



# Supporting a Human Rights- based Approach to Co-production in York after the Covid-19 Pandemic



## Executive Summary

Co-production of policies is both complex and rewarding to deliver. It can start with bottom-up ideas from residents or top-down ideas from senior officers, or anywhere in between<sup>11</sup>. Setting out core principles of sustainable co-production – equitable partnerships, time, willing residents, an asset-based approach, and a holistic approach to funding and resources – this policy brief suggests potential barriers and drivers to co-production. It uses examples showing some (but not all) elements of co-production during the Covid-19 pandemic in York, to illustrate that there is considerable momentum

behind co-production in the city at the time of writing. To build on this momentum will require: a shared definition of co-production, an infrastructure to support processes of co-production, a strong volunteer strategy in the city, mapping of existing assets and initiatives, building of capacities for all concerned, and a review of planning procedures to support both long-term collaborations and short-term innovation and flexibility (as occurred during the pandemic). A Human Rights-based Approach could provide a platform for a shared definition and agenda for action in the future.



# What do we Mean by Co-production?

## Co-production

The identification of key actors and building of partnerships in order to create common ground, co-explore needs, co-develop solutions, co-deliver solutions, and co-evaluate outcomes.

## Inclusion

The removal of barriers that may stop people from participating in an event or activity and taking action in order to create an environment where everyone feels comfortable, respected and capable.

The Think Local, Act Personal Partnership describes a series of steps towards co-production in health and social care in what they describe as the ladder of co-production<sup>2</sup>. This sets out the various stages of involving people in service design.



### Co-production

Co-production is an equal relationship between people who use services and the people responsible for services. They work together, from design to delivery, sharing strategic decision-making about policies as well as decisions about the best way to deliver services.

### Co-design

People who use services are involved in designing services, based on their experiences and ideas. They have genuine influence but have not been involved in 'seeing it through'.

### Engagement

Compared to the consultation step below, people who use services are given more opportunities to express their views and may be able to influence some decisions, but this depends on what the people responsible for services will allow.

### Consultation

People who use services may be asked to fill in surveys or attend meetings; however this step may be considered tokenistic if they do not have the power to influence or affect change.

### Informing

The people responsible for services inform people about the services and explain how they work. This may include telling people what decisions have been made and why.

### Educating

The people who use services are helped to understand the service design and delivery so that they gain relevant knowledge about it. That is all that is done at this stage.

### Coercion

This is the bottom rung of the ladder. People who use services attend an event about services as passive recipients. Their views are not considered important and are not taken into account.



To enable people to participate in co-production certain pre-conditions need to be met. This means involving people in what they are interested in and what impacts on them or their loved ones. It means involving them in ways that are right for them, in a place that is convenient and comfortable, using language that is relevant (no jargon), providing support if necessary and at a time that is appropriate for them. Co-production is not quick, it can be time consuming and needs to be built on trust and relationships. True co-production might not always be possible or appropriate, for example in relation to decisions about safeguarding, or may not be suitable to all stages of a policy process. But what even combination of partnership and engagement methods is used, it is important to be clear about which of the steps of the ladder is being used and why.

Co-production can be supported by human rights and add value to the operationalisation of human rights. *Participation* is the first of the PANEL principles – **p**articipation, **a**ccountability, **n**on-discrimination, **e**mpowerment, **l**egality. This set of principles represents arguably one of the best ways to operationalise human rights-based approaches (HRBAs) and bring human rights to life<sup>3</sup>. While there is no agreed definition of HRBAs, they are normally understood as putting people's rights 'at the very centre of policies and practices'<sup>4</sup>. Insights from the development and human rights literature, illustrate how HRBAs add value to co-production:

1. Providing rights-holders with an entitlement to given outcomes.
2. Establishing participation as a right on terms set by residents and not those in power, and more generally adhering to minimum process principles (the PANEL principles).
3. Empowering rights-holders to claim rights and improving the capacity of duty-bearers to fulfil their obligations. Co-production is most relevant where the local authority has a duty, for example to deliver certain services, but the legal and administrative frameworks allow for a more facilitative, community development type approach which can recognise residents as rights-holders.
4. Moving beyond an adversarial relationship between civil society and government by supporting co-operation when appropriate and critique when necessary, and thereby nurturing resilient relationships characterised by trust and transparency.
5. Shifting power relations between duty-bearers and rights-holders in favour of the latter<sup>5</sup>.

