



## **Middlesbrough Council**

### **Equality Monitoring Policy**

Live from: November 2017

Live Until: November 2020

<b>DOCUMENT CONTROL</b>					
<b>Version Date</b>	<b>Version Ref.</b>	<b>Revision History</b>	<b>Reviser</b>	<b>Approved By</b>	<b>Review Date</b>
May 2015	2.0	First revision	Ann-Marie Johnstone	Deputy Mayor	May 2018
November 2017	3.0	Second revision	Ann-Marie Johnstone	Single Member	November 2020

## BACKGROUND

1. The Public Sector Equality Duty (PSED) places a duty on the Council to consider the needs of diverse groups when designing and delivering services, particularly where those needs may differ because groups or individuals identify with a particular protected characteristic.
2. The PSED requires the Council to have due regard to the need to:
  - 'eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - advance equality of opportunity between people who share a protected characteristic and those who do not
  - foster good relations between people who share a protected characteristic and those who do not.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.'
3. The eight characteristics encompassed by the duty are:
    - age
    - disability
    - race
    - religion or belief
    - sex
    - sexual orientation
    - gender reassignment
    - pregnancy and maternity<sup>1</sup>.
  4. This policy sets out how equality monitoring is embedded within Council processes, where relevant, to enable data to be gathered from service users, residents and visitors that can be used to inform decision-making, services and priorities to ensure compliance with the PSED.
  5. Appropriate and sufficient equality monitoring information will assist to:
    - understand trends in accessing services and identify where new or changed services are required;
    - provide benchmarks against which realistic targets for improvement can be set;
    - identify if policies are adversely affecting people because they hold a protected characteristic;
    - identify the communities using services, the outcomes they experience and groups not accessing services; and
    - measure the overall effectiveness of services.

## PREPARATION AND IMPLEMENTATION

6. It is important that careful preparation is undertaken prior to the inclusion of equality monitoring questions within processes. Issues that should be considered include:
  - policy context
  - which protected characteristics could proposals / consultation be relevant to
  - who is to collect the information, when, how and from whom?
  - do current processes need to be re-designed to encourage respondents to answer the equality monitoring questions?
  - how the data is to be stored
  - how the data is to be analysed, whether manually or by computer
  - how findings will be monitored and reported
  - how data will be used to improve services or performance
  - confidentiality and data protection requirements.

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<sup>1</sup> Data on this area is not normally included in standard consultations, however a standard question wording has been included in the equality monitoring form. If planning to use this question, officers must first contact Lorraine McDonald for advice.

7. If equality monitoring is to be included within consultation, the Council's Consultation Strategy should be utilised to ensure best practice is achieved. Appendix one sets out the standard equality monitoring questions for adults.

## **HOW AND WHEN TO MONITOR**

8. Equality monitoring of relevant characteristics should be undertaken when gathering relevant service user data, seeking views on satisfaction levels, consultation exercises and when managing complaints. If this data is not gathered then it will be difficult to prove services are based on a sound understanding of the different communities that access them. Data that can be disaggregated by protected characteristics will help inform completion of Impact Assessment templates which are required to support formal reports seeking decisions via the Council's formal decision-making processes.
9. Questions should be modified to remove monitoring questions which are not relevant or appropriate to the consultation in question. For example, when asking children under the age of 16, consideration should be given to removing questions around sexual orientation.
10. Equality monitoring can be carried out in a number of ways. Frequency of monitoring can vary according to service requirements.

## **DATA PROTECTION ACT 1998**

11. All monitoring information is classed as personal data under the Data Protection Act and needs to be treated as confidential. The Council has a Data Protection policy in place, which sets out how it will ensure compliance with the provisions of the Act.
12. Equalities monitoring can involve asking for and recording personal data about individuals. The legislation exists to protect individuals against the misuse of that data, and all records whether manual or computerised must meet the requirements of the Act. Where an individual can be traced to the monitoring figures, the individual's consent to hold and process the data should be obtained.
13. Data should only be used for the purpose it was collected for. This should not be a barrier to equalities monitoring but will require officers to clearly set out how data will be used. A standard statement on data protection has been provided within the equalities monitoring form (appendix one).

## **REPORTING FINDINGS**

14. Where equality monitoring has taken place as part of a customer satisfaction survey or consultation, providing feedback is fundamental. The outcomes should be made available, details of what has happened as a result of the process should be communicated to participants as a whole.

## **COMPLIANCE**

15. Compliance with this policy will be measured in a number of ways:
  - Impact Assessments are scrutinised to ensure they are based on robust data
  - consultations submitted to Performance and Partnerships team for inclusion on the consultation portal will be quality assured.

## **ROLES AND RESPONSIBILITIES**

16. All members of staff undertaking equality monitoring processes are responsible for ensuring they comply with the Equality Monitoring policy.

## **REVIEW FREQUENCY**

17. The policy will be reviewed every three years unless there is a change in legislation or there are concerns that the policy is no longer fit for purpose.

## **CONTACTS FOR SUPPORT AND ADVICE**

18. If you require further advice please contact the Corporate Strategy Team.