Publishing equality information: Commitment, engagement and transparency

Assessment of public authorities' implementation of the specific duty to publish equality information

Equality and
Human Rights
Commission

Contents

Executive summary

1. Introduction

The Equality and Human Rights Commission has a statutory remit to protect, enforce and promote equality across the nine protected characteristics, as set out under the Equality Act 2010. This includes regulatory work on the public sector equality duty (the equality duty).

The duty is above all a transparency measure intended to achieve evidence-based policy-making and to encourage fairer and clearer decisions in public functions, including the allocation of public money.

Publication of equality information is compulsory in England for all public authorities listed under the specific duty regulations.[1] 31 January 2012 was the deadline for publication of equality information. An assessment of the performance of public authorities on this area was undertaken by the Commission between February and April 2012. This covered 1,159 public authorities in England.

Proactive publication of equality information ensures not only compliance with the legal requirements, but it can ensure a greater understanding by the public of the difficult decisions being faced by an authority, and why they are being taken. Gathering equality information and using it to inform decision-making can also enable authorities to achieve greater value for money in the services they deliver through better targeting of services.

Further benefits to public authorities of collecting, using and publishing equality information include:

---

[1] The list applies to over 40,000 public authorities. Very few organisations are excluded. These include the Security Service and the Government Communications Headquarters. Coverage is also limited in respect to the particular functions of a small number of organisations that provide private and public functions. The list of public bodies required to comply is available at: http://www.legislation.gov.uk/uksi/2011/2260/contents/made

- helping them to identify their greatest equality challenges so that these can be addressed
- having relevant data to enable decision-makers to fully understand how their policies and decisions impact on people with different protected characteristics, including outcomes for individuals
- maximising opportunities for advancing equality and fostering good relations
- enabling them to engage with staff and service users about the usefulness of their equality information, and where any improvements can be made
- finding ways to mitigate any adverse impact identified
- enabling them to set equality objectives based on robust evidence of the key challenges for their staff and service users, and
- having baseline data available for measuring progress in delivering equality objectives, so improving outcomes for individuals with protected characteristics.

The benefits to employees and service users include:

- greater transparency on a public authority's performance and delivery on equality
- helping them to understand the rationale behind difficult decisions being taken by public authorities
- enabling them to hold a public authority to account for its performance on equality.

If public authorities do not publish equality information as required by the specific duty regulations, they risk being subjected to legal challenge (including enforcement action by the Commission), as well as potential damage to their reputation.

The report not only looks at compliance with this specific duty, but it also sets out what good practice looks like. The report concludes with a number of recommendations for public authorities on how to improve their performance. The findings in the report should enable public authorities to learn from each other and to improve the quality, extent and clarity of the equality information that they produce and publish, in order to improve equality outcomes.

This report will be followed by a further report on how public authorities are performing on the specific duty to publish equality objectives.

2. The public sector equality duty

The public sector equality duty requires public authorities to consider equality implications in all they do and it is meant to be proactive. Its remit is very broad, including decision-making, policy development, budget setting, procurement, service delivery and employment functions.

The public sector equality duty applies to approximately 40,000 public authorities across Great Britain. It is made up of a general equality duty and specific duties. In summary, the general equality duty requires public authorities in all their functions to have due regard to the need to:

- eliminate discrimination and harassment
- advance equality of opportunity, and
- foster good relations.

The specific duties are supportive steps intended to improve performance on the general equality duty. These are different for Scotland, Wales and England.

In summary, a listed authority in England is required to:

- publish information to demonstrate compliance with the general duty. This information must include, in particular, information relating to people who share a protected characteristic who are its employees and people affected by its policies and practices[2]
- prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general duty.

3. Conclusions

The findings from this assessment show that just one in two public authorities were meeting the requirement to publish equality information on their workforce and

---

[2] Public authorities with fewer than 150 employees are exempt from the requirement to publish information on their employees.

service users in April 2012. Many more (78%) were partially meeting the requirement by publishing information on either their staff or their service users. Aspects of good practice are evident within all sectors and types of public authority and this demonstrates that all public authorities should be able to publish equality on both their workforce and on their service users in the short term.

With regard to publishing information on both staff and service users, probation services (71%) and police forces (69%) performed particularly well. National organisations (25%) and NHS service commissioners (36%) were the worst performers. There was also significant variation in different parts of the public sector. Within government departments, for example, there was a clear demarcation between the larger and smaller departments, suggesting that size and resources may play an important role in whether and how much equality information is published. However, there are many smaller organisations that buck this trend and positively demonstrate what is possible.

At the time of our assessment, 6 % of the assessed public authorities (72 in total) had failed to comply with the specify duty to publish equality information; that is, they had published no equality information at all. We have since reviewed these assessments, and found that a number of authorities are still not acting in accordance with their legal obligations.

The Commission is writing to these authorities in order to inform them of our findings, and to ask them to confirm what steps they will be taking to achieve compliance with the specific duty.   If an authority does not take action within a specified period of time, the Commission will consider using its formal legal powers to secure co-operation.

This report, including the featured cases studies, shows how authorities can identify opportunities to better advance equality, and mitigate equality challenges more effectively by going beyond the minimum requirements of the law and by adopting a best practice approach. In order to do this, equality information should:

- be available online and be up-to-date

- be easy to find, clearly linked together and ideally available in one place

- cover both potential and actual service users

- provide information for all the core functions of the organisation

- set out the information, using facts and figures supported by a clear narrative

- cover each of the protected characteristics. Information gaps should be acknowledged, with an indication as to how and when these will be addressed

- include evidence of how impact on equality is assessed, particularly with regard to the most relevant functions and policies

- be accessible to everyone and available in relevant alternative formats and ideally in alternative languages, where required.

4. Recommendations

The Commission recommends that, in order to adopt a best practice approach which makes transparency an integral part of their business, all listed public authorities should:

- review the findings in this report and take steps to publish their equality information in line with the above best practice criteria

- consider how their own performance compares with the performance of other authorities in their sector and identify areas where they have not collected, used or published equality information, but where other authorities in their own sector are doing so

- consider where it would be proportionate to improve their equality data collection, and over what timescale, with a view to increasing transparency and to making informed decisions

- engage with staff and service users about the usefulness of their published equality information, and where any improvements can be made

- put in place clear plans to address any identified shortcomings, as quickly as possible

- review the case studies included in this report and any available on the Commission's website

- remember that meeting the specific duty is not an end in itself, but a means to improve performance on the general equality duty.

5. Summary of findings

Published information

Overall, 50% of the listed public authorities in England that we assessed had published equality information on both their staff and service users for 2011/12. Whilst this indicates that only one in two public authorities had met the requirements of the specific duty regulations, it is important to note that there is huge variation between different sectors and types of public authorities. For example, 71% of probation trusts published information on both staff and service users, in comparison to just 25% of national organisations.

The vast majority of public authorities however (78%) have taken some steps to meet the requirement to publish equality information by publishing information on either their staff or service users for 2011/12. For example, 90% of police forces and 87% of NHS service providers published information on their staff or on their service users.

Public authorities were more likely to publish information on employment (72%) than on service users (56%). This is likely to be because public authorities are more experienced in collecting information on the protected characteristics of their staff as they routinely collect this from the point of recruitment. In comparison, some public authorities are only just beginning to put in place mechanisms to capture equality information about the people who use their services.

Just 6% of authorities had published no equality information at all on their websites. 16% of authorities had published equality information that is either undated, or dated prior to the introduction of the equality duty. The worst performers were national organisations, with 35% having published no information at all. In comparison, just 1% of local authorities and NHS service commissioners were found to have published no equality information.

It is notable that many public authorities have continued to publish and update their equality information after the deadline of 31 January 2012. It is therefore likely that further information relating to equality will now be available to stakeholders.

Information on the protected characteristics

With regard to the protected characteristics of their staff:

- the majority (86%) published information on race, gender and on disability, as well as on age
- just over half (56%) had also published information that included religion or belief, or sexual orientation
- significantly fewer (14%) also had information on pregnancy and maternity and/or gender reassignment.

This is very similar to the information published on the protected characteristics of their service users:

- most public authorities had published information on race, gender and disability (60% and 65% respectively for potential and actual service users)
- very few had published information that included gender reassignment and/or pregnancy and maternity (12% and 7% respectively for potential and actual service users).

Staff information

For organisations with at least 150 staff, it is mandatory to publish at least some equality information about their employees. By recognising and addressing gaps in information, public authorities can gain a better understanding of their staff profile and identify their greatest equality challenges. Significant variation in the extent of published staff information was noted, as well as some promising developments.

- Three-quarters of public authorities published additional information beyond just the protected characteristics of their staff. Examples of this include information

9

on pay gaps or on recruitment. Some public authorities disaggregated their employment information by grade and service or by function.

- Some public authorities analysed their employment information according to more than one protected characteristic (e.g. by age and by gender).

- A small number of organisations sought to compare the representativeness of their staff profile with other comparable organisations in their region.

- Just over one in four (28%) public authorities identified gaps in their information and just one in two of these had plans in place to address these. Probation trusts performed better than any other sector in both recognising gaps (47%) and in having plans to address those gaps (69%).

- More than three-quarters of NHS Service providers and commissioners published information on religion or belief and on sexual orientation. Even in the worst performing sectors (colleges and universities) approaching a third have published this information.

Service user information

Collating and publishing equality information on current and potential service users will give those who plan services a better understanding of potential outcomes for individuals. It also promotes transparency for the benefit of service users, enabling them to hold authorities to account for their performance on equality.

Public authorities published the following information on their service users:

- Over half (56%) of public authorities had published information on either their potential or actual service users, but only a quarter (23%) had published information on both.

- More authorities (44%) had published information on their potential service users than on their actual service users (36%).

- Under half of those who published information (47%) disaggregated the equality data by service area (e.g. for inpatients or outpatients in a hospital).

- Almost one in two public authorities published no information on religion or belief and two-thirds had no information on the sexual orientation of their potential

service users. The difference was even starker in relation to actual service users, with almost two-thirds having published no information on religion or belief, and about three-quarters having published no information on sexual orientation.

- Overall, just 13% of organisations acknowledged having gaps in their equality information, and one in two of these had plans to address the gaps. Probation services (41%) were again most likely to recognise having gaps, whilst Local Authorities were the least likely (4%).

Assessing impact on equality

The rationale for the requirement to publish equality information is to demonstrate compliance with the general duty. Public authorities need to collect and use equality information to inform their decision-making and to monitor the impact on equality of their activities on staff and service users. This is why it is so important that they have relevant information on the protected characteristics of the people they employ as well as on those who use their services. In terms of demonstrating how they assess the impact on equality of their activities, it was found that:

- overall, 32% of public authorities provided some evidence online that they are assessing the impact of their activities on equality. This ranged from 50% of Local Authorities to just 10% of colleges.

- the majority of this evidence (76%) covered race, gender, disability, age, religion or belief, or sexual orientation

- the evidence published by just over one in five authorities (22%), however, did not cite any particular protected characteristics.

In terms of the last finding, it is important to note that although the general equality duty or the specific duties (for England) do not specify **how** public authorities should assess the impact of their work on equality, it is good practice to clearly list the different protected characteristics within the approach that is used in order to ensure that none of the characteristics are overlooked.

Accessibility

Publishing equality information must be done in a manner than is 'accessible to the public'. Accessibility also facilitates transparency for the organisation. When it came to finding equality information:

- a large majority (92%) had an equality section on their website and most public authorities (90%) used this as a means for publishing their equality information
- a small minority (2%) published the information only within larger reports, such as annual reports or business plans.

Clarity

Providing a narrative alongside data and other equality information helps make the information more accessible and can set it in context. In terms of clarity, it was evident that:

- a majority (69%) of public authorities have used some supporting narrative to explain their workforce equality information
- just over half (51%) of public authorities have provided some narrative to explain their equality information on (actual or potential) service users.

Formats

In order for information to be fully accessible to all members of society, provision of alternative formats needs to be considered. In terms of alternative formats, it was apparent that:

- the majority of public authorities (66%) in all sectors provide members of the public with a way to get documents, (including equality information), in a variety of formats (including audio and Braille)
- slightly fewer authorities (59%) provide a way for members of the public to get documents in other languages.

Chapter 1: Introduction

This report sets out the findings of an assessment of the performance of public authorities on the specific duty to publish equality information. It will inform, and be followed by an assessment of, how public authorities are performing on the specific duty to publish equality objectives.

The assessment was undertaken between February and April 2012. It explored how public authorities in England performed with regard to the specific duty to publish equality information in the first year of implementation. The deadline for meeting this specific duty was 31 January 2012 for all listed public authorities (except schools, who were given a deadline of 6 April 2012). The performance of schools is therefore not included in this report.

This chapter provides an introduction to the equality duty and to equality information. It explains the aims of the assessment and the approach taken. It sets out the target audience and structure of the report.

1.1 The public sector equality duty

The Equality Act 2010 (the Act) replaced the race, disability and gender equality duties with the public sector equality duty (the equality duty or the duty) on 5 April 2011. The equality duty covers nine protected characteristics and these are set out in the Act.[3] The equality duty applies to over 40,000 public authorities across Great Britain and relates to everything they do, including their decision-making, policy development, budget setting, procurement, service delivery and employment functions.

---

[3] The protected characteristics are race, disability, sex, age, religion or belief, sexual orientation, gender re-assignment, pregnancy and maternity and marriage or civil partnership discrimination (the last characteristic applying only to discrimination in the workplace).

The equality duty is made up of a general equality duty and specific duties.[4] The general equality duty requires public authorities in all their functions to have due regard to the need to:

- eliminate discrimination and harassment
- advance equality of opportunity, and
- foster good relations.

These are known as the three aims of the general equality duty. The specific duties are supportive steps intended to improve performance on the general equality duty. They are set out in separate regulations which are different for England, Scotland and Wales. [5] Listed public authorities in England are required to:

- publish information to demonstrate compliance with the general duty. This information must include, in particular, information relating to people who share a protected characteristic who are its employees and people affected by its policies and practices. Public authorities with fewer than 150 employees are exempt from the requirement to publish information on their employees
- prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general equality duty.