The overlap between co-production and the elements of HRBAs is clear. Participation, non-discrimination and empowerment, in particular, are elements that are intrinsic to the idea of co-production, which can thus be seen as a methodological tool to ensure that the residents' rights are incorporated in public decision- and policy-making processes.

## Methodology

This brief draws from both primary and secondary research. Semi-structured interviews were held with key informants: two from the voluntary sector and six from City of York Council (CYC), spanning various levels from senior management to frontline staff. Given the imbalance in representation from the two sectors, the voluntary sector interviews were supplemented by comments on policy brief drafts from, and discussions among, members of York Human Rights City Network (YHRCN).



## Covid-19 and Co-production

In their joint report of May 2020, the insurer Legal and General and the Centre for Economics and Business Research found that almost one in five adults in the UK had volunteered since late March of that year<sup>6</sup>. In other words, at the early stages of the pandemic there may have been a pool of more than 10 million people offering their time to help others in their community. A Carnegie UK Trust Report found that community hubs working with voluntary organisations and local groups were proving essential to quick and effective responses to the crisis<sup>7</sup>. And by March 2021, Covid-19 Mutual Aid UK identified more than 4,000 mutual aid groups across the United Kingdom<sup>8</sup>. While not all of these initiatives necessarily constitute co-production, they do illustrate that the pandemic revealed significant assets and goodwill that provide the foundations for co-production, often driven by civil society.

### LONDON BOROUGH OF BARKING AND DAGENHAM<sup>9</sup>

The community sector in the Borough has historically been uneven in strength and coverage. When Covid-19 hit an alliance was developed, made up of the Council and voluntary and faith organisations from nine locality hubs covering the whole of the Borough. This was notable because the Council had previously been criticised for its culture of change being done to people, not with them. One of the biggest symbolic and practical moves was that each of the nine area hubs was given a grant of £5,000 to cover immediate expenses and overheads without bid proposals or accounting process hoops to go through. The money was needed urgently to protect and provide for the most vulnerable people in the Borough, and could be accounted for later. This initiative was valuable because the local government showed it trusted the community, and it both encouraged and helped to sustain relationships.

In a crisis, normal rules and procedures are often set aside. The outcome can be flexibility and innovation, which prefigure future ways of working. There are indications that this was the case – at least in part – both generally across the UK and specifically in York during the Covid-19 pandemic. Our data also illustrates enthusiasm in York for creating new service delivery models, and calls for a more systematic approach to co-production.

## Co-Production during the Covid-19 Pandemic in York

A number of collaborative initiatives were established at the outset of the pandemic in the city, as shown in the YHRCN 2020 Indicator Report<sup>10</sup>. The Council set up a Volunteer Management Team, mobilised Emergency Response Hubs to distribute food and allocated funding to support various organisations and community hubs. Over twenty mutual aid groups were created by residents during the first weekend of lockdown alone. That said, there were gaps in access to services for certain residents, primarily (but not only) those located in areas with fewer networks and community assets.

In York, our data suggests that there are diverse meanings attached to co-production, making it a difficult concept to define and indicating the potential for misunderstanding. For example, some of those interviewed saw it as a spectrum comprising identification of 'the problem', designing solutions to it, implementing the solutions, and evaluating the outcome. Others used the term synonymously with consultation, seeking information or advice from stakeholders and/or residents as a way of bringing them



into the decision-making process<sup>11</sup>. It is important to emphasise that consultation is not the same as co-production, is often conducted ineffectively<sup>12</sup> and/or involvement in decision-making through this route frequently ends up as a token gesture<sup>13</sup>.

The two quotes below hint at the challenges in delivering co-production rooted in different understandings of the term, from the perspective of civil society and the local authority.

“ People talk a lot about partnerships, but it takes trust and time, and it's hard when you are under-resourced. It's recognising the limits of organisations in the voluntary sector. They have different levels of resources, so the Council needs to invest.”

*Charity Manager, Older Citizens Advocacy-York*

“ Not only have I got a responsibility for our citizens, making sure they have a voice, I've got a responsibility for helping the other teams to be able to see the worth in what they're doing by bringing the citizens along with them.”

*Commissioning Manager, Early Intervention & Prevention, City of York Council*

Some examples of collaborations in York which included elements of co-production are described below.

