommodation has been provided; No duty means homelessness is not present/not a risk or no duty exists for other reasons.

38 York Open Data. Available at: *https://data.yorkopendata.org/dataset/kpi-hou214* (accessed 1 December 2021).

39 As such, Housing First differs from Resettlement, where progress is conditional on approved behaviours. Homeless Link, Housing First in England: The Principles, p. 2. Available at: *https://hfe.homeless.org.uk/sites/default/files/attachments/The%20Principles%20for%20Housing%20First.pdf* (accessed 8 December 2021).

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York: Human Rights City Network

York: Human Rights City

York Human Rights City Network (YHRCN) is a civil society partnership hosted jointly by York CVS (Centre for Voluntary Service) and the Centre for Applied Human Rights (CAHR) at the University of York. York CVS roots the Network within York's vibrant civil society. CAHR roots the Network in the human rights discourse. The network was formed in 2011, and has grown organically over the intervening years. Our Steering Group comprises representatives from civil society organisations working in each of the five priority rights areas. Our aim is to be a catalyst for York people, businesses and organisations to champion a vibrant, diverse, fair and safe city. We also work with representatives of the public sector in York, most notably the City of York Council, York NHS Teaching Hospital Foundation, Tees Esk and Wear Valley NHS Foundation Trust, North Yorkshire Police and Explore York.

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