This report provides an assessment of how public authorities have responded to the specific duty to publish equality information. It describes the key findings and explains what this means for public authorities going forward. The report highlights similarities and differences within or between different sectors and types of public authority, and it includes some useful case studies.

---

[4] The general duty is set out in s.149 of the Act. The specific duties, including the list of organisations to which these apply, are set out in the Equality Act 2010 (Specific Duties) Regulations 2011.
[5] Schedule 1 of the Equality Act 2010 (Specific Duties) Regulations 2011 lists the public authorities in England which are subject to the specific duties.
For the Specific Duty regulations in England, please go to:
http://www.legislation.gov.uk/uksi/2011/2260/contents/made
For Wales: http://www.legislation.gov.uk/wsi/2011/1064/contents/made
For Scotland: http://www.legislation.gov.uk/sdsi/2012/9780111016718/contents

1.2 Equality information

The requirement to publish equality information must be met at least annually. This should help to ensure that the information published is up-to-date and relevant. The benefits to public authorities of collecting, using and publishing robust equality information include:

- helping them to identify their greatest equality challenges so that these inequalities can be addressed
- having relevant data to enable decision-makers to fully understand how their policies and decisions impact on people with different protected characteristic, including outcomes for individuals
- finding ways to mitigate any adverse impact identified
- maximising opportunities for advancing equality and fostering good relations
- enabling them to set equality objectives based on robust evidence of the key challenges for their staff and service users, and
- having baseline data available for measuring progress in delivering equality objectives, so improving outcomes for individuals with protected characteristics.

The benefits to employees and service users include:

- greater transparency about a public authority's equality performance with regard to employment and service delivery
- helping them to understand the rationale behind difficult decisions being taken by public authorities
- enabling them to hold a public authority to account for its performance on equality.

The regulations state that the information must be published in a manner that is accessible to the public. The Commission issued guidance to help public authorities decide what equality information they need to publish. This can be accessed at: http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/

1.3 Aims of the assessment

The aims of the assessment were to:

- identify whether equality information could be found and how accessible the information was
- determine how comprehensive the published equality information was
- establish whether there were differences in performance and/or approach among public authorities and sectors
- identify and disseminate examples of effective approaches and practice.

1.4 Coverage

The number of authorities in England covered by the specific duties is over 1,600.[6] In total, 1159 assessments were conducted, covering the following sectors and types of public authority:

- police forces (All – 39)
- probation Trusts (All – 34)
- universities (All – 130)
- colleges (115 of 345)
- Local Authorities (All – 353)
- health and social care service providers (All –258)
- NHS service commissioners (All – 144)
- listed national organisations in the Regulations 2011[7] (All – 40)
- government departments (All – 46).

For the full list of the organisations assessed, see Appendix 2.

1.5 How the assessments were undertaken

Assessments were conducted between mid-February and mid-April 2012.

Assessors spent up to 45 minutes per assessment and their findings were checked

---

[6] Schools are covered in Schedule 2 and were therefore excluded from our monitoring exercise due to their later publication deadline.
[7] The 40 organisations that are categorised in this report as national organisations are all public bodies. They cover a wide range of functions from sector-based regulators and inspectorates through to broadcasters in respect to their public functions. For the full list of organisations included in this category, please refer to Appendix 2.

to ensure quality and consistency, and to make sure that the evidence base was robust.

As stated above, the regulations require public authorities to publish their information 'in a manner that is accessible to the public'. The purpose of this is to enable the public to take steps to hold public authorities to account. The view was taken that if the equality information could not be found on a website within 10 minutes, then the information could not be considered to be accessible. This is because it was not considered to be reasonable for members of the public to be expected to spend longer than this searching for information.[8] If no relevant equality information could be found after 10 minutes of searching, assessors did not look any further.

The purpose of publishing equality information is to demonstrate compliance with the general equality duty. As the general equality duty only came into force in April 2011, documents that were published before 2011 (or documents that are undated) were not taken into account. Furthermore, because each public authority listed in the regulations is required to publish information to demonstrate their own compliance with the general equality duty, any information that was published by a group of listed authorities which did not differentiate data for different authorities (e.g. information published for a PCT cluster) was not considered. This is because without differentiated data, it is not possible to assess the performance of individual authorities.

A three step approach was taken:

1. When an equality/diversity section was found on an authority's website, the assessment considered the equality information which could be accessed from it directly (on the page) or indirectly (links provided to other sections of the website or to another website – e.g. a PCT cluster website).

---

[8] Evidence submitted to the Public Affairs Committee (2012) in relation to the Transparency Agenda, records that four-fifths of people going to the data.gov.uk website quickly abandon their search because of failings with the website and the way information is presented. This was provided as an example of the need for information to be clearly signposted and easily found.

2. When no equality/diversity section was found and the website had a 'search' facility, a list of key words was used to find out whether the authority had signposted and published equality information elsewhere on its website (see the list of key words in Appendix 1 – assessment template, question B5).

3. When no equality information was found, three types of documents were considered: annual reports, strategic or business plans, and/or other equality documents (such as an equality scheme or equality strategy).

Information was gathered about the availability of equality information in alternative formats and languages. This included assessing websites to establish whether they had an accessibility function (i.e. where the font size or colour of the text can be changed on the website) and whether they had an accessibility page which explains whether documents are available in other formats or languages. It also involved checking whether the equality section (or relevant equality documents) could be made available in other formats or languages.

Listed authorities with 150 or more staff are required to publish information on the protected characteristics of their staff. Information was therefore gathered about the number of staff employed by each of the authorities assessed. This information could be found in 96% of cases. In most cases (94%) the public authorities employed 150 or more staff. As a result, the findings in this report are presented as if all authorities were required to publish equality information on their staff, unless specified otherwise.[9]

1.6 Target audience and structure of the report

This report enables:

- listed public authorities to see how their organisation is performing relative to others in their sector and how their sector is performing relative to others
- service users and employees of public authorities to see how their authority is performing and to identify what the Commission considers to be good practice.

---

[9] Government departments were an exception to this, with 14 of the 46 having fewer than 150 staff. Therefore the assessment specifically looked at the performance of departments in relation to whether they had 150 or more staff.

The report includes case studies from a range of sectors or types of public authority.

- Chapter 1 (this chapter) gives an introduction to the assessment and it includes the aims of the assessment, and the approach taken.
- Chapter 2 compares how different sectors have performed.
- Chapter 3 provides bench-marking data for each sector, as well as examples of promising approaches and practice in that sector. It contains key differences between and within sectors.
- Chapter 4 sets out some broad conclusions, some best practice criteria and some recommendations for public authorities.

1.7 A note on terminology

The following terms have been used in the report:

- 'older [protected] characteristics' to refer to the characteristics covered by the former equality duties (race, gender and disability)
- 'newer [protected] characteristics' to refer to the additional characteristics also covered by the public sector equality duty (age, religion or belief, sexual orientation, gender reassignment in full[10] and pregnancy and maternity)[11]
- 'actual service users' to describe those people who are (or have been) directly affected by an authority's services or functions (and hence their policies and practices)
- 'potential service users' to describe actual service users as well as those who might use (or be affected by) an authority's policies and practices in the future. For example, people living within the boundaries of a local authority who use its services as well as those who do not, but who might need to in the future
- 'sectors' to describe the broad areas of work undertaken by an authority. There may be a range of different types of organisation within a sector. For example, by 'national organisations' we refer to a wide range of organisations which work at a

---

[10] Gender reassignment was covered to a limited extent by the Gender Equality Duty. The Equality Act 2010 recognises it as a 'relevant protected characteristic' for the purposes of the general equality duty in s.149.
[11] The requirement to publish information in particular in relation to employees and other people affected by its policies and practices does not cover marriage and civil partnership.

19

national level across England. See Appendix 2 for further information.

Chapter 2: Main findings

This chapter gives an overview of the equality information that was published by public authorities. This includes what was published and how it was published. The chapter starts with a broad overview of the different types of information found (2.1). It then looks in more detail at the nature and extent of equality information published by public authorities on their workforce (2.2), their service users (2.3) and how they are using this information to assess the impact of their functions on equality (2.4). The final section of the chapter (2.5) looks at how accessible the published information was.

2.1 Type of information published

The assessment found that 50% of public authorities had fully responded to the specific duty requirement to publish equality information in respect to their staff **and** service users. Significantly more public authorities (78%) had partially responded to the equality duty and published equality information **either** on their staff or on their service users for 2011/12. A minority of public authorities (22%) appear to have published either no equality information, information that was undated, or information that pre-dated the 2011 introduction of the equality duty.

Looking more closely at the different sectors, it is clear that substantial numbers of authorities in all sectors have managed to publish partial information. Indeed, at least one in three public authorities in all sectors have published some equality data on service users and over half have published some on staff. **There are pockets of effective practice in all sectors,** and case studies are given as examples of these in Chapter 3.

Probation Trusts (71%) and police forces (69%) stand out as the sectors with the highest proportion of organisations that have published equality information on service users **and** on staff, as they are required to do under the specific duty. Police forces and NHS service providers have the highest proportion of authorities that

have partially met the requirements, with 90% and 87% respectively publishing information on staff or on service users.

Local authorities, NHS commissioners and national organisations tend to be more involved in commissioning or procuring services than other sectors. This might explain why lower proportions in these sectors have published equality information on actual service users. However, only half of local authorities (51%) and NHS commissioners (43%) and one quarter (23%) of listed national organisations published equality information on potential service users, despite the fact that many need to consider overall potential demand for their services in order to perform their functions. Without information on actual and potential service users it will be difficult for organisations providing services (and for those that commission services) to ensure that they are adequately recognising and meeting the needs of different service users. It will also be difficult to plan for future demand.

Table 1: Authorities publishing equality information (% of sector)

Sector	Either no equality information found or information was pre-2011 or undated	Only staff information for 2011/12	Only actual or potential service users information for 2011/12	Both staff and potential or actual service users information dated 2011/12
	%	%	%	%
Police forces	10	18	3	69
NHS service providers	13	25	3	60
Local authorities	21	25	8	46
NHS service commissioners	22	32	10	36
Probation trusts	26	3	0	71

Universities	31	12	5	52
Colleges	36	4	8	52
National organisations	38	30	8	25
Total	22	21	6	50

Table 2 (below) provides comparative information for government departments. It shows that their performance was similar to that of other sectors. The table includes an extra column to indicate where additional information was found (i.e. beyond information about the protected characteristics of staff or service users).[12]

- There was significant variation in the performance of different departments, with the larger Whitehall departments being more likely to publish equality information, and more comprehensive information, than many of the smaller ministerial offices and non-ministerial departments.

- Each of the 16 large Whitehall departments published some equality information for 2011/12. This compares to 14 of the 21 non-ministerial departments and six out of the nine smaller ministerial departments and offices.[13] The large government departments performed relatively well in comparison to the average for all other sectors (63% compared to 50%) with respect to publishing information on their staff **and** service users.

All nine of the smaller government departments had fewer than 150 staff and were therefore not required to publish employment information. However, they were required to publish service delivery information, and four had done so. Only 44% of the 16 non-ministerial departments with more than 150 staff published information on both staff **and** service users. However, 67% had published some equality

---

[12] Given the relatively small number of government departments and their strategic role and influence, we undertook an additional qualitative analysis of this sector. This included looking at whether departments were also publishing information on their executive agencies and/or those organisations/sectors within their sphere of influence. This is captured by the sixth column and several departments were found to have only published this type of information and nothing in respect to their own workforce or the services they provide.

[13] 'Smaller ministerial departments and offices' mean those which have less than 150 staff and are therefore not required by the specific duty regulations to publish employment information.

23

information for 2011/12, and this rises to 78% when looking at the average for all government departments. This is exactly the same average as for all other sectors.

Table 2: Government departments publishing equality information (%)

Sector	Either no equality information found or info pre-2011 or undated	Only staff information for 2011/12	Only actual or potential service users information for 2011/12	Both staff and potential or actual service users information dated 2011/12	Other equality information found (where no staff or service delivery information found)	Total	
	%	%	%	%	%	%	Number of authorities
Average for all other sectors (not including those below)	22	21	6	50	NA	100	1113
Large government departments	0	19	13	63	6	100	16
Small government departments	33	22	22	22	0	100	9
Non-ministerial departments	33	19	10	33	5	100	21
All	22	20	13	41	4	100	46

departments combined							

2.2 Employment Information

Information published

In this section, more detail is set out about the equality information published in relation to employment. In particular, whether it was accompanied by a supporting narrative to help readers to understand it more easily. This section evaluates how many public authorities had published information on the protected characteristics of their staff, how many had acknowledged gaps and how many had put in place plans to address the gaps.

Overall, a key finding was that public authorities in all sectors were more likely to publish equality information on their workforce (72%) rather than on their service users (56%). This is likely to be because public authorities are more experienced in collecting information on the protected characteristics of their staff as they routinely collect this from the point of recruitment. In comparison, some public authorities are only just beginning to put in place mechanisms to capture equality information about the people who use their services. Some authorities included a breakdown of different types of workforce information, and this information was evident in 75% of cases. This approach is good practice for public authorities as it provides a fuller picture of the diversity of their staff. The assessment found useful examples of staff information on various services, grades or functions which were disaggregated according to the different protected characteristics.

Table 3 (below) illustrates a clear trend, with most organisations providing information on the older characteristics of disability, race and gender of their staff (91%). Most of the published information also includes the age profile of staff (86%), followed by either religion or belief, or sexual orientation (56%), and in only a small number of cases either pregnancy and maternity or gender reassignment (14%). Despite the lower levels of information on the newer characteristics, a significant number of authorities have in fact been able to publish information on the newer

protected characteristics. This suggests that other public authorities should be able to replicate this performance in the short term. 75-80% of NHS service providers and commissioners had published information on religion or belief and on sexual orientation. Even in the worst performing sectors (colleges and universities), almost a third of authorities had published information of this nature on their staff. Government departments performed slightly better than the average for other sectors in terms of publishing staff data (75%, compared to 72% for all other sectors).[14] Four out of the nine smaller departments that were not required to publish employment information had done so, which demonstrates that smaller organisations are able to collect this information.