## YORK'S DIGITAL INCLUSION SCHEME

A positive example of co-production cited by interviewees was the digital inclusion scheme during the Covid-19 crisis. People could not go out to get help and advice. It was clear that information needed to be disseminated quickly and that for most (but not all) people this could be achieved digitally. A **partnership** between Age UK York, York Neighbours and the Council was set up to maximise the number of people who had devices and/or the internet through which to access information, and also to maintain contact with loved ones. Such a scheme would normally have taken much longer to establish, but it was up and running within weeks. The initiative fed into work operationalising the York Digital Inclusion Strategy, which has included an IT reuse scheme where people could donate their old smartphones and laptops.

## FOODBANKS

Community-led foodbanks during the Covid-19 crisis represent another positive example of co-production. Several interviewees spoke of the ways in which some foodbanks freely shared resources and information with each other to ensure they met the needs of their communities. Such collaboration emerged from the communities, but was supported and encouraged by the Council which offered coordination points through community hubs.

## ASYLUM SEEKERS<sup>14</sup>

People who were seeking asylum in the UK arrived in York during the pandemic and stayed at a local hotel. Government regulations required them to isolate and be tested for Covid-19, which presented challenges for asylum seekers seeking to access key services. Various stakeholders came together to address these challenges. The council relaxed bureaucratic rules so that civil society organisations could conduct their work effectively while still complying with safety protocols. These services began with volunteers collecting and bringing essential supplies to the men and would later include advocacy, English lessons, social activities, and support with their asylum cases.





These examples illustrate different entry-points to co-production. For example, with foodbanks communities mobilised in the face of an imminent threat, and triggered their ability to identify and respond to need. Foodbanks did not engage in competition with other services but instead shared resources and information. The Council was involved in a facilitative role, insofar as it did not weight in with a 'command and control' approach but instead coordinated the exchange of information between food banks and residents through the community hubs, and assigned volunteers to food distribution.

Most interviewees said that the pandemic showed an overall willingness by the CYC to have more administrative flexibility where necessary, and that they hoped this would continue. The Digital Inclusion Scheme (see page x) is an example of such flexibility. The scheme would normally have taken months to establish, but enough administrative flexibility was allowed to have it up and running within weeks ('throwing bureaucracy out of the window').

More generally, interviewees noted that the pandemic has created a boost in interest in volunteering, and that this interest should be capitalised upon. It has spurred the opening of the CVS Volunteer Centre, indicating a willingness from all sides to recognize the value and skills of the voluntary sector. One civil society interviewee stated that the pandemic led to many people having more time to spare. The organisation had so many volunteers that they had to change the way they conducted volunteer training. The challenge is to make the most of this groundswell of goodwill and momentum. Interviewees spoke about the emergency response volunteer force that was created in the city after the floods several years ago, and how the response to the Covid-19 pandemic would have been better if that initiative had been maintained. Lessons need to be learned from these events, chiefly that a strong, established voluntary sector is a more effective way to respond to crises than seeking to reinvent the wheel each time a crisis occurs.

In short, there is momentum behind the idea of co-production in York and many examples of collaborative practices that provide a foundation for co-productive practice. But there are also very divergent views on what co-production is, how much actual co-production is taking place in the city, and a tendency to mislabel many if not most of the rungs on the ladder of co-production as full co-production, particularly among CYC staff.

## Enabling Conditions for Co-Production

**Research suggests that co-production is enabled if certain pre-conditions are already in place, including equitable partnerships, sufficient time, residents who are willing and able to participate, an asset-based approach, and a holistic approach to funding and resources.**

### Equitable Partnerships

“People get sick of me saying “be open and honest” because that’s the only way that you’re going to engage and make relationships with families. Families will know when you’re not being open and honest with them.”

*Local Offer and Participation Officer, City of York Council*

A key enabler of co-production is a willingness to explore innovative ideas and form equitable partnerships. This requires a significant shift in power relations if input from stakeholders is to be truly respected. In other words the process needs to go beyond those with power (traditional policy makers and/or service providers) explaining to service users what they consider needs to be done and inviting feedback. Setting the agenda from above before inviting stakeholders to participate in any decision-



making perpetuates unequal partnerships. One example cited by interviewees related to the [pre-pandemic] York 'Homeshare' scheme that matches an older homeowner with a younger person for a mutually beneficial living situation<sup>15</sup>. It was suggested that its operation would have been more effective if those involved had been included in the design and planning process from the start. An essential step for co-production is to include service users in agenda-setting, requiring a fuller sense of the right to participation, empowerment, and the building of capacities of rights-holders and duty-bearers, to shape policies and service delivery from the outset.

