

Distr.: General
21 November 2017

English

United Nations

Economic Commission for Europe

Conference of European Statisticians

Work Session on Gender Statistics

Belgrade, Serbia

29 November – 1 December 2017

Item 7 of the provisional agenda

Use of gender statistics in policymaking and policy monitoring

Measurement Framework for monitoring equality and human rights in Britain

Note by Equality and Human Rights Commission, United Kingdom*

Abstract

The UK's Equality and Human Rights Commission has a statutory remit to report on equality and human rights progress in Britain on a regular basis, drawing on a wide range of evidence including gender statistics. The reviews are laid before the UK Parliament to identify wider policy priorities for Britain. They also feed into the Commission's strategic planning cycle.

The reviews are informed by a Measurement Framework which has been developed by the Commission over the last 10 years.

This paper begins by summarizing the steps towards a single Measurement Framework and how these have informed the Commission's reviews to date.

It then goes on to describe the new Measurement Framework and how it will improve understanding of key equality and human rights issues and influence policy in these areas. This includes:

- the reasons for developing the new Measurement Framework and its aims
- the structure of the framework, which is based on six domains

*Prepared by Dr. Karen Hurrell

NOTE: The designations employed in this document do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

- the different types of evidence included, covering legal and policy, qualitative and quantitative outcome data
- the statistical analysis within the framework, including intersectional analysis.

Information is then presented on links between the Commission's Measurement Framework and other major policy frameworks and the paper ends with a section on how the Measurement Framework feeds into UK policy on equality and human rights.

I. Background

1. The Equality and Human Rights Commission's (the Commission's) purpose is to protect and promote equality and human rights in Great Britain, and it has been given a range of statutory powers and duties, which are set out in the Equality Acts 2006¹ and 2010.² As a UN National Human Rights Institution (NHRI) it operates in accordance with the Paris Principles.³ It is also a National Equality Body (NEB).
2. The Commission has statutory obligations to monitor progress towards the aims in the Equality Acts and to assess the UK's compliance with the international human rights framework. The Commission is using its Measurement Framework to create an evidence base to fulfil these requirements.

A. Monitoring progress towards the aims in the Equality Acts

3. Under Section 12 of the Equality Act 2006, the Commission is required to monitor social outcomes from an equality and human rights perspective by developing indicators and reporting on progress. This duty is described in the legislation as follows:

(1) The Commission shall from time to time identify—

- (a) changes in society that have occurred or are expected to occur and are relevant to the duties specified in sections 8 and 9,⁴
- (b) results at which to aim for the purpose of encouraging and supporting changes in society that are consistent with those duties (“outcomes”), and
- (c) factors by reference to which progress towards those results may be measured (“indicators”)

(2) In identifying outcomes and indicators the Commission shall—

- (a) consult such persons having knowledge or experience relevant to the Commission's functions as the Commission thinks appropriate,

¹ <http://www.legislation.gov.uk/ukpga/2006/3/contents>

² <http://www.legislation.gov.uk/ukpga/2010/15/contents>

³ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfNationalInstitutions.aspx>

⁴ Sections 8 and 9 relate to the promotion of equality and diversity and of human rights respectively.

- (b) consult such other persons as the Commission thinks appropriate,
 - (c) issue a general invitation to make representations, in a manner likely in the Commission's opinion to bring the invitation to the attention of as large a class of persons who may wish to make representations as is reasonably practicable, and
 - (d) take account of any representations made.
- (3) The Commission shall from time to time monitor progress towards each identified outcome by reference to any relevant identified indicator.
- (4) The Commission shall publish a report on progress towards the identified outcomes by reference to the identified indicators
- (a) within the period of three years beginning with the date on which this section comes into force, and
 - (b) within each period of five years beginning with the date on which a report is published under this subsection.
- (5) The Commission shall send each report to the Secretary of State, who shall lay a copy before Parliament.