Table 3: Publication of staff information on the protected characteristics (% of sector)

Sector	Some protected characteristics			Race, gender, disability, age, plus either religion or belief or sexual orientation and either gender reassignment or pregnancy and maternity
	Race, gender, disability	Race, gender, disability and age	Race, gender, disability, age, plus either religion or belief or sexual orientation	
NHS service commissioners	88	85	76	9
NHS service providers	90	88	74	20
National organisations	86	77	55	27
Probation Trusts	96	84	52	8
Local authorities	93	86	47	15
Police forces	85	68	47	15

---

[14] Note this is the average for all government departments with 150 or more staff, ie those required to publish this information. The average for all government departments was 61%.

Colleges	94	85	34	8
Universities	96	90	31	10
All (not including government departments)	91	86	56	14
Government departments	93	68	46	11

Gaps in information

Acknowledging gaps in information and identifying plans to address those gaps is another indicator of how comprehensive the published equality information is. It can also help public authorities to communicate clearly where and how they intend to improve their equality information.

Despite the considerable lack of published data on some of the newer protected characteristics, only a relatively small number of authorities identified information gaps which prevented them from publishing this information. About one in four public authorities did so in relation to staff information. Not surprisingly, most of the identified gaps are in relation to religion or belief, sexual orientation and gender reassignment. Pregnancy and maternity were overlooked by the vast majority of authorities, despite the fact that they are likely to hold relevant data for their staff in relation to pregnancy and in relation to maternity leave. A small number of authorities have identified gaps in information without being specific about which protected characteristics they relate to. Of those who have acknowledged on their websites that they have information gaps, only about half have indicated plans to address them.

Publically identifying an information gap on a website enables a public authority to communicate clearly where it needs to improve its equality information. This should be accompanied by information about how and when the gaps will be filled. This is both transparent and accountable.

The performance of government departments is markedly below the average for most other sectors, with respect to recognising gaps and having plans in place to

address them. In comparison, probation trusts were more likely than other sectors to have published this information.

Table 4: Recognition of gaps in equality information on staff, and plans to address them (%)

Sector	Gap recognised (% of authorities in each sector who have published information)	Plans to address gap (% of authorities in each sector who have recognised gap)
Probation trusts	47	69
NHS service providers	35	49
National organisations	33	46
Universities	32	63
NHS service commissioners	27	51
Local authorities	23	49
Police forces	21	63
Colleges	16	50
All (not including government departments)	28	53
Government departments	24	45

Narrative

The assessment looked at whether the workforce information was accompanied by a supporting narrative to explain what the information meant, where patterns may be evident and what action the authority intends to take as a result of the information. Table 5 (below) shows that the majority of public authorities that published information on their workforce also published some kind of supporting narrative to explain what it meant. This ranged from 86% of national organisations to 61% of government departments.

Providing a narrative with the equality information helps:

28

- authorities to present and explain quantitative information in a way that is more accessible to the public
- members of the public, staff and other interested parties to understand how authorities have identified actions to improve their equality performances.

Table 5: Provision of a narrative with equality information (%)

Sector	% of authorities publishing staff information that included a narrative
National organisations	86
Probation trusts	80
Universities	73
Police forces	71
Colleges	71
NHS service providers	70
NHS service commissioners	70
Local authorities	64
All (excluding government departments)	69
Government departments	61

2.3 Service delivery information

Information published

In this section, the report looks at the equality information that was published by public authorities on their service users. It explores how many public authorities had published information on their actual service users and/or on the wider population in the area that they cover (i.e. their potential service users). It looks at how comprehensive the information was, and whether or not it was accompanied by a supporting narrative.

Table 6 (below) shows the percentage of authorities that published information on their service users (potential and actual). There is significant variation in

performance between sectors. The sectors that published the most information on their service users were police forces (72%), probation trusts (71%) and NHS service providers (62%). These are the same three sectors that published the most equality information on their staff. On the other hand, the proportion of national organisations publishing equality information on service users was very low compared to the average for all other sectors (33% compared to 56%). This sector also performed poorly (compared to other sectors) in terms of publishing staff information.

An equivalent number of government departments published information on either their potential or actual service users (54% compared to 56% for all other sectors). However, fewer government departments published information on potential service users (26%) compared to the average for all other sectors (44%).

In terms of the overall figures, more organisations (44%) published information on their potential service users rather than on their actual service users (36%).

However, when looking across the different sectors, the majority of sectors were in fact more likely to have published information on their actual service users. The difference between the overall figures and the findings for individual sectors is particularly due to a variation in performance between Local Authorities and NHS service commissioners, as these two sectors were much less likely to publish information on their actual service users.

Table 6: Publication of service user information (% of sector)

Sector	Service users		
	Potential	Actual	Either
Police forces	38	59	72
Probation Trusts	56	65	71
NHS service providers	48	46	62
Colleges	33	54	60
Universities	30	50	57

Local authorities	51	20	54
NHS service commissioners	43	19	46
National organisations	23	30	33
All (not including government departments)	44	36	56
All government departments	26	52	54

Protected characteristics

Table 7 (below) provides a summary of whether the different protected characteristics were included in the service user information published by different sectors. For the authorities that had published equality information, it was clear that most had published information on race, disability and gender. This is not surprising as these protected characteristics were covered by previous equality duties so public authorities are more experienced in collecting and reporting on these areas. Many authorities had also published information on age. This is also not surprising as information about the age of both staff and service users is usually routinely collected by public authorities. Significantly fewer authorities had published information on the protected characteristics of either sexual orientation or religion or belief. Very few had published information on gender reassignment, or on pregnancy and maternity.

With regard to service users, some sectors were more likely to have published information on the newer characteristics. For example, almost nine out of 10 police forces publishing equality information on actual service users have done so for religion or belief and for sexual orientation, and two-thirds of them have done so for gender reassignment. On the other hand, colleges and universities were the least likely to have published equality information on religion or belief or on sexual orientation. This is the case for both potential and actual service users, and this information was not found in 85-95% of cases.

In the case of police forces, information about the newer characteristics is more likely to be available for publication as this information is routinely collected when

31

recording incidences of hate crime and this therefore enables police forces to better recognise, record and respond to these crimes. Having data that can be broken down by different types of hate crime enables each force to track whether crime trends are getting better or worse, and whether or not the police response is equally effective across each crime type. Publishing this information helps the police to demonstrate how they are performing, and which actions might need to be prioritised.

In order to be better able to understand the impact of their activities on people with the different protected characteristics, all public authorities should consider what steps they can take to improve their data collection on the newer characteristics. It may be that they first need to develop more trust and understanding on this matter among staff and stakeholders by explaining why the information is collected, how it is used, and how confidentiality is maintained.

Table 7: Published information on protected characteristics of service users (% of sector)

Sector	Actual service users				Potential service users			
	Some protected characteristics			Race, disability gender and age plus either religion or belief or sexual orientation, plus either gender reassign ment or	Some protected characteristics			Race, disability, gender, age plus either religion or belief or sexual orientation, plus either gender reassignm ent or pregnancy or
	Race, disabili ty and gender	Race, gender disabilit y and age	Race, gender disabilit y and age plus either religion or belief or sexual orientati on		Race disabilit y and gender	Race, gender disabili ty and age	Race, gender, disabilit y and age plus either religion or belief or sexual orientati on	

				pregnancy and maternity				maternity
Police forces	70	61	61	48	53	40	40	27
Local authorities	65	59	38	6	70	68	57	18
NHS commissioners	67	59	37	22	60	58	44	18
NHS providers	40	39	31	3	48	44	31	6
National organisation	58	50	25	8	56	56	44	22
Probation Trusts	82	73	23	0	53	42	5	0
Colleges	82	65	13	2	47	37	5	3
Universities	88	71	11	3	69	49	8	5
All (not including goverment departments)	65	57	27	7	60	55	38	12
Government departments	57	52	38	5	42	33	25	0

Table 8 (below) provides a comparative breakdown of the frequency with which public authorities published information on the different protected characteristics within their employment and service user information.[15]

Nearly half of public authorities have published no information on religion or belief or on the sexual orientation of their staff. The information gap increases when it comes to information on potential service users, with almost one in two public authorities publishing no information on religion or belief and two-thirds publishing no information on the sexual orientation of their potential service users. This difference is starkest when relating to actual service users, with almost two-thirds having no information on religion or belief, and about three-quarters having no information on sexual orientation.

Despite the gaps, it seems that, overall, a significant number of public authorities in a range of sectors have been able to publish information on the newer characteristics. This indicates that others should be able to replicate this effort in the short term.

Table 8: Published information on protected characteristics

Staff		Potential service users %		Actual service users %	
Race	98	Race	90	Race	91
Gender	98	Age	78	Gender	89
Disability	93	Gender	76	Age	81
Age	92	Disability	67	Disability	75
Religion or belief	56	Religion or belief	47	Religion or belief	37
Sexual orientation	56	Sexual orientation	33	Sexual orientation	26
Pregnancy or maternity	13	Gender reassignment	11	Gender reassignment	7

---

[15] The percentages relate to authorities providing any data for 2011 or 2012 on staff/service users, so it excludes 28% of authorities that did not publish any workforce information and the 44% that did not publish service user information.

Gender reassignment	8	Pregnancy/maternity	7	Pregnancy/maternity	6

Gaps in information

Public authorities were less likely to acknowledge gaps in their service user information (13%), in comparison to their workforce information (28%). Half of the public authorities that acknowledged gaps in their service user and workforce information had set out plans to address them.

Case study: Staffordshire and West Midlands Probation Trust

The Trust currently only collects information on the gender, race, age and disability profile of offenders. It has identified that there are gaps in information in relation to sexual orientation, religion or belief and gender reassignment. In order to fill those gaps, the Trust has updated its diversity monitoring form to include those protected characteristics, and it anticipates being able to report on them in subsequent reports.

See Public Sector Equality Duty Reporting at: www.swmprobation.gov.uk/?page_id=158

Table 9: Recognition of gaps in equality information on potential or actual service users and plans to address them (% of sector)

Sector	Gap recognised (% of authorities in each sector who have published information)	Plans to address gap (% of authorities in each sector who have recognised gap)
Probation Trusts	41	50
NHS service providers	22	56
Universities	19	36
Police forces	15	50
Colleges	14	63
National organisations	13	80

NHS service commissioners	8	55
Local authorities	4	20
All (not including government departments)	13	50
Government departments	9	75

Information on particular services

As shown in table 10 (below), several authorities have published equality information on their service users for at least one particular function or service. Police forces (87%), local authorities (64%), national organisations (50%) and the health and social care sector (NHS service commissioners 52% and providers 48%) are most likely to have done this. Government departments performed relatively well, with 71% publishing some information in this respect.

By publishing information on the extent to which people with different protected characteristics use their services, a public authority will be better able to monitor how effective their services are, whether the services are operating as intended, and whether there are any problems that need to be addressed. Publishing this information is an important part of being more transparent and it should enable public authorities to better communicate how they are identifying and tackling entrenched inequalities over time.

Case study: London Borough of Harrow

The London Borough of Harrow has published extensive information on its general population, as well as on its actual service users. The information published on the population profile of Harrow is disaggregated by all protected characteristics, except for gender reassignment and pregnancy and maternity. The information on actual service users is disaggregated by services/functions and it covers different characteristics in each case.

Although there are some gaps, publishing this range of data on its general population and on its actual service users has helped the council to define

specific and measurable equality objectives and several of its measures of success. For example:

- we will increase Tenant, Leaseholder and Resident satisfaction with the outcome of anti-social behaviour cases from 75% in 2011 to 80% by 2014
- we will increase the proportion of users who say that their cultural and religious needs are being met to above 86%, by March 2013
- we will increase the % of people who believe people from different backgrounds get on well together in their local area (in 2009/10 we scored 78%, which was around the median of all London boroughs).

Table 10: Authorities publishing information on different service areas (%)

Sector	% of authorities publishing service information that published information on different service areas
Police	87
Local authorities	64
NHS service commissioners	52
National organisations	50
NHS service providers	48
Probation Trusts	41
Universities	35
Colleges	24
All	47
Government departments	71

Narrative

The equality information (and the benefits in terms of transparency and communication) can be further enhanced if public authorities provide a clear supporting narrative which explains to the lay reader what the published equality

information means, and what action the public authority intends to take to address any equality issues identified.

Table 11 (below) looks at the percentage of public authorities that had published equality information on service users and staff that had also published a supporting narrative. It shows a clear pattern, with some sectors being more likely to publish a narrative.

Of those authorities that have published data on their staff (69%), about two-thirds have included some form of narrative. Of those authorities that have published data on their service users (51%), about half have accompanied it with a narrative. Overall, these averages are slightly lowered by the fact that the larger sectors tend to feature towards the lower end of the scale, and the smaller sectors towards the top.

Table 11: Narrative accompanies equality information (% of sector)

% of those authorities with data on staff and on service users	Narrative provided on staff information	Narrative provided on service user information
National organisations	86	85
Probation Trusts	80	75
Universities	73	57
Police forces	71	68
Colleges	71	68
NHS service providers	70	61
NHS service commissioners	70	35
Local authorities	64	32
All (excluding government departments)	69	51
Government departments	61	48

2.4 Using equality information and assessing impact on equality

There is no prescribed process for public authorities to follow to assess the impact of their policies and practices on people with different protected characteristics. However – as explained in the Commission's guide, 'Meeting the equality duty in policy and decision-making' – the process needs to be guided by a number of key principles. One of these principles is to ensure that the process is based on robust evidence. A significant part of this evidence is the information that authorities gather and publish on their staff and service users. This guide is available at:

http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/

A third of public authorities have published online examples of how they have used equality information to inform their assessments of the impact of their activities on equality since 2011. Local authorities lead the way in this (50%), followed by close to a third of NHS service commissioners and police forces (31%) and a quarter of NHS service providers (27%) and national organisations (25%). Universities (18%) and colleges (10%) performed least well. Overall, the performance of government departments was very similar, with just over a quarter (28%) publishing such evidence. This ranged from 56% of the large Whitehall departments, down to 11% of the small ministerial departments and offices.

