

Reviewing a public body's performance on equality in service delivery – questions to consider

Reviewing the information and data that public bodies publish to comply with The Equality Act 2010 (Specific Duties) Regulations 2011 can help you hold public bodies to account for their performance on equality and help you to see how and why they reached certain conclusions and made certain decisions.

The regulations require a public body to publish annually 'information to demonstrate its compliance with' the Equality Duty. This must include information relating to people with protected characteristics who are affected by their decisions, policies and practices, such as the people who use their services. Public bodies with more than 150 employees must also publish information relating to their employees who share a protected characteristic.

When reviewing the information and data that public bodies publish about their services, you could ask yourself some questions to help you judge their performance in relation to, for example:

- Applications for services
- Levels of usage of services
- Experience of services
- Outcomes from services

It is important to distinguish between the data a public body used to make sure it complied with the Equality Duty and other data it may make available regarding its performance on equality more generally. Data that a public body used to comply with the Equality Duty should have informed its decision making, and the body may publish information showing how it did this, such as some analysis of the data, or a note of how it was considered. More general information about a public body's equality performance does not necessarily have to have been used or considered in decision making. The questions below are primarily designed to help you assess a public body's performance on equality, rather than whether they complied with the Equality Duty.

It is also worth noting that service data may vary widely. In many cases, detailed information about certain protected characteristics will not have been collected. In some cases, the public body will not be able to provide it for data protection reasons. But these questions provide a good place to start in looking at published information.

Questions you could consider when reviewing the published information.

Service Users

1. Is information and data provided in a way that:

- Includes all relevant protected characteristics?
- Is disaggregated?
- Provides numbers as well as percentages?
- Enables comparison with benchmarks, such as similar public bodies?

2. Are some people who share a protected characteristic more or less likely to use the services than others e.g. lesbian, gay or bisexual people in comparison to heterosexual people; disabled people in comparison to non-disabled people; Black-Caribbean compared to Black-African?
3. If some people with protected characteristics are more likely to use a service than others, is this a cause for concern or does it reflect legitimate targeting of a service to particular people, or reflect the demographics of the local population?
3. Are any differences in the experiences of people who share a relevant protected characteristic the result of formal or informal policies or practices? Are the policies or practices justified?
4. Are any differences due to factors such as underlying patterns of socio-economic disadvantage, rather than something directly related to particular protected characteristics?
5. Are discrimination, harassment, prejudice, lack of understanding or lack of reasonable adjustments¹ possible causes of any differences?
6. How is access to services or service outcomes for people with different protected characteristics changing over time? Are patterns or trends emerging?
7. Do access arrangements for particular services, such as ramps for wheelchair users, meet the needs of people with protected characteristics that are different to those of people without the characteristic? Note that this is not just about physical access to buildings: if you have to book appointments for services on-line, this may not meet the needs of older people, who are less likely to be computer-literate.
8. Is further investigation needed to understand differences? What other data or information might be needed to help a public body consider these issues better when designing future services?
9. Does the public body have sufficient information and data (evidence) on which to base future decisions? Do they need to do anything to address any gaps in information data or improve their data sets?
10. What can be done to narrow any differences in outcomes and opportunities for people with different protected characteristics? What could you ask the public body to do to reduce any differences and improve access for people with protected characteristics?

Applications for services

1. Is information and data provided in a way that:
 - a) Includes relevant and appropriate protected characteristics?
 - b) Is disaggregated?

¹ In law, public bodies must make reasonable adjustments for disabled people but do not have to do this for other groups.

Reviewing a public body's performance on equality in service delivery – questions to consider

c) Provides numbers as well as percentages?

d) Enables comparison with benchmarks?

2. Are some people with protected characteristics more or less likely to be successful when they apply for a service than others?

3. Are any differences in success rates due to other rules or requirements (policies or practices)? Are the rules and requirements justified?

4. Are any differences due to other factors such as underlying patterns of socio-economic disadvantage?

5. Is discrimination, harassment, prejudice, lack of understanding or lack of reasonable adjustments² a possible cause for any differences in the number of applications and/or the number of successful applications?