B. Assessing compliance with the international human rights framework

- 4. As a NHRI, one of the Commission's core tasks is to monitor the UK's compliance with the seven United Nations (UN) human rights treaties it has signed and ratified. By ratifying the treaties, the UK has pledged to make sure its domestic laws and policies comply with them. This means the Commission, Parliament and civil society can hold the Government accountable against the terms of the treaties. The UK is committed to ensuring everyone can enjoy the economic, social and cultural rights they contain over time (a process the UN calls 'progressive realisation').
- 5. Formal monitoring of the UK's treaty obligations is done by the relevant UN treaty body. The Commission supports this by examining the Government's performance across all the treaties and reporting to the UN in what are known as 'shadow reports'.

C. Outline of this paper

- 6. Starting in Section II with projects to develop indicators and measures for different parts of the Commission's remit and previous reviews published by the Commission, Section III then identifies the Measurement Framework's aims and goes on to describe its key features.
- 7. Section IV moves on to describe how the Measurement Framework relates to other major policy and statistics frameworks, and finally Section V how it supports the Commission's strategy and feeds into UK policy.

II. Steps towards a single Measurement Framework

8. When the Commission was set up in October 2007, it faced the challenge of a broad mandate covering equality, human rights and good relations, as well as a range of potentially conflicting protected characteristics, such as religion or belief and sexual orientation.
9. The Commission adopted a definition of an equal society that had been proposed by the Equalities Review.⁵ That is, one that ‘protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish’ and which ‘recognises people’s different needs, situations and goals and removes the barriers that limit what people can do and can be.’ Its final report ‘Fairness and Freedom’⁶ set out a framework for measuring equality based on ten domains, reflecting freedoms and activities that people have reason to value and derived from international human rights principles.
10. The Commission carried out research to develop this framework further, which produced the Equality Measurement Framework in 2009 and the Children’s Measurement Framework in 2011. Both were based on the same ten domains, with the latter identifying measures specific to children and young people. The indicators and measures in the frameworks were agreed through extensive consultation with the public and with experts in their field.
11. Mirroring the other areas within the Commission’s mandate at the time, the Good Relations Measurement Framework was added in 2010 and the Human Rights Measurement Framework in 2011.
12. These frameworks underpinned the Commission’s first three reviews:
13. In 2010, ‘How fair is Britain?’ was based on the Equality Measurement Framework for adults.
14. In 2012, the ‘Human Rights Review’ was based on the Human Rights Measurement Framework.
15. In 2015, the Commission took the first steps towards adopting a single measurement framework, drawing on indicators and measures from all four frameworks in producing ‘Is Britain Fairer?’
16. Since then the Commission has carried out a full review of its framework, building on the experience of producing ‘Is Britain fairer?’ in order to create a more consistent approach, and to slim down the amount of data we collect and analyse. This framework is described in the following section.

III. The Measurement Framework

17. The full report on the ‘Measurement Framework for Equality and Human Rights’ can be found on the Equality and Human Rights Commission’s website.⁷

⁵<http://webarchive.nationalarchives.gov.uk/20100702220157/http://archive.cabinetoffice.gov.uk/equalitiesreview/publications.html>

⁶ Equalities Review (2007) Fairness and Freedom: the final report of the Equalities Review.

⁷ <https://www.equalityhumanrights.com/en/publication-download/measurement-framework-equality-and-human-rights>