Many more authorities indicated that they have an approach to assessing impact on equality. The vast majority of these public authorities published information about their approach online. Of those authorities which have published an approach online in 2011 or 2012:

- most (80%) cover gender, age, disability, age, religion or belief and/or sexual orientation
- a slightly smaller proportion (65%) cover gender reassignment and/or pregnancy and maternity.[16]

---

[16] We do not provide a table on the protected characteristics covered within evidence of public authorities assessing the impact of their work on equality, but have included the salient points within the text.

The assessment found some public authorities did not cite any protected characteristics. This indicates that some of the protected characteristics might be overlooked when public authorities assess the impact of their activities on equality. Although the general equality duty or the specific duties (for England) do not set out explicit requirements for how authorities should assess the impact of their activities on equality, it is good practice for public authorities to clearly list the protected characteristics, so that staff undertaking this work do not overlook any groups. It is also important that any evidence that is presented to decision-makers about impact on equality should include information about the different protected characteristics, so that they are able to make fully informed decisions.

The table below (12) shows the percentage (column two) of public authorities that had published or indicated that they have a standardised approach for assessing the impact of their work on equality (30% overall). The column next to this is the percentage of those public authorities that have published this approach online (85%). The fourth column provides the overall percentage of public authorities that provided some evidence that they are assessing the impact of their work on equality in 2011/12 (32%). In some cases, evidence was apparent without the use of a standardised template, and this accounts for the fact that the percentage in column four is slightly higher than in column two.

Table 12: Using equality information to inform assessments of impact on equality (% of sector)

Sector or type of authority	Indication of approach		% that show evidence of equality information actually being used in an impact assessment process in 2011/12
	% of authorities indicating an approach or using a template	Of those indicating an approach or using a	

		template, the % showing it online	
Local authorities	36	100	50
Police forces	33	62	31
NHS service commissioners	31	86	31
NHS service providers	29	86	27
National organisations	30	75	25
Probation Trusts	35	58	24
Universities	35	49	18
Colleges	10	100	10
All (not including government departments)	30	85	32
Government departments	43	85	28

Equality information and equality objectives

The Commission's guide [Equality objectives and the equality duty](#) explains that equality objectives should ideally address the key equality challenges that were identified by an authority when publishing information on its staff and service users. Using equality information to determine equality objectives will also enable authorities to be more transparent and accountable about the process they followed to select their objectives. This guide is available at:

http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/]

The deadline to publish equality objectives was 6 April 2012, which was after this assessment had begun. It was, however, noted in the course of the assessment that a number of authorities had already published their equality objectives. In some cases, an explicit link had been made between their equality information (on their staff and/or service users) and their equality objectives. This demonstrated the

41

value of collecting and using equality data to inform the development of equality objectives.

2.5 Accessibility of equality information

The assessment looked at the accessibility of the published equality information in two ways. Firstly, in terms of where equality information was published, and how easy it was to find. Secondly, it assessed whether information was available or published in alternative formats and languages.

Where information was published

The vast majority of published equality information was easy to find, usually in an equality section (90%) or it was clearly signposted elsewhere (3% of all authorities). For 2% of authorities, the equality information was contained only within other reports, such as annual reports. Nearly all of the public authorities (92%) that have published some equality information (dated 2011 or 2012) have a distinct equality/diversity section on their website. However, national organisations stand out as a sector where only two-thirds of authorities had an equality section on their website.

One in every two government departments published their equality information on their website. This was significantly below the average for other sectors (90%). Government departments were significantly more likely than other sectors to publish their equality information within other reports (28%, compared to just 2% for other sectors).

Table 13: Where equality information was found (% of sector)

Sector	Equality information found			Equality information not found
	Equality section	Signposted	In other reports or documents	
Local authorities	96	2	0	1

NHS service providers	95	2	1	2
NHS service commissioners	93	1	6	1
Police forces	90	3	0	8
Colleges	80	5	1	14
Universities	79	5	6	10
Probation Trusts	71	6	3	21
National organisations	60	0	5	35
All (not including government departments)	90	3	2	6
Government departments	50	4	28	17

Formats

The majority of public authorities provided information on their website (including equality information) in a variety of formats (66%) and/or languages (59%). Formats include British Sign Language, Large Print, Audio, Braille or Easy Read. A relatively small proportion of public authorities appear to have alternative formats or languages already available online (3% and 5% respectively). However, these documents usually have to be requested, so it was not possible to quantify exactly how many public authorities were actually able to produce their equality information in alternative formats. Nevertheless, these findings are indicative of the arrangements made by different sectors to provide the information they produce in alternative formats.

It is clear that alternative formats are less commonly offered by colleges and universities (50% and 55% respectively), and that they are more common among NHS service commissioners and local authorities (74% respectively). Alternative languages are again less common among colleges and universities (32% and 26% respectively), but also among national organisations (38%). This contrasts with,

43

again, NHS service commissioners and local authorities (72% respectively) but also with police forces (69%).

Table 14: Alternative formats and languages available (% of sector)

Sector	Alternative formats available	Alternative languages available
Local authorities	74	72
NHS service commissioners	74	72
Police forces	69	69
Probation Trusts	68	56
NHS service providers	66	62
National organisations	55	38
Universities	55	26
Colleges	50	32
All (not including Government departments)	66	59
Government departments	70	37

2.6 Summary of findings

This chapter has set out the findings of how public authorities in England are responding to the requirement to publish equality information. Key points from this chapter are set out below.

1. The vast majority of public authorities have taken steps to publish some equality information. The assessment found that:

- 50% of public authorities had responded fully to the specific duty by publishing information dated 2011/12 on their workforce **and** on their service users.
- 78% of public authorities had responded in part to the specific duty and published **either** workforce or service delivery information.

- Public authorities were more likely to publish information on their workforce (72%) than on their actual or potential service users (56%).

2. The majority of public authorities publishing either workforce or service user information included information on the older characteristics of race, disability and gender. Age was the most frequently cited newer characteristic, followed by either sexual orientation or religion or belief. Only a minority had included information on either pregnancy or maternity, or on gender reassignment.

3. Only a minority of the organisations that had published equality information acknowledged having any information gaps about the protected characteristics of their workforce (28%) or their service users (13%). Approximately half of those that did so had plans to address those gaps.

4. Most public authorities that published equality information provided a supporting narrative to explain their information. This was evident with 69% of the workforce information, and 51% of the service user information.

5. 32% of public authorities provided some evidence online that they are using their equality information to assess the impact on equality of their activities in 2011/12.

Chapter 3: Performance by sector

This chapter sets out the findings for the different sectors: police, NHS service providers, local authorities, NHS service commissioners, Probation Trusts, universities, colleges, national organisations, and government departments.

Each section begins with a table that benchmarks the performance of the sector in relation to the bottom and top performing sectors on each aspect that was assessed (e.g. the type of information published), and in relation to the average. On the table, lowest performance is indicated in pink and highest performance is in green. A number of case studies are also included in this chapter in order to highlight different aspects of equality information and how it is being used by public authorities.

3.1 Police forces

Table 15 shows how police forces are performing, relative to other sectors.

Table 15: Benchmarking for police forces

Performance aspects (Information found for 2011/12)	Police forces	Benchmarking (%)		
		Bottom Performing	Average[17]	Top Performing
Overview of information published				
Information on both staff and service users	69	25: National organisations	50	71: Probation
Information on staff or on service users	90	63: National organisations	78	90: Police forces
No information found or undated or pre-2011.	10	38: National organisations	22	10: Police forces

---

[17] Note that the column that shows the average performance does not include data from the evaluation of government departments, which were looked at separately. However, comparative data on the performance of government departments is looked at in this section.

Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	33	10: Colleges	30	43: Government departments.
Use of equality information	31	10: Colleges	32	50: Local authorities.
Was employment information provided and what did it include?				
Any information on staff	87	55: National organisations	72	87: Police forces
Race, gender, disability plus age, plus either religion/belief or sexual orientation	47	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/ maternity	15	8: Probation and colleges	14	27: National organisations.
Narrative with the information	71	61:Government departments	69	86: National organisations
Gaps in information are identified	21	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	63	45: Government departments	53	69: Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	38	23: National orgnisations	44	56: Probation
Race, gender, disability plus age, plus either religion/belief or sexual orientation	40	5: Colleges and probation	38	57: Local authorities

As above, plus either gender reassignment or pregnancy/ maternity	27	0: Probation and government departments	12	27: Police forces
Any information on actual service users	59	19: NHS commisioners	36	65: Probation
Information disaggregated by service/function	87	24: Colleges	47	87: Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	61	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/ maternity	48	0: Probation	7	48: Police forces
Any information on service users	72	33: National organisations	56	72: Police forces
Narrative with the information	68	32 Local authorities	51	85: National organisations
Gaps in information are identified	15	4 Local authorities	13	41: Probation
Of those identifying gaps, plans to address	50	20 Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative	69	50: Colleges	66	74: Local authorities

formats available				and NHS service commissioners
Accessibility: Alternative languages available	69	26: Universities	59	72: Local authorities and NHS service commissioners

Relatively high proportions of police forces had published information on their staff and on their service users, with nearly 70% publishing some information on both. Police forces performed particularly well relative to other sectors in publishing information on actual service users, with nearly half who did, covering most protected characteristics. Compared to other sectors, they were far more likely to publish information on religion or belief (87%), sexual orientation (87%) and on gender reassignment (65%). Nevertheless, more than two out of five police forces did not publish any information on actual service users. The strong performance of some police forces on this area provides a clear benchmark for other police forces.

Only a fifth of police forces had identified gaps in their equality information, both in respect of their staff and in respect of their service users. This is clearly an area for improvement in the future, so that they can be clearer about where they have information gaps and how they can address them. Without this information, they will be unable to fully assess the equality impact of their work on all service users and staff.

Case study: Derbyshire Police

Derbyshire Police has published demographic data on the population of the area it covers, disaggregated by all protected characteristics except for maternity and pregnancy. They (along with a number of other forces) have also published disaggregated information on their actual users for the following services or functions:

- stop and searches (force and divisional level)
- racial and religious motivated offences (force and divisional level)

- victims of crime (divisional level, and at force level by crime type)
- hate crime incidents (force and divisional level)
- domestic violence reports (force level).

In addition, the force also published information on:

- satisfaction levels with police service by victims of hate crime (force level), ethnicity only
- satisfaction levels with police service by victims of crime (force level)
- public consultation (have your say) results
- complainant data – allegations made against the police force (force level).

It is worth noting that all of the equality information provided by the force on its service users follows the same clear structure, providing readers with the following:

- The source of the information published.
- A comments section presenting and analysing the data published.
- A section called 'Working towards' which presents what the force is doing to improve their approach. For example, in order to meet national recording requirements, the force routinely surveys victims of racist incidents. This comprises 83% of all hate incidents. They took the decision to widen this out to other characteristics, and it will be surveying victims of all hate incidents (disability, religion or belief, sexual orientation, and transgender). This is a useful step which will improve its equality information for service users.

This approach is particularly interesting in terms of transparency as readers are able to see where all the data published by the force comes from. In addition, by publishing robust data on its general population as well as on its actual service users, the force was able to improve the quality of its analysis as it could compare the protected characteristics of the people using its services with those of the wider local population.

For example, the following information sets out trends for actual service users over specific periods of time:

- hate crime incidents and racially motivated crimes fell in the current period
- crime has fallen more rapidly in the 19 and under age group for victims than in any other age group
- black and minority ethnic (BME) victims were less satisfied with the service they received from the police during this period for both racist incidents and 'all crime'. Lesbian, Gay and Bisexual (LGB) victims were more likely than non LGB victims to be satisfied with the service they received
- during the constabulary's public consultation exercise, results demonstrated that disabled and BME respondents were less likely to feel safe in their neighbourhood. BME respondents were also less satisfied with the police response to anti-social behaviour and general policing, than were white respondents.

The following showed a comparison of the protected characteristics of service users with those in the general population:

- BME groups comprise 7.9% of the population of Derbyshire, whilst 11.1% of the stop and searches within the force take place among BME groups
- where ethnicity is known, 14.2% of complainants are from a BME background and this is higher than the 7.9% of the population they comprise.

See the Derbyshire Police equality information 2012 report at:

www.derbyshire.police.uk/About-us/Equality-and-Diversity/Diversity.aspx

Having the information on actual service users enables the force to better understand how it is performing, where it is succeeding and where more attention is required. Having the information on potential service users and changing demographics allows the force to better understand, plan and respond to changing demands on its services. Having both types of information allows for a more informed level of analysis and is critical to managing future performance.

51

Case study: West Mercia Police

Publishing information on actual service users helps public authorities to develop specific and measurable equality objectives. West Mercia Police has published extensive information on its actual service users, particularly on the protected characteristics of victims of hate crime. It identified that at a national as well as a local level, there was evidence of under-reporting of hate crime, particularly among victims with disabilities. The force therefore developed an equality objective (to implement within 3 years) to increase confidence among diverse groups to engage with the police. The aim of this was to enable them to identify and to resolve any quality of life issues. This will be done by:

- increasing the reporting of hate crime, in particular disability hate crime
- increasing the satisfaction of hate crime victims with the overall service they receive from the police
- increasing the ability of the organisation to identify hate crime from reports received
- improving the diversity of Partners and Communities Together (PACT) engagement.

In order to assess whether it has met this objective, the force has published a baseline on which to measure outcomes:

- in 2010-11 the Force recorded 573 victims of hate crime (disability 43, race 456, religion/Faith 1, sexual orientation 70, transgender 6)
- there is no baseline information for satisfaction rates with police services for victims of hate crime. Satisfaction rates with overall police services for other crime victims (victims of burglary, violent crime and vehicle crime) are 85%, so the aspiration would be to achieve the same target for hate crime.

It has also clearly identified measurable outcomes, as follows:

- an increase in the number of recorded hate crimes, with a particular emphasis on disability hate crime

- measurement of confidence and satisfaction levels of diverse groups and communities through victim and witness surveys and public perception surveys. Levels should reflect overall satisfaction levels.

