

16. Conclusions and recommendations: Scotland

This chapter summarises the process of developing the indicators for the Equality Measurement Framework (EMF) and outlines recommendations arising from the study for Scotland.

The EMF is intended to monitor social outcomes from an equality and human rights perspective, providing a baseline of evidence to inform policy priorities and help to identify inequalities that need further investigation. As a result of this study, 48 indicators have been identified across the 10 domains, comprising 88 measures overall. Data are already available for over three-quarters of the measures across a number of equality characteristics and the recommendations that follow highlight data gaps and suggest areas that would benefit from greater data availability.

16.1 The process of selecting indicators

The principal task of this stage of the development of the Equality Measurement Framework (EMF) was to agree a set of statistical indicators corresponding to the most salient components of the list of central and valuable substantive freedoms constructed and refined in previous stages of the development of the Framework (see Chapter 1). To this end, a set of selection criteria were specified and then revised following the first round of consultation feedback (see Chapter 2). Using these selection criteria, and building on previous reviews of equality statistics carried out by Walby and colleagues (2008) and the Office for National Statistics (ONS 2007), a provisional set of indicators were identified across the 10 domains of the Framework and subjected to extensive and intensive consultation with stakeholders, including voluntary sector organisations and equality groups, policymakers from across Whitehall and the devolved administrations, and academic specialists. This involved 12 consultation events, including full-day events in Edinburgh and Cardiff, a web consultation based on 11 briefing papers, 5 formal meetings with cross-government and local government bodies, and several one-to-one meetings and email exchanges with a range of stakeholders and data providers. The indicators were altered and improved considerably through the process of consultation.

Participants in the consultation broadly welcomed our approach to the process of selecting indicators, described by one as ‘thorough and responsive to comments’. Two respondents to the web consultation who had not been able to attend any of the consultation events felt that the amount of written information was overwhelming; a concern of which we were acutely aware when preparing consultation materials.

Participants who attended the session on *Participation, Influence and Voice* were of the view that the general public should also be included in the process of selecting

indicators for something as important as the EMF, and in particular to reach beyond 'the usual suspects' to include voices not usually heard in formal consultation exercises. They recognised that some aspects of the selection of indicators were technical and that a standard public consultation would be unlikely to be productive, but they thought that with sufficient care and time, most of the issues could be made accessible to a broader audience.

- We recommend that EHRC, GEO and the devolved administrations give consideration to involving the general public in scrutinising the short list of indicators produced by the specialist consultation, for example by means of a citizen's jury.

A number of respondents observed that the equality issues which are particularly salient may change over time, so that the indicators selected should not be regarded as fixed in stone. On the other hand, the EMF will gain in value if trends can be tracked over time, which implies keeping at least some indicators constant.

- We recommend that EHRC, GEO and the devolved administrations revisit the selection of indicators in three years time, with a view to ensuring the indicators continue to reflect the most important equality and human rights issues while retaining a degree of continuity, to facilitate analysis of trends over time.

16.2 Data availability

The previous reviews of equality data and our own work for this project have confirmed that there is a vast amount of data available for Scotland, much of which can be disaggregated by a number of equality characteristics. Clearly it makes sense to make the best use of these rich resources before advocating new data collection. Strategies that we have employed in the development of the indicators to maximise the use of existing sources include:

- exploiting a wide range of sources (more than 16 for Scotland), rather than relying exclusively on the most obvious mainstream datasets
- pooling two or more years of a survey, to increase the sample size (recommended for disaggregation of indicators from the Family Resources Survey (FRS) within Scotland for the Standard of Living domain, for example)
- data matching or linkage between sources (recommended for matching DEFRA statistics on environmental quality to individual population characteristics for indicators in the Health and Standard of Living domains, for example)

- recommending the addition of questions on equality characteristics, to increase the scope for disaggregation
- recommending the modification of question wording to broaden coverage to more equality groups
- recommending the addition of questions for particular indicators to existing surveys
- recommending booster samples (for a particular equality characteristic, or for Scotland as a whole in a GB or UK dataset).¹

Several GB surveys cover the most populous parts of Scotland but do not sample north of the Caledonian canal. These sources are therefore not useful for assessing the particular needs of people in the Highlands and Islands.

We have come across datasets and variables that are collected but not released to external researchers or the broader public. We recognize that there are legitimate concerns about respondent confidentiality and potential misuse of data here. However, in many instances these can be overcome through careful management and release with special access and usage conditions if necessary. The ONS objective of greater transparency, as well the accountability of data collection – much of it funded by the taxpayer - to the public and to Parliament – are also key concerns.

One example is the non-release of ethnicity coding, or release only in an aggregated form (White/Non-White) which is not informative for analysis, such as is currently the case for the Scottish Household Survey (SHS). We welcome the Scottish Government's decision to make a finer breakdown available in the future.

- We recommend that data providers look again at whether these variables and datasets can be made publicly available, with special access and usage conditions if necessary.

In addition to data that already exist, there are many exciting developments under way and new data sources are becoming available all the time. For example, there are plans to include questions on sexual orientation in future surveys funded by the Scottish Government.