A. Its aims and key features

18. The Measurement Framework has been developed as a tool to enable the Commission to monitor and evaluate progress towards equality and human rights in a systematic and consistent way across England, Scotland and Wales.
19. The aims of the Measurement Framework are to:
20. Provide a structure, focus, consistency and boundaries for continuous collection of evidence covering England, Scotland and Wales
21. Provide a structure for equality and human rights reviews, to select indicators, and to know which sources of evidence to look at
22. Support the Commission's treaty monitoring, policy and legal work
23. Provide a common language and categorisation that could be adapted to regions, cities or other countries
24. It has strong theoretical foundations that are applied to equality and human rights monitoring in a practical way. The framework is based on several theoretical concepts relating to equality, human rights, vulnerability and intersectionality. Further details can be found in Chapter three of the Measurement Framework report.
25. The original ten domains have now been replaced with six domains, which reflect the things or areas in life that are important to people and enable them to flourish.
26. Within each domain, indicators and topics have been chosen from those with the strongest rationale and best available evidence, in order to monitor those areas where change is most needed to achieve equality and human rights. There are 25 indicators in total.
27. The domains and indicators are as follows:
28. Education has 3 indicators: Educational attainment of children and young people; School exclusions, bullying and NEET; Higher education and lifelong learning.
29. Work has 4 indicators: Employment; Earnings; Occupational segregation; Forced labour and trafficking.
30. Living standards has 3 indicators: Poverty; Housing; Social care.
31. Health has 5 indicators: Health outcomes; Access to healthcare; Mental health; Reproductive and sexual health; Palliative and end of life care.
32. Justice and personal security has 5 indicators: Conditions of detention; Hate crime, homicides, sexual and domestic abuse; Criminal and civil justice; Restorative justice; Reintegration, resettlement and rehabilitation.
33. Participation has 5 indicators: Political and civic participation and representation; Access to services; Privacy and surveillance; Social and community cohesion; Family life.

Figure 1: Example information on the Education domain

Table 5.1: Education			
Capabilities – the central and valuable freedoms and opportunities	Outcomes⁸ - the future we want	Indicators⁹ – how we measure progress	Topics
<p>To be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in parenting, the labour market and in society.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Attaining the highest possible standard of knowledge, understanding and reasoning • Being fulfilled and stimulated intellectually, including being creative if they wish • Developing the skills necessary for parenting and for participating in the labour market • Learning about a range of cultures and beliefs and acquiring the skills to participate in a diverse society • Accessing education, training and lifelong learning that meet their needs • Developing the skills to access information and technology necessary to participate in society 	<ul style="list-style-type: none"> • People’s right to education is respected, protected and fulfilled • People are free from discrimination and abuse in education • All children have the opportunity to reach their full potential through education, irrespective of their disability status, race, religion/belief, sex, sexual orientation or socio-economic group • Social exclusion, bias, stereotyping and bullying have no place in the education system • No child is unfairly excluded from school. • All young people are in education, employment or training • A person’s age, disability, race, religion/belief, sex, sexual orientation or socio-economic group has no bearing on their ability to attend higher education and do well • Every person has a meaningful opportunity for lifelong learning 	Educational attainment of children and young people	<ul style="list-style-type: none"> • Early years education • Attainment at school-leaving age • Impact of gender bias and stereotyping on educational attainment • Impact of poverty and social exclusion on educational attainment
		School exclusions, bullying and NEET (not in education, employment or training)	<ul style="list-style-type: none"> • Exclusions from school • Bullying in schools • NEET
		Higher education and lifelong learning	<ul style="list-style-type: none"> • Higher education, including subject choice, attainment, degree-level qualifications • Lifelong learning

B. An example – the Education domain

34. The table on the preceding page shows how the capabilities associated with the Education domain and the future goals link to the indicators and key topics selected for monitoring.

35. The report goes on to explain what structure, process and outcome evidence to look at.

⁸ Section 12(1)(b), Equality Act 2006.

⁹ Section 12(1)(c), Equality Act 2006.

36. The Education domain has three indicators. For each indicator the evidence to be collected is described (see full report for details), covering:
37. Statistical outcome and process measures for secondary analysis by the Commission, such as the percentage achieving good examination results at school-leaving age or on leaving school. The preferred sources and characteristics to be included in the analysis are listed.
38. Other quantitative evidence and sources that may be considered.
39. Where to find evidence on legislation, treaty obligations and principles established in case law (the ‘structure’); implementation and evaluation of public policy, regulators and resources allocation and expenditure (the ‘process’).