This example shows the importance of locating equality objectives against a strong evidence base. When setting objectives, they should be outcome-focused, specific and measurable and linked to the key equality issues facing an organisation. Tackling hate crime will be a priority for many public authorities.

3.2 NHS service providers

Table 16 shows how NHS service providers are performing, relative to other sectors.

Table 16: Benchmarking for NHS service providers

Performance aspects (Information found for 2011/12)	NHS service providers	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				
Information on both staff and service users	60	25: National organisations	50	71: Probation
Information on staff or on service users	87	63: National organisations	78	90: Police forces
No information found or undated or pre-2011	13	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	29	10: Colleges	30	43: Government departments
Use of equality information in assessing impact	27	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	84	55: National	72	87: Police forces

		organisations		
Race, disability, gender, plus age, plus either religion/belief or sexual orientation	74	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	20	8: Probation and colleges	14	27: National organisations
Narrative with the information	70	61: Government departments	69	86: National organisations
Gaps in information are identified	35	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	49	45: Government departments	53	69: Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	48	23: National organisations	44	56: Probation
Race, disability, gender, age, plus either religion/belief or sexual orientation	31	5: Colleges and probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	6	0: Probation and government departments	12	27: Police forces
Any information on actual service users	46	19: NHS service commissioners	36	65: Probation
Information disaggregated by	48	24:	47	87:

service/function		Colleges		Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	31	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	3	0: Probation	7	48: Police forces
Any information on service users	62	33: National organisations	56	72: Police forces
Narrative with the information	61	32: Local authorities	51	85: National organisations
Gaps in information are identified	22	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	56	20: Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	66	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	62	26: Universities	59	72: Local authorities and NHS service commissioners

NHS service providers have performed slightly better than average on most measures. In terms of publishing information on their staff and service users, 60% had met this requirement against an average of 50% for all organisations. The performance of Mental Health Trusts was particularly good in this respect, with 89% publishing both types of information.

55

A high proportion of NHS service providers had published information on their staff (84%), and three-quarters of these published data on age, religion or belief or sexual orientation as well as on race, gender and disability. In contrast to this relatively high performance regarding staff, just under half have published information on service users, and coverage of the protected characteristics is around average in comparison to other sectors. Only a fifth (22%) of Care Trusts have published information on their service users.

Within these findings, it is apparent that ambulance trusts and ambulance foundation trusts have performed relatively poorly compared to other sectors. Of the nine ambulance trusts, only two have published information on their actual service users. Of the five that have published information on actual or potential service users, only one has analysed the information in a narrative. None of the three ambulance foundation trusts indicates an approach to taking equality information into account when assessing the impact of their policies on equality.

Overall, NHS service providers appear to be responding well to the requirements to publish equality information, but there is plenty of scope for improvement for most organisations. A clear priority, particularly for the ambulance trusts and for the foundation trusts, will be to recognise information gaps and to develop plans to address these.

3.3   Local authorities

Table 17 shows how local authorities are performing, relative to other sectors.

Table 17: Benchmarking for local authorities

Performance aspects (Information found for 2011/12)	Local authorities	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				
Information on both	46	25: National	50	71: Probation

staff and service users		organisations		
Information on staff or on service users	79	63:National organisations	78	90: Police forces
No information found or undated or pre-2011	21	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	36	10: Colleges	30	43: Government departments
Use of equality information to assess impact	50	10: Colleges	32	50 Local authorities
Was employment information provided and what did it include?				
Any information on staff	71	55: National organisations	72	87: Police forces
Race, gender, disability plus age, plus either religion/belief or sexual orientation	47	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/ maternity	15	8: Probation and colleges	14	27: National organisations
Narrative with the information	64	61: Government departments	69	86: National organisations
Gaps in information are identified	23	16: Colleges	28	47: Probation
Of those identifying	49	45:	53	69:

gaps, plans to address		Government departments		Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	51	23: National organisations	44	56: Probation
Race, gender, disability, age, plus either religion/belief or sexual orientation	57	5: Colleges and probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/ maternity	18	0: Probation and government departments	12	27: Police forces
Any information on actual service users	20	19: NHS commissioners	36	65: Probation
Information disaggregated by service/function	64	24: Colleges	47	87: Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	38	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/ maternity	6	0: Probation	7	48: Police forces
Any information on service users	54	33: National organisations	56	72: Police forces
Narrative with the	32	32:	51	85:

information		Local authorities		National organisations
Gaps in information are identified	4	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	20	20: Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	74	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	72	26: Universities	59	72: Local authorities and NHS service commissioners

The performance of local authorities in comparison to other sectors is marginally below average with respect to publishing equality information on staff. It is slightly above average in terms of publishing information about the general population locally, yet it is well below average in terms of publishing information on actual service users, with only one in five doing so. This falls to only one in eight of district councils. Of those that do publish information on service users, most do so in relation to specific services. For example, 10 out of the 11 London Borough Councils that have published actual service user information have done so with regard to particular services, as do 70% of the small number of district councils that have published such information.

There are many local authorities that do not provide a narrative with the equality information they publish. Over a third do not do so in relation to staff, and two-thirds do not do so in relation to service users. This rises to four out of five district councils. This is the poorest performance of any sector in this area. Furthermore, in relation to identifying gaps in information on service users, only 4% do so. Of these,

only 1 in 5 indicate plans to address them – again the poorest performance of any sector. In relation to staff, the figures are higher, but they are still at the bottom end of sectoral performance with only 23% identifying gaps and only half of these indicating plans to address them. It would appear that there are a large number of local authorities publishing equality information without publishing any explanation or analysis of it, or any indication of how they plan to fill any information gaps.

Despite this, local authorities are the best performing sector with regard to providing information in alternative languages or formats. Furthermore, over a third of local authorities indicated an approach to using equality information in assessing the impact of their policies on equality. Of these, half had published examples of actually using it. These figures are the highest of any sector.

Overall, there is room for significant improvement for local authorities in terms of providing a narrative and in terms of identifying information gaps. Performance among district councils with regard to publishing equality information on service users is also low. Despite these shortcomings, local authorities set the benchmark in terms of publishing information in alternative formats and languages and in using equality information to assess the impact of their policies on equality.

3.4   NHS service commissioners

Table 18 shows how NHS service commissioners are performing, relative to other sectors.

Table 18: Benchmarking for NHS service commissioners

Performance aspects (Information found for 2011 or 2012)	NHS service commissioners	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				
Information on both staff and service users	36	25: National organisations	50	71: Probation

60

Information on staff or on service users	78	63:National organisations	78	90: Police forces
No information found or undated or pre-2011	22	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	31	10: Colleges	30	43: Government departments
Use of equality information to assess impact	31	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	68	55: National organisations	72	87: Police forces
Race, disability, gender, plus either religion/belief or sexual orientation	76	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	9	8: Probation and colleges	14	27: National organisations
Narrative with the information	70	61: Government departments	69	86: National organisations
Gaps in information are identified	27	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	51	45: Government departments	53	69: Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	43	23: National organisations	44	56: Probation

Race, disability, gender, age, plus either religion/belief or sexual orientation	44	5: Colleges and probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	18	0: Probation and government departments	12	27: Police forces
Any information on actual service users	19	19: NHS service commissioners	36	65: Probation
Information disaggregated by service/function	52	24: Colleges	47	87: Police forces
Race, disability, gender, age, plus either religion/belief or sexual orientation	37	11:Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	22	0: Probation	7	48: Police forces
Any information on service users	46	33: National organisations	56	72: Police forces
Narrative with the information	35	32: Local authorities	51	85: National organisations
Gaps in information are identified	8	4: Local	13	41: Probation

		authorities		
Of those identifying gaps, plans to address	55	20: Local authorities	50	80: National organisations

Was information provided in alternative formats and languages?

Accessibility: Alternative formats available	74	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	72	26: Universities	59	72: Local authorities and NHS service commissioners

The performance of NHS service commissioners is broadly average, when compared with other sectors. However, the proportion publishing any information on service users is relatively low, at one in five authorities. In relation to service users, relatively low proportions of NHS commissioners publish a narrative to accompany their equality information. Very few (8%) identify gaps in their equality data. This is similar to the performance of local authorities. NHS service commissioners are at the upper end of performance in terms of their equality information being available in alternative formats or languages.

3.5   Probation Trusts

Table 19 shows how Probation Trusts are performing, relative to other sectors.

Table 19: Benchmarking for Probation Trusts

Performance aspects (Information found for 2011/12)	Probation Trusts	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				

Information on both staff and service users	71	25: National organisations	50	71: Probation
Information on staff or on service users	74	63: National organisations	78	90: Police forces
No information found or undated or pre-2011	26	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	35	10: Colleges	30	43: Government departments
Use of equality information to assess impact	24	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	74	55: National organisations	72	87: Police forces
Race, gender, disability, plus age, plus either religion/belief or sexual orientation	52	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	8	8: Probation and colleges	14	27: National organisations
Narrative with the information	80	61: Government departments	69	86: National organisations
Gaps in information are identified	47	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	69	45: Government departments	53	69: Probation

Was service delivery information provided and what did it include?				
Any information on potential service users	56	23: National organisations	44	56: Probation
Race, gender, disability, age, plus either religion/belief or sexual orientation	5	5: Colleges and Probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	0	0: Probation and government departments	12	27: Police forces
Any information on actual service users	65	19: NHS commissioners	36	65: Probation
Information disaggregated by service/function	41	24: Colleges	47	87: Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	23	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	0	0: Probation	7	48: Police forces
Any information on service users	71	33: National organisations	56	72: Police forces
Narrative with the information	75	32: Local authorities	51	85: National organisations

Gaps in information are identified	41	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	50	20: Local auth orities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	68	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	56	26: Universities	59	72: Local authorities and NHS service commissioners

Probation Trusts performed close to the average in relation to publishing information on staff, and a relatively high proportion published information on potential and actual service users. It was therefore the highest performing sector in these areas. Despite this, they were relatively poor at publishing information on the newer characteristics, especially on gender reassignment and on pregnancy and maternity. However, higher proportions of Probation Trusts than other sectors recognised gaps in equality information for both staff and service users. In relation to the gaps in staff data, nearly 70% of those recognising gaps also indicated plans for filling them. In relation to service users, some Probation Trusts have identified information gaps and put in place plans to remedy this (particularly in terms of gender reassignment).

3.6   Universities

Table 20 shows how universities are performing, relative to other sectors.

Table 20: Benchmarking for universities

Performance aspects	Univers	Benchmarking (%)		

(Information found for 2011/12)	ities	Bottom Performing	Average	Top Performing
Overview of information published				
Information on both staff and service users	52	25: National organisations	50	71: Probation
Information on staff or on service users	69	63: National organisations	78	90: Police forces
No information found or undated or pre-2011	31	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	35	10: Colleges	30	43: Government departments
Use of equality information to assess impact	18	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	65	55: National organisations	72	87: Police forces
Race, gender and disability, plus age, plus either religion/belief or sexual orientation	31	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	10	8: Probation and colleges	14	27: National organisations
Narrative with the information	73	61: Government departments	69	86: National organisations
Gaps in information are identified	32	16: Colleges	28	47: Probation
Of those identifying gaps,	63	45:	53	69:

		Government departments		Probation
plans to address				
Was service delivery information provided and what did it include?				
Any information on potential service users	30	23: National organisations	44	56: Probation
Race, gender, disability, age, plus either religion/belief or sexual orientation	8	5: Colleges and Probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	5	0: Probation and government departments	12	27: Police forces
Any information on actual service users	50	19: NHS commissioners	36	65: Probation
Information disaggregated by service/function	35	24: Colleges	47	87: Police forces
Race, disability, gender, age, plus either religion/belief or sexual orientation	11	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	3	0: Probation	7	48: Police forces
Any information on service users	57	33: National organisations	56	72: Police forces
Narrative with the	57	32:	51	85:

information		Local authorities		National organisations
Gaps in information are identified	19	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	36	20: Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	50	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	26	26: Universities	59	72: Local authorities and NHS service commissioners

The performance of universities is relatively mixed. On the majority of measures their performance is either average or slightly below average. Universities were better (50%) than average (36%) at publishing information on actual service users, but this information was unlikely to be disaggregated by service or function. They were also slightly above average (35% compared to 30%) in respect to providing evidence of the approach used to assess the impact of their work on equality. However, fewer than one in five (18%) actually published evidence that they are assessing impact on equality in practice.

There is considerable scope for improvement in this sector against most of the measures set out above. This will include publishing more information on staff and on potential service users. More attention must be given to publishing information on the protected characteristics of staff and service users, and to recognising and addressing gaps where they are apparent. This is particularly important given the need for universities to widen access to and take up of their courses by under-represented groups. It is widely recognised that a university education can have a critical impact on social mobility.

Case study: Leeds University

Leeds University has published extensive equality information online, particularly in relation to its staff. See the equality section at: http://www.equality.leeds.ac.uk/university-monitoring-information.

The information is published for its workforce overall, as well for each staff category (e.g. academic staff, managerial staff, support staff). It covers race, disability and gender, plus age, religion or belief and sexual orientation. It also covers some additional characteristics (caring responsibilities, maternity, adoption and paternity leave).

Disaggregating the information by staff category is very helpful as it allows universities to compare the diversity profile of their different categories of staff and to identify any occupational segregation issues linked to protected characteristics. Having this information can enable authorities to define specific and measurable equality objectives aimed at remedying any relevant issues.

In this instance, Leeds University identified that their 'staff in post' data indicated that there was a low representation of women and Black and Minority Ethnic (BME) staff in higher leadership academic roles. In particular:

- of the total number of academic staff above grade 10, only 13% are women and only 6% are staff from a BME background
- of the total number of academic staff at grade 10, only 19% are women, and only 5% are staff from a BME background
- between August 2010 and July 2011, a total of 97 applications for academic promotions up to grade 9 were made. Of these, 35% were made by female applicants (of which 80% were successful). In addition, 13% of applications were made by BME staff (of which 62% were successful).