There were some divergences among the interviewees about how changes to power relationships could be achieved, how to secure more openness, and whether and how to alter what has been experienced at times as a 'command-and-control' management style from the CYC. It was pointed out that changing the way that the CYC is run can be met with internal reservations and that organisational change, even when necessary, is often met with resistance<sup>16</sup>. Several interviewees said it would be generally beneficial to have a co-production specialist involved in planning, design, delivery, and evaluation to ensure that all stakeholders are included at every stage. Another suggested that it would be better to have a committee rather than having one person with sole responsibility and that this would be more inclusive.

## Time

Co-production is usually thought of as a complex and time-consuming process. All the research participants discussed the importance of allocating time to the co-production process, especially when many stakeholders are involved. However, the urgency of the pandemic meant that fast responses were needed. Hasty decisions were sometimes problematic, as when the Council set up its own volunteering group separate from the established ones at York CVS and elsewhere, leading to duplication and unused capacity. As such, Covid-19 illustrates that co-production can emerge quickly and organically, but that fast tracked decisions can also sideline co-production, produce sub-optimal outcomes, and may exclude small organisations that lack the capacity to participate in ways expected by those with more power, such as local authorities. What is needed is a willingness to invest in relationships and processes over time, which will provide a more solid foundation for rapid-response measures when they are needed.

## Willing Participants

As well as the need for local authorities to be willing to engage in a sustained way with residents, another key condition for co-production that emerged from interviews was the importance of residents being willing to participate in decision-making processes. This again speaks to the need to build capacities on both sides of the rights-claiming, duty-bearing relationship, and empower all stakeholders seeking to take part in co-production. Some interviewees pointed out how intimidating it can be to deal with the local authority. This suggests the need for the local authority to balance the requirement to understand why some people choose to abstain from or feel unable to engage with these processes (and address these concerns where possible), with invitations to share responsibilities through co-production. Civil society interviewees indicated that residents should be sought out and asked how they would like to participate, with opportunities created based on their responses. In short, building 'rights identities' among residents – a sense that they have the right and capacities to claim rights – is crucial for sustainable co-production of policies-making and implementation

## Asset-Based Approach

An asset-based approach to co-production has the potential to facilitate both resident participation and co-production because of its acknowledgement of the value that residents and civil society can add to policy processes. By recognising the agency of people to set agendas and make claims on their own terms, as well as shifting power to residents, an asset-based approach is also in line with a Human Rights-based Approach. However, some interviewees said that the Council does not always know when or how



to give power to the community, and how much power to cede. They suggested that it would be helpful if there was a point of contact to serve as the bridge between residents and the Council, such as the community hubs, even if the Council does not actively run them anymore, or a co-production specialist or committee. Another example could be more use of Local Area Coordination. The current role of Local Area Coordinators is to offer direct support, signposting, and networking in order to improve access to services and promote social inclusion<sup>17</sup>. Several interviewees stated that they have been a beneficial addition to communities even before the pandemic. Others agreed, and suggested having Local Area Coordinators available throughout all of York, instead of only in certain areas. An asset-based approach champions the importance of working with the grain of local initiatives, capacities and innovation.

## Holistic View of Resources

This quote illustrates the benefits of informal, local interventions, such as community hubs, based on mutual support and a holistic response to challenges. Working outside the silos of some service delivery, hubs at their best were able to intervene in this way.

“ [A hub] is just a place you can go where you know someone will try their best to support you, or somewhere you can connect with other people. This informal setting exposed issues like housing not have sufficient heating, about being hungry, about health problems. This means during Covid the established hubs are able to support each other and deliver food and other essentials.”