Figure 2: Statistical measures for the Educational attainment of children and young people indicator

EDU.EAT.1: Percentage with a good level of development or of literacy and numeracy in early Primary education (children aged 4-7)	
England: Early years foundation stage profile results, Department for Education	Disability (including Impairment type), Ethnicity, Gender, Socio-economic group
Scotland: Achievement of Curriculum for Excellence (CfE) Levels Return, Scottish Government	Disability, Ethnicity, Gender
Wales: Foundation phase outcomes and National Curriculum teacher assessment of core subjects at Key Stages 2 and 3, Welsh Government	Gender

EDU.EAT.2: Percentage achieving good examination results at school-leaving age or on leaving school (children)	
England: Revised GCSE and equivalent results in England and Outcomes of looked after children by local authority, Department for Education	Disability (including Impairment type), Ethnicity, Gender, Looked after children, Socio-economic group
Scotland: Summary statistics for attainment, leaver destinations and healthy living, and Education outcomes for Scotland's looked after children, Scottish Government	Disability (including Impairment type), Ethnicity, Gender, Looked after children, Socio-economic group
Wales: Academic achievement by pupil characteristics, and Academic achievement and entitlement to free school meals, Welsh Government	Disability (including Impairment type), Ethnicity, Gender, Socio-economic group

40. In the case of the first indicator in the Education domain, ‘Educational attainment of children and young people’, the statistical measures are shown in figure 2. In these tables, the definition of the measure is given in the header, sources are identified in the left-hand column and equality characteristics in the right-hand column.

41. As far as possible, the statistical analysis for each measure will include cross-sectional analysis for each equality characteristic, change over time analysis over a six year period and intersectional analysis which incorporates selected interactions between characteristics.

IV. How the Measurement Framework relates to other major policy frameworks

42. In developing this framework, links with other national and international frameworks have been considered. Ensuring that different frameworks support each other and link closely helps to provide a coherent picture of progress, and will enable public bodies to work together to advance equality and human rights. This will enable opportunities for integrated monitoring and reporting mechanisms and contribute to a joined-up approach across different sectors.
43. Within the UK, we have mapped the Measurement Framework to: ONS measures of well-being, The Scottish Government's National Performance Framework Scotland and the Welsh Government's National Indicators for Wales.
44. Similar to our Measurement Framework, the ONS measures of national well-being are based on domains and measures. The ONS also presents the latest available data for each measure using a single assessment that applies (generally) to England, Scotland and Wales, and making comparisons with an earlier period. There is a good degree of overlap between the two frameworks. There are 12 ONS measures which are the same as or similar to the statistical measures in our Measurement Framework
45. There is considerable overlap between our Measurement Framework and the Scottish Government's National Performance Framework. There are 20 national indicators in the Scottish Government's National Performance Framework which are the same or similar to the statistical measures in our Measurement Framework. There is also a fair degree of overlap in terms of the general vision of the kind of Scotland/ Britain that we want to see. The Scottish Government's National Performance Framework also includes some equalities analysis.
46. There is also considerable overlap between our Measurement Framework and the National indicators for Wales. There are 15 national indicators for Wales which are the same as or similar to the statistical measures in our Measurement Framework. There is also a fair degree of overlap in terms of the general vision for Wales and Britain that both frameworks set out. Both frameworks also do analysis by equality characteristics and intersectional analysis.
47. On an international level, there are links with the Sustainable Development Goals. There is substantial overlap between our own Measurement Framework and the SDGs. Where one framework supports the other, possibilities exist for generalisation of our measures to the global stage, and enhanced national relevance for the SDGs. The existence of the Commission fulfils one of the SDG indicators directly, namely the existence of independent National Human Rights Institutions in compliance with the Paris Principles (Indicator 16.a.1). It also has a broad remit within Goal 5 (gender equality) and Goal 10 (reduced inequality), which cut across the entirety of our Measurement Framework through inspection of protected characteristics, other forms of data disaggregation, and analysis.