In light of this evidence, the University set itself the following equality objective: 'to enhance our leadership and management capability, to increase the representation of women and Black and Minority Ethnic staff in leadership and

management roles by April 2016'. The University has also identified a clear way to assess progress in delivering this objective.

Case study: University of Birmingham

The University of Birmingham has published extensive equality information covering its staff and service users. See their equality section at: https://intranet.birmingham.ac.uk/collaboration/equality/equality-objectives/index.aspx

The University published more information on the race, disability and gender of its staff, together with information on age and on pregnancy and maternity. All of this information is broken down in a number of ways and compared to performance in recent years and in comparison to similar organisations. The report also includes some information on the newer characteristics of gender reassignment, sexual orientation and religion or belief. This was captured in 2011 through an anonymous staff survey, which appears to have achieved a very favourable response rate.

Following a similar pattern, the University had published most information on its students in relation to age, gender, disability and race. It also had some information with respect to pregnancy and maternity and students with caring responsibilities. In respect of the other newer characteristics, the University has looked at national research to fill the gaps in its knowledge. From September 2012 it plans to capture information on the sexual orientation, religion or belief and gender identity of new students.

The equality information is supported by an extensive action plan setting out key issues affecting staff and students with different protected characteristics, together with priorities for action.

3.7 Colleges

Table 21 shows how colleges are performing, relative to other sectors. Whilst all of the public authorities in the other sectors were assessed, only a sample of 115 out of a total of 345 colleges were assessed.[18]

Table 21: Benchmarking for colleges

Performance aspects (Information found for 2011/12)	Colleges	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				
Information on both staff and service users	52	25: National organisations	50	71: Probation
Information on staff or on service users	64	63: National organisations	78	90: Police forces
No information found or undated or pre-2011	36	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	10	10: Colleges	30	43: Government departments
Use of equality information to assess impact	10	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	57	55: National organisations	72	87: Police forces
Race, gender, disability, plus age, plus either religion/belief or sexual	34	31: Universities	56	76: NHS service commissioners

---

[18] The sample of 115 colleges was selected to represent the nine English Regions. Colleges were grouped by region and every third college was chosen for assessment.

orientation			
As above, plus either gender reassignment or pregnancy/maternity	8	8: Probation and colleges	14	27: National organisations
Narrative with the information	71	61: Government departments	69	86: National organisations
Gaps in information are identified	16	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	50	45: Government departments	53	69: Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	33	23: National organisations	44	56: Probation
Race, gender, disability, , age, plus either religion/belief or sexual orientation	5	5: Colleges and probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	3	0: Probation and government departments	12	27: Police forces
Any information on actual service users	54	19: NHS commissioners	36	65: Probation
Information disaggregated by	24	24:	47	87:

service/function		Colleges		Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	13	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	2	0: Probation	7	48: Police forces
Any information on service users	60	33: National organisations	56	72: Police forces
Narrative with the information	68	32: Local authorities	51	85: National organisations
Gaps in information are identified	14	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	63	20: Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	50	50: Colleges	66	74: Local authorities and NHS Service commissioners
Accessibility: Alternative languages available	32	26: Universities	59	72: Local authorities and NHS Service commissioners

Colleges performed relatively poorly with regard to publishing equality information. It was the sector with the lowest proportion of organisations publishing information on

staff (57%), except for national organisations. A third of the colleges assessed did not publish equality information on either their staff or service users. This was the worst performance of any sector. As with universities, a very low proportion published information on the newer characteristics, other than age. Furthermore, the sector is less likely to make equality information available in alternative formats than any other sector. Very few colleges (along with universities) made the equality information available in different languages.

Colleges were the least likely to identify an approach for using equality information in assessing the impact of their work on equality. They are the least likely to provide examples of where they are actually using this information (only one in 10 of those assessed in each case). Despite the very poor coverage of the newer characteristics, only 16% recognised gaps in staff equality information (the lowest of any sector) and only 14% recognised equality information gaps for service users (though of the small number recognising this, two-thirds indicated plans to do something about them).

Colleges performed poorly on a range of areas. This includes publication of equality information on staff and on the newer characteristics. There is significant room for improvement with regard to alternative formats and languages. This is also the case for publication of evidence about how the impact on equality has been assessed. As noted under the section on universities above, it is vital that colleges collect and use good equality information to identify and challenge any barriers to the take up and completion of their courses. Colleges and universities play a vital role in the future life chances of all their students.

3.8 National organisations

Table 22 shows how national organisations are performing, relative to other sectors.

Table 22: Benchmarking for national organisations

Performance aspects (Information found for	National organisatio	Benchmarking (%)		
		Bottom	Average	Top

2011/12)	ns	Performing		Performing
Overview of information published				
Information on both staff and service users	25	25: National organisations	50	71: Probation
Information on staff or on service users	63	63: National organisations	78	90: Police forces
No information found or undated or pre-2011	38	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	30	10: Colleges	30	43: Government departments
Use of equality information to assess impact	25	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include?				
Any information on staff	55	55: National organisations	72	87: Police forces
Race, gender, disability, plus age, plus either religion/belief or sexual orientation	55	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	27	8: Probation and colleges	14	27: National organisations
Narrative with the information	86	61: Government departments	69	86: National organisations
Gaps in information are identified	33	16: Colleges	28	47: Probation
Of those identifying gaps,	46	45:	53	69:

plans to address		Government departments		Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	23	23: National organisations	44	56: Probation
Race, gender, disability, age, plus either religion/belief or sexual orientation	44	5: Colleges and probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/maternity	22	0: Probation and government departments	12	27: Police forces
Any information on actual service users	30	19: NHS commissioners	36	65: Probation
Information disaggregated by service/function	50	24: Colleges	47	87: Police forces
Race, gender, disability, , age, plus either religion/belief or sexual orientation	25	11: Universities	27	61: Police forces
As above, plus either gender reassignment or pregnancy/maternity	8	0: Probation	7	48: Police forces
Any information on service users	33	33: National organisations	56	72: Police forces
Narrative with the	85	32:	51	85:

information		Local authorities		National organisations
Gaps in information are identified	13	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	80	20: Local authorities	50	80: National organisations
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	55	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	38	26: Universities	59	72: Local authorities and NHS service commissioners

National organisations form a particularly diverse sector in terms of the types of institutions that they cover (see Appendix 2). Overall, it was the poorest sector with regard to publishing equality information. Lower proportions of national organisations than any other sector published equality information on staff (55%), actual or potential service users (33%). The following patterns were noted:

- those in broadcasting, local government, civil liberties and environment, housing and development sectors (9 organisations) **all** published some equality information
- organisations in other sectors such as criminal justice, education and police (14 organisations) performed relatively poorly
- only one in three national organisations in the police and criminal justice sectors as well as regulators (15 organisations) published equality information on their staff

- all the organisations in the broadcasting, criminal justice, heath and social care and industry, business and finance sectors (18 organisations) showed no approach to taking equality information into account when assessing the impact on equality of their policies.

Despite this, national organisations were significantly above average in terms of publishing information on a full range of protected characteristics of staff (with 27% doing so: the highest of any sector).

In relation to actual service users, those publishing equality information were about average in terms of their coverage of newer characteristics. They were a little above average in terms of publishing information on potential service users. There were two exceptions to the generally poor performance of national organisations in publishing equality information on service users:

- the two listed authorities in the civil liberties sector both published equality information on their potential and actual service users
- half or more of listed authorities in education, environment, housing and development, broadcasting, and court and legal services (12 organisations) published information on their actual or potential service users.

Of those national organisations that published equality information, higher proportions than in any other sector did so with a narrative (17 out of 20 in the case of both those publishing equality data on staff and those publishing it on service users). All Regulators as well as national organisations in broadcasting; civil liberties; environment, housing and development; industry, business, finance and education that published equality information on staff (15 organisations) and/or service users (8 organisations) did so along with some narrative.

Case study: The Care Quality Commission (CQC)

The CQC has published extensive equality information, including equality objectives, information about its workforce and about the people affected by NHS policies and practices. It has several ways to ensure that people can

79

access documents, including those containing equality information, in alternative formats or languages.

There is a specific section visible from the front page of its website providing people with a clear way to request a document in an alternative format and to suggest ways to make the website more accessible. The section also provides direct access to the list of documents available online in different formats.

The CQC has published a statement in its equality documents providing people with contact details for requesting a summary of the documents in alternative formats or languages.

Finally, it has provided key equality documents (equality objectives and Equality and Human Rights Scheme – review of progress in 2010/2011) in a range of alternative formats online (Easy Read, large print, audio, British Sign Language) and in several other languages (e.g. Bengali, Polish, Cantonese). See: http://www.cqc.org.uk/public/about-us/corporate-strategy-reports/equality-and-human-rights/equality-objectives

National organisations performed particularly poorly in terms of publication of information on staff and on service users. Despite this, they performed well with regard to publishing staff information across all of the protected characteristics. They also demonstrated effective performance in terms of including a narrative along with their equality information. CQC is a good example of a national organisation displaying good practice and acting as a role model towards the organisations that it regulates. Unfortunately, this is rather the exception among national organisations.

3.9 Government departments

Table 23 shows how government departments are performing, relative to other sectors.

Table 23: Benchmarking for government departments

Performance aspects (Information found for 2011/12)	Government Departments	Benchmarking (%)		
		Bottom Performing	Average	Top Performing
Overview of information published				
Information on both staff and service users[19]	50	25: National organisations	50	71: Probation
Information on staff or on service users	78	63: National organisations	78	90: Police forces
No information found or undated or pre-2011.	22	38: National organisations	22	10: Police forces
Evidence that information is assessed for impact on equality				
Approach used to consider equality impact	43	10: Colleges	30	43: Government departments
Use of equality information to assess impact	28	10: Colleges	32	50: Local authorities
Was employment information provided and what did it include				
Any information on staff[20]	61	55: National organisations	72	87: Police forces
Race, gender, disability, plus age, plus either religion/belief or sexual orientation	46	31: Universities	56	76: NHS service commissioners
As above, plus either gender reassignment or pregnancy/maternity	11	8: Probation and colleges	14	27: National organisations

[19] For government departments the percentage of 50% is based on those that met the requirement to produce one or both types of information dependant on their size. The total number that published both was 41%.

[20] Note 61% is the total for all departments. When weighted for size, 75% of departments with 150 or more staff had published this information.

Narrative with the information	61	61: Government departments	69	86: National organisations
Gaps in information are identified	24	16: Colleges	28	47: Probation
Of those identifying gaps, plans to address	45	45: Government departments	53	69: Probation
Was service delivery information provided and what did it include?				
Any information on potential service users	26	23: National organisations	44	56: Probation
Race, gender, disability, age, plus either religion/belief or sexual orientation	25	5: Colleges and Probation	38	57: Local authorities
As above, plus either gender reassignment or pregnancy/ maternity	0	0: Probation and government departments	12	27: Police forces
Any information on actual service users	52	19: NHS commissioners	36	65: Probation
Info disaggregated by service/function	71	24: Colleges	47	87: Police forces
Race, gender, disability, age, plus either religion/belief or sexual orientation	38	11: Universities	27	61: Police forces
As above, plus either	5	0:	7	48:

gender reassignment or pregnancy/ maternity		Probation		Police forces
Any information on service users	54	33: National organisations	56	72: Police forces
Narrative with the information	48	32: Local authorities	51	85: National organisations
Gaps in information are identified	9	4: Local authorities	13	41: Probation
Of those identifying gaps, plans to address	75	20: Local authorities	50	80: National
Was information provided in alternative formats and languages?				
Accessibility: Alternative formats available	70	50: Colleges	66	74: Local authorities and NHS service commissioners
Accessibility: Alternative languages available	37	26: Universities	59	72: Local authorities and NHS service commissioners

Ministers of the Crown and government departments are included within the list of public authorities that are required to publish equality information.[21] In total, the assessment included 46 organisations within this category.

In general terms, the average performance of government departments is very similar to the average performance of all other sectors. Exactly the same

---

[21] Schedule 1 of the Equality Act 2010 (Specific Duties) Regulations, 2011.

percentage (78%) of government departments, as for all other bodies, published some equality information dated 2011/12.

Similarly, in terms of how much information was published, it was found that on average, 41% of departments published both staff and potential or actual service user information for 2011/12. This compared to an average of 50% for all other sectors. However, 14 departments had fewer than 150 staff and were not required to publish workforce information. When taking this into account, the proportion publishing the required information was 50%. Of the 32 departments that had more than 150 staff, 75% had published workforce information.

It is equally apparent that the findings mask some significant variations within the performance of different types of department and ministerial offices. The 16 larger Whitehall departments mostly published quite extensive equality information, and many of the 9 smaller departments and ministerial offices and 21 non-ministerial departments published significantly less and, in some cases, no information. Yet even within these broad groupings, there were some organisations that published very extensive information and others that published little or no information. Four of the larger departments within this sector had some responsibility for international work and some equality information covering this work was found for three of these. Four others worked specifically in other parts of the UK, these were all smaller departments and very little equality information was found for any of them. This included very little, if any, attention to the relevant equality considerations in each of those specific locations.

Each (100%) of the 16 large departments published some equality information for 2011/12. This compares to 67% of the non-ministerial departments and the smaller ministerial departments and offices. [22] The aggregated performance for all departments was 78%, which was the average for all other sectors.

In general terms, the smaller departments and ministerial offices were more likely to have published either no equality information or only information covering either

---

[22] By 'smaller ministerial departments and offices' we refer to those which have less than 150 staff and which are therefore not required by the specific duty regulations to publish employment information.

their service delivery or employment function. Where the published equality information was more limited, the information was more likely to include service delivery rather than employment information. This is in contrast with the findings made elsewhere for all other sectors, but in keeping with the specific duty requirement that organisations with fewer than 150 staff are not required to publish employment information. Surprisingly, four of the larger government departments published very little or no information on their service delivery work. It was also apparent that few of the larger government departments made any reference within their equality information to the work of their executive agencies or the sectors within their sphere of influence. The absence of this information makes it difficult to assess how thoroughly these departments are considering the aims of the general equality duty in all of their work, including any areas delegated to other bodies. In respect to employment, DEFRA has published extensive equality information on its core staff as well as the staff employed by each of the executive agencies that come under its responsibility.