**Mora Scaife, Principal Neighbourhood Manager at City of York Council**

That said, here was a frequently stated view among the research participants that the current funding model needs restructuring. For co-production and holistic responses to flourish, we were told there also needs to be a more holistic view of resources and service delivery. Holistic responses can be undermined in various ways. One civil society interviewee said that, although the relationships between the Council and the voluntary sector are being strengthened, those efforts are undermined because organisations must compete for resources. Most of those interviewed reported a prevailing culture within the Council of encouraging competition over resources and too little focus on exploring whether and how resources could be shared or devolved. Other issues were identified with the current funding model, including funding novel services instead of services that are already effective; and money being allocated to individual wards rather than either allocated according to need or pooled where the service involved multiple wards. There was a consensus that the existing funding model is not conducive to developing co-production approaches. A number of those interviewed considered that the Covid-19 pandemic had shone a spotlight on this issue because the sudden risk of closure facing many voluntary sector organisations had led to even more competition for funding.





## Policy Recommendations

There has been an increase in the number of initiatives with elements of co-production during the pandemic. These initiatives need to be supported and extended. Part of the challenge of improving co-production is the different perspectives on current practice. The Council is in a position to provide funding and other resources, provide a bridge between different organisations, clarify shared goals and challenges, and scale up responses when appropriate. The voluntary sector has access to resources and relationships that the Council does not, such as local knowledge and human resources, which also gives the sector a unique and valuable perspective that is key to co-production. The following recommendations can themselves be co-produced by the CYC and civil society groups in the city:

- **Establish an agreed definition of co-production**, which includes a vision of where co-productive practices can most usefully be applied and a shared acknowledgement that co-production goes beyond conventional practice with regards to consultation and participation. A human rights-based approach can play an important role in galvanising this definition.
- **Map existing assets and initiatives with elements of co-production**, so that future initiatives work with the grain of local initiatives, capacities and innovation, and to build an evidence base on the value-added of civil society and the CYC to co-production.
- **Support existing efforts to co-produce a volunteer strategy** for the city. This will combine building a resilient core of volunteers with the ability to upscale in emergencies.
- **Develop an infrastructure for co-production**. Examples include the employment of a Co-production Worker hosted by York CVS and the commitment within an emerging Health and Care Alliance to adopt a co-production approach.
- **Build capacities for co-production** within CYC and civil society through some of the initiatives outlined above – establishing an agreed definition of the term, developing a supportive infrastructure, framing co-production in human rights terms, etc. In relation to this point and the one above, the CYC will need to invest resources to support co-production if it is to become a mainstream approach in the city.
- **Review planning and service delivery procedures** to support both long-term collaborations and short-term innovation and flexibility (as occurred during the pandemic).



## Endnotes

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- 3 In the UK, public bodies like the Scottish Human Rights Commission advocates for the adoption of a HRBA in public policies and practices (see <https://www.scottishhumanrights.com/projects-and-programmes/human-rights-based-approach/>). The PANEL principles have been conceptualised in the literature on human rights and development. See, for example, Paul Gready and Jonathan Ensor, 'What do Human Rights Mean in Development?' in Jean Grugel and Daniel Hammett (eds), *The Palgrave Handbook of International Development* (Palgrave Macmillan: 2016); Paul Gready, 'Rights-based Approaches to Development: What is the Value-added?' Development in Practice (2008) 18(6).
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## About this Project

**Shaping a Human Rights-Based Approach to COVID-19 in the City of York** – Drawing on York's status as the UK's first human rights city, in July 2020 the City of York Council (CYC) asked the York Human Rights City (YHRC) network, a coalition consisting of civil society groups and statutory bodies, to submit a COVID-related policy action plan. The remit was to summarise policy lessons from the lockdown, and to ensure that responses to a second wave and COVID's longer term legacy were locally calibrated and better informed by human rights principles. Building on a body of research conducted by the YHRC network as well as the action plan, the research aims to understand processes of policy co-creation in the city; analyse pathways and obstacles to impact; adjust and revise policy recommendations as necessary; and to aid post-COVID recovery in the city.

The project focuses on two priority areas for research: 1) Co-production: this refers to the co-production of policy and related interventions by CYC and the voluntary sector and community groups in York; and 2) Human Rights and Equalities Impact Assessments (HREIAs) as a process accompanying policy development and implementation, and as a tool for learning, both shaping individual policies/interventions in an ongoing manner and providing a collective resource for learning and reflection.

## Research Team

The research is led by Paul Gready and Piergiuseppe Parisi, and it is supported by Marynka Marquez, Emma Jackson and Claire Fox.

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