V. How the Measurement Framework feeds into UK policy on equality and human rights

A. At the Commission

48. The Measurement Framework provides a structure for evidence gathering, analysis and write-up for 'Is Britain Fairer? 2018'. Cross-Commission teams of legal, policy and research staff are drawing together evidence for 19 indicators which will form the basis of four country reports for Great Britain, England, Scotland and Wales.
49. The Great Britain report will form the Commission's statutory report to Parliament in 2018 and areas identified as priorities for future work will inform the Commission's Strategic Plan for 2019-22.
50. It is expected that the framework will also underpin 'Is Britain fairer?' reviews in 2021 and 2024 and subsequent Strategic Plans covering the period up to 2028, although the indicators, topics, statistical measures and structure, process and outcome evidence may need to be updated to make use of the best available evidence and advances in analysis.
51. The Commission will also use the Measurement Framework to monitor the UK's compliance with the seven United Nations human rights treaties it has signed and ratified. The evidence base will be updated regularly and provide material for 'shadow reports' to the UN on the UK's treaty obligations.

B. National Governments and statutory bodies

52. As well as drawing information and recommendations directly from the Commission's statutory and other reports and strategic plan, Parliamentary committees, Government departments and statutory bodies in Britain can use the framework as an agenda-setting tool. Social researchers, economists and statisticians in these bodies can also use the framework to inform their own collection of data.
53. Following publication of the Commission's report on race, 'Healing a divided Britain, which was produced following 'Is Britain Fairer? 2015', the Prime Minister ordered a Race Disparity Audit. This uses official data to examine how people of different backgrounds are treated in public services, such as health, education, employment and the criminal justice system. The first statistics disaggregated by ethnicity from across Government were published on October 2017 and have been made available on the Ethnicity Facts and Figures website.¹⁰
54. The Welsh Government based their equality objectives for 2016-20 on evidence presented in 'Is Wales Fairer? 2015' and linked each objective to evidence in the report.¹¹ It also informed the chapter 'The state of human rights and equality' in the National Assembly for Wales report 'Key Issues for the Fifth Assembly', which was sent to all Assembly Members.
55. 'Is Scotland Fairer? 2015' was highlighted as a central evidence source in the Scottish Government's Fairer Scotland strategy document.¹²

¹⁰ <http://www.ethnicity-facts-figures.service.gov.uk>

¹¹ <http://gov.wales/about/cabinet/cabinetstatements/2016/equalityobjectives/?lang=en>

¹² <http://www.gov.scot/Publications/2016/10/9964>

C. Regional and Local Government

56. City mayors, local authorities and their partners can apply and adapt the framework to their local contexts, and use it to monitor how rights are respected, protected and fulfilled on the local level, compared to the national level, and to fill data gaps.
57. Several local authorities have enquired about drawing on the framework at a local level, for example the City of York has contacted the Commission in relation to its declaration as the UK's first Human Rights City and the Greater London Authority has asked for input in devising a set of indicators to measure and track economic fairness in London.

D. International

58. Other National Human Rights Institutions and National Equality Bodies can use or adapt the framework to inform their own monitoring activities. The Commission has already provided information and assistance to various organizations in several other countries. For example, the Ministry of Interior in Finland were interested in learning more about the Good Relations Measurement Framework to inform their own project in this area.
59. The Commission hopes that international umbrella organizations, such as OHCHR, use its framework as best practice, for instance in relation to data disaggregation and as an example of how structure, process and outcome evidence can be comprehensively collected at a national level.

E. Other organizations that may find the framework helpful

60. Research institutions and academics are encouraged to use the framework to carry out research into specific elements of it, to further expand knowledge and innovation in this area, including using the framework as a 'business case' in funding applications and to fill data gaps.
 61. Universities and colleges can use the framework as an example to teach practical applications of equality and human rights monitoring to their students, as well as development of indicators and metrics.
 62. Third-sector organizations, NGOs, charities and campaigning groups can use the framework as an agenda-setting tool.
 63. Opinion formers and media can use the framework to inform public debate and discussion and to provide an equality and human rights context to wider social, economic, political and legislative issues.
-