In common with all other sectors, it was most easy to understand how a department was performing in terms of equality where it published all of its equality information in one report, or in a series of reports that were clearly linked together as well as easy to find and supported by an overarching narrative. The Department for Work and Pensions (DWP), for example, published one extensive report which included information on its workforce, service users, arrangements for monitoring its performance, and equality priorities.

In relation to providing a supporting narrative, the 46 departments performed slightly worse than average compared to other sectors in this respect. In total 61% of those that published some employment information provided some supporting narrative and 48% some narrative with their service delivery information. This compares to 69% and 51% of all other sectors.

Government departments as a whole performed better than any other sector with respect to publishing the approach that they use to assess the impact of their work on equality. In total, 43% published some evidence of the approach they use, in

85

comparison to 30% for all other sectors. The large departments performed significantly better, with 69% providing some evidence of their approach, compared to 22% of the smaller departments and 33% of the non-ministerial departments. In contrast, in terms of evidence that the approach is being used in practice in 2011/12, 56% of large departments provided some evidence. The average for other sectors is 32%, 11% for the smaller departments and 14% for the non-ministerial departments. Finally, it is worth noting that although several departments did not initially meet the requirements, they have subsequently published information. This suggests that by the time this report was finalised, the situation is slightly better than the picture presented here.

Chapter 4: Conclusions and recommendations

Introduction

This chapter reviews the findings of our assessment, and considers how effectively the aims of the specific duty are being met. It goes on to make recommendations and suggestions to improve the current practice of public authorities.

The assessment sought to:

- identify whether equality information could be found and how accessible it was
- determine how comprehensive the published equality information was
- establish whether there were differences in performance and/or approach among public authorities and sectors
- identify and disseminate examples of effective approaches and practice.

As the regulator of the equality duty, the Commission needs to know how public authorities are responding to the new specific duty. This will enable the Commission to identify and promote good practice and to challenge poor performance based on a sound evidence base and using a targeted and risk-based approach. This report provides essential information to set a baseline and to evaluate performance at the start of the process. The findings will also be used to inform an evaluation of equality objectives, which will be reported on in 2013.

4.1   Conclusions

Overall, most public authorities have responded proactively to the specific duty to publish equality information, and one in two have published equality information on both their staff **and** on their service users. Many authorities have partially responded and published equality information on **either** staff (72%) or (actual and/or potential) service users (56%). However, 22% had not taken steps to meet the specific duty. They either had no equality information on their website, or the only

equality information that was available was published before the introduction of the equality duty 2011 (or the information was undated).

Although indicative, these findings should not be read as conclusive as public authorities have continued to make progress since the assessment was undertaken.

The good progress made in some sectors suggests that public authorities in the same or in other sectors should be able to publish relevant information on their own staff and service users in the short term.

Behind these top line figures, the assessment found a variety of contrasting developments. The first is that one in three public authorities indicated through their published evidence that they are using equality information when they assess the impact of their activities on equality. Whilst the proportion of one in three might seem low, it is likely that more public authorities have subsequently published this evidence and that others may have such evidence available, but failed to publish it.

The findings suggest that local authorities were the most likely to publish up-to-date evidence of how they assess the impact of their work on equality, with one in two providing this information online. Universities (18%) and colleges (10%) performed least well in this area. Many more public authorities made reference to assessing the impact of their work on equality, but failed to provide actual evidence of this in their published information. This seems a striking omission. For many service users, this is likely to be the information that they most want to see, and that they think is most relevant. This underlines the need for public authorities to think about what information they publish, and to review what information is most relevant to their stakeholders. If public authorities are to meet the underpinning aims of the specific duties to make their performance on equality more transparent and accountable, then it is vital that they publish the best equality information that they can, and the information that is most useful to the people that they employ and serve.

This assessment has demonstrated the importance of providing disaggregated information on staff and service users where relevant, and where achievable. Almost three-quarters of those organisations publishing staff information included additional

information beyond the current composition of their staff (e.g. information on pay gaps or on recruitment). However, less than half (47%) of those who provided information on their service users had provided information which was broken down for particular services.

Where appropriate, the published information should include information on the protected characteristics of everyone employed and served by the public authority. Where information gaps are apparent, these should be acknowledged and steps taken to fill them. This information enables public authorities to monitor whether their services are operating as intended, and whether they are employing a representative workforce. It should enable them to identify where problems may be evident, and the action needed to address them. Publishing this information, and providing a supporting narrative, helps public authorities to demonstrate progress and to explain how they are performing. These are vital steps towards making the information more comprehensive, clear and relevant.

A measure of how comprehensive the information is, is the coverage of the different protected characteristics. The assessment found that most public authorities followed a similar pattern in terms of the types of information that they published. Of those who published employment information, for example, the vast majority (86%) provided data on race, gender, disability and age. Significantly fewer (56%) also published information on religion or belief and/or sexual orientation. Information was least likely to be found on pregnancy and maternity and on gender reassignment (14%). The same pattern was apparent within the information published on both potential and actual service users, though the gaps in information were more stark. Almost two-thirds have published no information on religion or belief and about three-quarters published no information on the sexual orientation of their actual service users.

These findings show that public authorities still have a considerable way to go in collecting and publishing information relevant to all of the protected characteristics. The differences identified very much mirror the development of equality legislation, with most public authorities publishing more comprehensive information on race,

gender and disability. Age is the one newer characteristic that most public authorities also capture information on, with regard to their workforce and their service users. However, some organisations do buck the trend and demonstrate to others what is possible. For example, in relation to information on staff, 75-80% of NHS service providers and commissioners have published information on religion or belief and on sexual orientation. Even in the worst performing sectors (colleges and universities), almost a third have published such information on their staff.

Where gaps are apparent in service user or employment information, it is important that public authorities are clear about this in their published information. The assessment found that just 28% of public authorities acknowledged having any gaps in their employment information and just 13% in respect to their service users. Probation Trusts were the most likely to recognise gaps in employment information (47%) and their service information (41%). In comparison, colleges were the least likely to recognise gaps in their employment information (16%) and local authorities in respect to their service information (4%). Close to half of all organisations recognising gaps in their information had plans in place to address those gaps.

There are some very positive developments whereby service providers have focused on particular equality aims and developed their equality information comprehensively. The priority given to tackling hate crime by the police, for example, has enabled the sector to collect and publish very extensive information on a broad range of hate crimes, their victims and on the detection and charging of offenders. The performance of individual forces can be assessed using this information and also by the victim satisfaction surveys that many appear to commission and report on. This makes their performance more transparent and accountable.

The information published by public authorities should be available to everyone. This requires public authorities to recognise that different people have different needs and that they may require information in alternative formats or languages. The majority of authorities appear to have information available in alternative formats on request (66%) and languages (59%), but very few appear to have

90

actually published equality information online in alternative formats (3%) or languages (5%). In a number of positive examples, various public authorities provided evidence to demonstrate that their websites are independently audited for the accessibility of their information. Some of these authorities also provided data on the number of requests for information in alternative formats and languages that they received, and their performance in meeting these requests.

With regard to publishing information on both staff and service users, probation services (71%) and police forces (69%) performed particularly well. National organisations (25%) and NHS service commissioners (36%) were the worst performers. It was also clear that within certain sectors, there were significant variations in performance. Within government departments, for example, there was a clear demarcation between the larger and smaller departments. This suggests that size and resources may play an important role in whether (and how) much equality information is published, yet there are many smaller organisations that buck this trend and demonstrate what is possible.

The nature of an organisation's remit may also be important, with some of the national organisations and non-ministerial departments with no direct service user contact being less likely to publish service information. Providing a narrative in such cases to explain how an organisation has considered its responsibilities under the equality duty and the relevance of the information it has published is important. A number of inspectorates and regulators appeared to offer little such explanation about their equality information, but the Care Quality Commission (CQC) is cited in the previous chapter as an example of good practice in this respect in terms of the leadership role that it provides towards the organisations that it regulates.

4.2 Best practice criteria

In response to the findings, the Commission recommends that public authorities publish their equality information in line with the following best practice criteria:

- all equality information should be up-to-date
- all equality information should be available online

- equality information should be easy to find, clearly linked together and ideally in one place
- equality information should cover both workforce and potential and actual service users, with information disaggregated as far as possible across the full employment experience of staff and by service area
- equality information should be clearly explained with facts and figures supported by a clear narrative
- equality information should cover each of the protected characteristics, acknowledge information gaps and identify how and when these will be addressed
- equality information should include evidence of how the impact on equality is assessed, particularly with respect to those functions and policies that have most relevance to equality
- equality information should be accessible to everyone, with equality information being available in alternative formats and ideally in alternative languages.

4.3 Recommendations

As a result of this assessment, the Commission recommends that all listed public authorities:

- review the findings in this report and take steps to publish their equality information in line with the above best practice criteria
- identify areas where they have not collected, used or published equality information, but where other authorities in their own sector are doing so
- consider how their own performance compares with the performance of other authorities in their sector
- review the promising practice examples included in this report and any available on the Commission's website
- consider where it would be proportionate to improve their equality data collection, and over what timescale, bearing in mind that publishing certain information is an explicit requirement of the specific duty

- engage with staff and service users about how useful they have found their published equality information to be, and where any improvements can be made
- put in place clear plans to address any shortcomings, as quickly as possible
- remember that meeting the specific duty is not an end in itself, but a mechanism for improving performance on the general equality duty.

By implementing these recommendations, public authorities should achieve a range of benefits. They should be able to provide a robust statement about their commitment to equality. They should be able to improve their transparency and accountability by enabling service users and employees to understand how they are performing on equality, where improvements can be made, and how these are being prioritised. They will be able to use their equality information as a robust evidence base for setting clear and relevant equality objectives. This in turn will increase the likelihood of their objectives leading to practical outcomes in terms of better employment practices and better quality services.

4.4 Next steps

To follow up this assessment, the Commission will disseminate the report. It will promote the findings and the recommendations across the sectors that were covered, particularly in the sectors that performed poorly. The Commission has re-checked the websites of all the public authorities who were found to have not published any equality information. In many cases, their performance had improved. Following this stage, the Commission is writing to the public authorities who have not published equality information, asking them to provide information about their published information or their plans to publish it. The findings and learning from this assessment will feed into the Commissions regulatory work on the equality duty, including an assessment into the performance of public authorities with regard to the specific duty to publish equality objectives.

Appendix 1: The Assessment template

The following assessment template guided the internal team of assessors searching for information as they reviewed each website. They entered the information into the template and it was then downloaded into a database. All assessments were conducted between mid-February and mid-April 2012. To ensure consistency, no assessor spent more than 45 minutes per assessment.

The Commission systematically quality controlled any assessment where no recent information on employees and actual/potential service users was found. This was done to ensure than any subsequent enforcement action the Commission considers undertaking is based on robust evidence.

Section A: Start up questions

A1.   What is your name?

(open text)

A2.   What is the name of the organisation you are assessing?

(open text)

A3.   What is the web page address (url) of the organisation?

(open text)

A4.   What sector is it in?

a. Broadcasting

b. Civil liberties

c. Court services and legal services

d. Criminal justice

e. Environment, housing and development

f. Health, social care and social security

g. Industry, business, finance etc.

h. Local government

i. Ministers of the Crown and government departments

j. Educational bodies other than schools

k. Parliamentary and devolved bodies

l. Police

m. Regulators

A5. What sub-sector is it in?

a. Probation Trust

b. NHS Foundation Trust

c. Mental Health Trust

d. Mental Health Foundation Trust

e. Primary Care Trust

f. Ambulance Trust

g. Ambulance Foundation Trust

h. Care Trust

i. Acute Trust

j. Local authority

k. College

l. University

m. Police force

n. National organisation

o. Regional or local organisation

p. Government department

q. Minister of the Crown

A6.　How many staff does the organisation have?

a. Less than 150

b. 150 or more

c. Unknown

A7.　What time are you starting this assessment?

Section B Can equality information be found reasonably easily?

B1.　Is there a central equality and/or 'equality and diversity' section that can be reached from the front page, site map or search on equality/diversity?

a. Yes

b. No

If yes go to QB2; If no go to QB4

B2.　How did you find it?

a. Front page

b. Site map

95

c. Searching equality and/or diversity on search engine

B3.   What have you found on web pages or in documents that are linked to them (select as many as apply)?

a. Statement of general approach to equality dated 2011 or 2012

b. Information on employee profiles by protected grounds

c. Information on service user profiles or potential service users by protected grounds

d. Information on equality impact or equality objectives/priorities

If none of these or only a. is selected, then go to QB6.

What to do if you have selected b, c or d

If b is selected look at the web pages/documents and go to section C and complete as much as possible.

If c is selected, look at the web pages and go to section D and complete as much of that as possible.

If d is selected, look at the web pages and go to section E and complete as much of that as possible

When you have completed sections C, D and E as fully as possible go to QB6

B4.   Is there a search function on the site?

a. Yes

b. No

If Yes, go to QB5, If no go to section F

B5.   Which of the search terms, if any, in the dropdown list below returned results that indicate other pages on the site from where readers can find the equality information published by the organisation (e.g. 'Public Sector Duty' page, 'workforce' page, 'about us' page)? If such pages were not found then select item h from the dropdown list

a. Equality Act 2010

b. Equality information

c. Staff/Employees/Workforce equality profile or monitoring

d. Population equality profile/population equality monitoring

e. Service user/customer equality profile or monitoring[23]

f. Equality impact assessment/Equality impact/Equality Analysis

g. Equality objectives 2012/Equality priorities 2012

h. No pages containing equality information were found.

---

[23] for further and higher education institutions, we also searched for student profiles; for health bodies, we also looked for patient profiles.