6. How are application and success rates changing over time for people with protected characteristics? Are patterns or trends emerging?

7. Do application arrangements meet any different or special needs that people with protected characteristics have? For example, is information provided in large print, to help those who are partially sighted?

8. Is further investigation needed? What data or information (evidence) might be needed?

9. What can be done to narrow any differences in application and success rates for people with protected characteristics?

10. What could you ask the public authority to do to reduce any differences and improve application and success rates for people with protected characteristics?

Levels of Use of Services

1. Is data provided in a way that:

a) Includes relevant and appropriate protected characteristics?

b) Is disaggregated?

c) Provides numbers as well as percentages?

d) Enables comparison with benchmarks?

2. Are there differences in the levels of service usage by people with different protected characteristics when compared to others or the population as a whole?

3. If some people use a service more intensively or frequently than others, is this a cause for concern or does it reflect legitimate targeting of a service to particular people?

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Reviewing a public body's performance on equality in service delivery – questions to consider

4. Are any differences in service use due to other rules or requirements (policies or practices)? Are the rules and requirements justified?
5. Are there differences in the ways that people with protected characteristics use the services?
6. Do people with protected characteristics have different or special needs (compared to others without the characteristic) that are being poorly met?
7. Might any different levels of service usage be due to discrimination, harassment, prejudice, lack of understanding or lack of reasonable adjustments³?
7. How is service usage by people with protected characteristics changing over time? Are patterns or trends emerging?
8. Is further investigation needed? What other data or information (evidence) is needed?
9. What can be done to narrow any differences in service use between people with protected characteristics and the population as a whole?
10. What could you ask the public authority to do to reduce any differences?

Service Experience

1. Is data provided in a way that:
 - a) Includes relevant and appropriate protected characteristics?
 - b) Is disaggregated?
 - c) Provides numbers as well as percentages?
 - d) Enables comparison with benchmarks?
2. Are there differences in the satisfaction levels or numbers of complaints by people with different protected characteristics?
3. Are there particular services or departments that are a cause for complaint by people with different protected characteristics?
4. Are satisfaction rates higher for people with protected characteristics?
5. Is any dissatisfaction with the service due to discrimination, harassment, prejudice, lack of understanding or lack of reasonable adjustments⁴?
6. How is service experience for people with protected characteristics changing over time?
7. What may be the underlying factors that result in some people with protected characteristics having a poorer experience of the service than others?

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Reviewing a public body's performance on equality in service delivery – questions to consider

8. Is further investigation needed? What information or data (evidence) is required?

9. How can service experience be improved for people with protected characteristics? What could you ask the public body to do?

10. What suggestions about engagement could you make to help the public body to improve satisfaction rates for people with protected characteristics?

Service Outcomes

1. Is data provided in a way that:

- a) Includes relevant and appropriate protected characteristics?
- b) Is disaggregated?
- c) Provides numbers as well as percentages?
- d) Enables comparison with benchmarks?

2. Are there differences in outcomes for people with protected characteristics compared with the population as a whole? If there are differences are they a cause for concern?

3. Are any differences between the outcomes for people with protected characteristic due to certain rules or requirements? If so, are these rules or requirements justified?

4. Are any differences in outcomes for people with protected characteristics due to other factors or patterns of disadvantage rather than because of their protected characteristic?

5. Do people with protected characteristics have special or different needs (compared to those without the protected characteristic) that are affecting the outcomes?

6. Are any differences in outcomes due to discrimination, harassment, prejudice, lack of understanding or lack of reasonable adjustments?⁵

7. How are service outcomes for people with protected characteristics changing over time? Are patterns or trends emerging?

8. What can be done to narrow any differences and improve outcomes for people with protected characteristics? Is further investigation needed? What other data or information (evidence) is needed?

9. What could you ask the public authority to do to reduce any differences and improve service outcomes for people with protected characteristics?

⁵ In law, public bodies must make reasonable adjustments for disabled people but do not have to do this for other groups.