If a, b, c, d, e, f, or g selected go to QB3

If h is selected go to QB6

B6.   Search to see if you can find any of the 3 types of document dated 2011 or 2012?

a. Annual Report

b. Strategic plan or business plan

c. Equality strategy or equality policy

If any of these is selected go to question B7

If none of these is selected go to section F

B7.   (Ask this question for each item selected in B6). Now open these documents in turn. Is there any indication on a quick look at the web page or contents page of a report (or skimming through the report if it is very short, or searching some of the key words listed in B5 if a long report) of the following: (select as many as apply)?

a. Statement of general approach to equality dated 2011 or 2012

b. Information on employee profiles by protected grounds dated 2011 or 2012

c. Information on actual or potential service user profiles by protected grounds dated 2011 or 2012

d. Information on equality impact or on equality objectives dated 2011 or 2012

If none of these or only a. is selected, then go to section F

What to do if you have selected b, c or d

If b is selected look at the web pages/documents and go to section C and complete as much as possible.

If c is selected, look at the web pages and go to section D and complete as much of that as possible.

If d is selected, look at the web pages and go to section E and complete as much of that as possible

After completing as much of sections C, D and E as possible go to section F

Section C: Employee/staff information

C1.   What dates are the documents/pages which contain staff profile information (tick all that apply)?

a. 2011 or 2012

b. Older than 2011 or 2012/data not disaggregated between organisations

c. Undated

If a or c is selected go to QC2

If b only is selected, but not a, go to section D or E if relevant response given to question B3 or B7, otherwise go to section F

C2.   Which protected characteristics are covered in staff profile information in reports/web pages (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

If none selected go to question C5, otherwise go to question C3

C3.   For any of these protected characteristics is the actual data either older than 2010 or undated?

(Dropdown list as for question C2)

C4.   Were any items selected in the previous question because they were undated rather than because they were old data?

a. Yes

b. No

C5.   Is the staff profile data accompanied by a narrative?

a. Yes

b. No

C6.   Is there an explicit acknowledgement of any data gaps?

a. Gaps acknowledged

b. Gaps not acknowledged

c. No gap

If a is selected then go to Question C7

If b or c is selected then go to Question C9

C7.   Which protected characteristics were gaps explicitly acknowledged for (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

i. Data gaps acknowledged on topics but not specific to individual protected characteristics

C8. Are there any explicit plans to address any of these gaps?

a. Yes

b. No

C9. Is there any other equality information related to staff that is disaggregated by protected characteristics?

a. Yes

b. No

If a is selected go to QC10

If b is selected, go to section D or E if relevant response given to question B3 or B7, otherwise go to F

C10. Consider up to three examples of this additional information. Does any of this fall into any of the following categories (select all that apply)?

a. Starter profile/success rates of job applicants

b. Pay gap information

c. Information about occupational segregation

d. Leaver profile/reasons for leaving

e. Complaints

f. Applications for promotion

g. Success rate of applicants to promotion

h. Others

If 'other' selected go to Question C11. If 'other' is not selected go to Question C12

C11. If 'other' selected, please list examples (including those captured in D10 a–g there should be no more than three examples)

(Open comment box)

C12. For the examples given in C10 or C11, which protected characteristics are covered (select all that are covered in any of the examples)?

(Dropdown list as for Question C2)

Section D: Service user (actual or potential) information

D1.   What dates are the documents/pages which contain potential service users' profile information (tick all that apply)?

a. 2011 or 2012

b. Older than 2011 or 2012/data not disaggregated between organisations

c. Undated

If a or c is selected go to QD2

If b only is selected, but not a, go to section E if relevant response given to question B3 or B7, otherwise go to section F

D2. Which protected characteristic are covered in potential service users' profile information in reports/web pages (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

If none selected go to question D5, otherwise to question D3

D3.   For any of these protected characteristics is the actual data either older than 2010, or undated?

(Dropdown list as for question D2)

D4.   Were any items selected in the previous question because they were undated rather than because they were old data?

a. Yes

b. No

D5.   Are there actual service user profiles by protected characteristics?

a. Yes in general, not broken down by service or function

b. Yes on specific services or functions

c. No

If a go to Question D7

If b go to Question D6

100

If c go to Question D11

D6.   For which specific services or functions are there actual service user profiles?

(Open text box)

D7.   What dates are the documents/pages which contain actual service user profile information (tick all that apply)?

a. 2011 or 1012

b. Older than 2011 or 2012/data not disaggregated between organisations

c. Undated

If a or c is selected go to QD8

If b only is selected, but not a, go to section E if relevant response given to question B3 or B7, otherwise go to section F

D8. Which protected characteristics are covered in any actual service user profile information in reports/web pages dated 2011 or 2012 (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

If none selected go to question D11, otherwise to question D9

D9.   For any of these protected characteristics is the actual data older than 2010 or undated?

(Dropdown list as for question D8)

D10. Were any items selected in the previous question because they were undated rather than because they were old data?

a. Yes

b. No

D11. Is any of the data on potential service users accompanied by a narrative?

a. Yes

b. No

D12. Is any of the data on actual service users accompanied by a narrative?

a. Yes

b. No

101

D13. Is there an explicit acknowledgement of any data gaps in either the potential or actual service user profiles?

a. Gaps acknowledged

b. Gaps not acknowledged

c. No gap

If a is selected then go to Question D14. If b or c is selected then go to Question D16

D14. For which protected characteristics were these gaps explicitly acknowledged (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

i. Data gaps acknowledged on topics but not specific to individual protected characteristics

D15. Are there any explicit plans to address any of these gaps?

a. Yes

b. No

D16. Is there any other equality information on potential or actual service users disaggregated by protected characteristics?

a. Yes

b. No

If a is selected go to Question D17. If b is selected, go to section E if relevant response at Question B3 or Question B7, otherwise go to section F

D17. Consider up to three examples of this additional information. Does any of this fall into any of the following categories (select all that apply)?

a. Customer satisfaction with services

b. Customer complaints

c. Performance information (e.g. attainment, recovery rates)

d. Details and feedback of engagement with service users

e. Quantitative and qualitative research with service users e.g. patient surveys

f. Others

If 'other' selected go to Question D18. If 'other' is not selected go to Question D19

D18. If 'other' selected, list examples (including those captured in D15 a–g there should be no more than three examples in total):

(Open comment box)

D19. For the examples given in D17 or D18, which protected characteristics are covered (select all that are covered in any of the examples)?

(Dropdown list as for Question D2)

Section E: Indication that equality is being considered in decision-making

E1. Is there any indication of what approach, method or template the organisation uses to assess the impact of its policies/practices on equality and how to access such information?

a. Some indication of approach, method or template, but only dated prior to 2011 or not dated

b. Some indication of a more recent approach, method or template and contact details given to obtain this information

c. Some indication of a more recent approach, method or template, but unclear how to access it

d. 2011 or 2012 approach, method or template available online

e. No indication

If d is selected go to question E2, Otherwise go to question F1

E2. Which of the protected grounds are included in the method/approach/template (select all that apply)?

a. Age

b. Disability

c. Gender

d. Gender reassignment/Trans

e. Pregnancy and maternity

f. Race/Ethnicity

g. Religion/Belief

h. Sexual Orientation/LGB

i Individual protected characteristics not cited.

E3. Is there evidence that this approach/method/template is being used in practice in 2011 or 2012?

a. Yes, documents available online

b. Contact details given to obtain information that looks as if it might be evidence of use

c. Unclear or not available

If select a go to E4. If do not select a go to E5

E4.   Which of the protected grounds are covered in this evidence (select all that apply)?

(Dropdown list same as Question E2)

E5.   Are any equality priorities or equality objectives apparent for 2012 or beyond (select all that apply)?

a. Only as a general principle, but no specific commitment

b. Yes, as a commitment

c. Yes in draft form or being consulted on

d. No

If b or c go to Question E6. If a or d go to Section F

E6.   Which protected grounds are covered in any of these equality objectives or equality priorities (select all that apply)?

(Dropdown list same as Question E2)

Section F: Accessibility for disabled/impaired people, Summary and Close

F1.   Is there an accessibility function on the website?

a. Yes

b. No

F2.   Are there any alternative formats available (select all that apply)?

a. General statement on site that these are available with contact information for requesting

b. General statement but unclear how to obtain

c. Statements in documents that include equality information that alternative formats are available with contact information for requesting

d. Statements in documents that include equality information but unclear how to obtain

e. Alternative formats in documents that include equality information can be downloaded direct from site

f. Other

F3.   Are some documents that include equality information available in other languages (select all that apply)?

a. General statement on site that these are available with contact info for requesting

b. General statement but unclear how to obtain

c. Statements in documents that include equality information in alternative languages are available with contact information for requesting

d. Statements in documents that include equality information but unclear how to obtain

e. Alternative languages in documents that include equality information can be downloaded direct from site

f. Other

F4. What time did you close this assessment?

Appendix 2: Authorities assessed

Sector	Sub-sector	All in sector	Number assessed	Category used in our report
Police	Police forces	39	39	Police forces
Criminal Justice	Probation Trusts	34	34	Probation Trusts
Other educational bodies	Universities	130	130	Universities
	Colleges	345	115 (sample)[24]	Colleges
Local government	District Councils	202	202	Local authorities
	County Councils	27	27	
	London Borough	33	33	
	Unitary Authority	55	55	
	Metropolitan Councils	36	36	
Health, social care and social security	Acute Trust	70	70	Health and Social Care – Service Providers
	Ambulance Trust	9	9	
	Ambulance Foundation Trust	3	3	
	Care Trust	23	23	
	Mental Health Trust	18	18	
	Mental Health [Foundation] Trust	40	40	
	NHS Foundation Trust	95	95	
	Primary Care Trusts	144	144	NHS service commissioners
National organisations	**Police:** British Transport Police British Transport Police Authority Civil Nuclear Police Authority The Chief Inspector of the UK Border	6	6	Others

---

[24] Due to time and resource constraints, we did not assess all 345 colleges. A sample of 115 colleges was selected to represent the nine English Regions. This was done by grouping colleges by region and selecting every third college on the list.

	Agency			
	The Independent Police Complaints Commission			
	The Serious Organised Crime Agency			
	Criminal justice:	6	6	
	Her Majesty's Chief Inspector of Constabulary			
	Her Majesty's Chief Inspector of the Crown Prosecution Service			
	Her Majesty's Chief Inspector of Prisons			
	Her Majesty's Chief Inspector of Probation for England and Wales			
	The Parole Board for England and Wales			
	The Youth Justice Board for England and Wales			
	Health, social care and social security:	3	3	
	The Care Quality Commission			
	The Child Maintenance and Enforcement Commission			
	The Independent Regulator of NHS Foundation Trusts			
	Local Government:	1	1	
	The Audit Commission			
	Other Educational bodies:	2	2	

	Student Loans Company Ltd		
	Higher Education Funding Council for England **(**HEFCE**)**		
	Regulators:	3	3
	The Health and Safety Executive		
	The General Council of the Bar		
	The Law Society for England and Wales		
	Court services and legal services:	4	4
	The Children and Family Court Advisory and Support Service		
	The Judicial Appointments Commission		
	The Legal Services Board		
	The Legal Services Commission		
	Broadcasting:	2	2
	BBC		
	Channel 4		
	Civil liberties:	2	2
	Equality and Human Rights Commission		
	The Information Commissioner		
	Environment, housing and development:	4	4
	Natural England		
	The Environment Agency		
	The Homes and Communities		

	Agency			
	The Olympic Development Authority			
	Industry, business, finance etc: The Advisory, Conciliation and Arbitration Service The Bank of England, in respect of its public functions The Civil Aviation Authority The Financial Services Authority The National Audit Office The Office for Budget Responsibility The Office of Communications	7	7	
Total			**1113**	

Sector	Sub-sector	Count	Number assessed	Category used in our report
Ministers of the Crown and government departments	**Large ministerial department consisting of:** The Cabinet Office Department for Business, Innovation and Skills (BIS) Department for Culture, Media and Sport Department for Communities and Local Government (CLG) Department for	16	16	Government departments

109

	Education			
	Department for Energy and Climate Change			
	Department for Environment, Farming and Rural Affairs (DEFRA)			
	Department for Health			
	Department for International Development			
	Department for Transport			
	Department for Work and Pensions			
	Foreign and Commonwealth Office			
	HM Treasury			
	Home Office			
	Ministry of Defence			
	Ministry of Justice			
	Small Ministerial departments and offices (those with less than 150 staff): Government Equalities Office	9	9	
	Office of the Advocate General for Scotland			
	Office of the Attorney General			
	Northern Ireland Office			
	Office of the Leader of the House of Commons			
	Office of the Leader of the House of Lords			
	Prime Minister's			

	Office			
	Scotland Office			
	Wales Office			
	Non-ministerial departments consisting of:	21	21	
	Charity Commission			
	Commissioners for Reduction of the National Debt			
	Crown Estate			
	Crown Prosecution Service			
	Food Standards Agency			
	Forestry Commission			
	Government Actuary's Department			
	HM Customs and Revenue			
	National Savings and Investments			
	Office for Standards in Education, Children's Services and Skills (Ofsted)			
	Office of Fair Trading			
	Office of Rail Regulation			
	Office of Gas and Electricity Markets			
	Office of Qualifications and Examination Regulation (Ofqual)			
	Office of Water Services			
	Public Works and Loans Board			
	Royal Mail			

111

	Serious Fraud Office			
	UK Statistics Authority			
	UK Supreme Court			
	UK Trade and Investment			
Total (Government departments)		46	46	

Contacts

www.equalityhumanrights.com

The Commission's publications are available to download on our website: www.equalityhumanrights.com. If you are an organisation and would like to discuss the option of accessing a publication in an alternative format or language please contact engagementdesk@equalityhumanrights.com. If you are an individual please contact the Equality Advisory and Support Service (EASS) using the contact methods below.

Equality Advisory and Support Service (EASS)

The Equality Advisory Support Service has replaced the Equality and Human Rights Commission Helpline. It gives free advice, information and guidance to individuals on equality, discrimination and human rights issues.

Telephone: 0800 444 205

Textphone: 0800 444 206

Opening hours:

09:00 to 20:00 Monday to Friday

10:00 to 14:00 Saturday

Website: www.equalityadvisoryservice.com

Post: FREEPOST Equality Advisory Support Service FPN4431