¹ Booster samples can be a cost-effective way of increasing sample size for particular sub-groups but they produce less statistically precise estimates than a simple random sample of the same size. The calculation of standard errors and confidence intervals is also more complex than for a simple random sample, and the information to enable users to calculate standard errors accurately is not always provided with the dataset: a limitation we recommend is addressed in future releases of all surveys with complex design (including the SHS).

- We recommend that EHRC keeps in contact with all data providers on the question of data availability, and that relevant new data is integrated into the EMF as soon as it becomes available.

Some major new surveys are under development or already in the field, including:

- Wealth and Assets Survey
- Life Opportunities Survey (LOS - previously known as the Longitudinal Disability Survey)
- UK Household Longitudinal Survey (UKHLS - successor to British Household Panel Survey)
- Adult Literacy and Numeracy Survey in Scotland

Where we have been able to find out sufficient information about what is likely to be forthcoming from these sources, we have included them in our recommendations. Data sources for other indicators may also be replaced in due course with new and better sources.

During the consultation, representatives of government departments frequently expressed the view that we should use existing data sources and indeed existing indicators wherever possible. Other consultation respondents – especially the Equality and Diversity Forum, whose membership is made up of 37 national equality organisations and 38 observers – emphasised the importance of not being driven too much by data availability in the selection of indicators, given that important aspects of inequality or groups in the population may not be well-captured by existing data. We have tried to strike a balance between these two perspectives, using existing data and indicators wherever they are ‘close enough’ to the concept we are trying to measure, and recommending new data collection where there is an important gap in existing sources.

16.3 Disaggregation of the indicators by equality characteristics

Data sources vary in the way in which ethnicity, religion/belief, disability and social class are asked about and coded. Age is nearly always collected as a continuous variable but published reports use different breakdowns, and there is a trend towards releasing datasets with banded age variables rather than the raw data, which is regrettable from the analyst’s point of view and reduces the potential for consistency and harmonisation across sources. Walby and colleagues (2008) reviewed the range of definitions of equality characteristics in use in existing sources and made recommendations on best practice which we fully endorse. Subsequent to that, the Office for Disability Issues has published guidelines on a harmonised disability definition (ODI, 2009) and we hope it will be adopted across a range of surveys, although we understand the Scottish Government has yet to make a decision on this.

In the meantime, we have not excluded data sources from consideration even if they use less-than-ideal forms of questions or coding of equality characteristics.

Sexual orientation

Two equality characteristics require more detailed discussion here: sexual orientation and transgender status. Good progress has been made on survey measurement of sexual identity through the ONS sexual identity project (ONS, 2009) and a question will now be included in the major continuous surveys, including the Labour Force Survey (LFS) and the Opinions Survey (previously known as the ONS Omnibus), with the first data becoming available for analysis in 2010. The Scottish Government has indicated that a similar question will be included in all major social surveys it funds in future. This is all good news and will enormously enhance the potential for disaggregation of key indicators by sexual identity. The benefits could be spread even more widely if other data providers follow suit:

- We recommend that the sexual identity question developed by ONS become a standard part of the demographic information collected in all major surveys, as soon as practicable.

However, there are two notes of caution. The first was brought to our attention through the consultation by Stonewall: ‘our research suggests that the first few times surveys monitor for sexual orientation, there is a reluctance to answer questions on sexual orientation and to answer accurately. Therefore there will be a considerable time-lag before the data will come close to reflecting the experiences of LGB people’. This is an important observation and will mean the newly-emerging data need careful interpretation.

The second note of caution concerns the different experiences of lesbian, gay and bisexual (LGB) people who are ‘out’ and those who are not. It is to be expected that a proportion, possibly a high proportion, of LGB people who are not out will decline to answer the sexual identity question in surveys, or report themselves as straight. This means that analysis of inequality based on the sexual identity question will tend to reflect the experiences of LGB people who are out to a greater extent than the experiences of LGB people who are not out – and the experiences of the two groups are not always similar. For example, a gay person who is out may be more likely to be treated with disrespect in education (indicator 5 in the Education and Learning domain) than someone who is not out, but in terms of ‘Being able to be yourself’ (indicator 4 in the Individual, Family and Social Life domain), the gay person who is not out is likely to be more disadvantaged.

- We recommend that indicators on inequality by sexual identity based on survey data are supplemented by EHRC, GEO and the devolved administrations with in-depth research through organisations trusted by lesbian, gay and bisexual people, to help to provide insights on the experiences of lesbian, gay and bisexual people who are not 'out', in relation to each of the ten domains.

Transgender

None of the existing household surveys or main administrative sources ask about transgender status, which represents a significant gap for the EMF. The qualitative and quantitative (though not representative) data that have been collected on the experiences of transgender people (see, for example, Whittle and colleagues, 2007), leave no doubt that transgender people experience severe discrimination and frequent infringements of their rights across a broad spectrum of areas of life.

Filling the gap in statistical data is not straightforward, however. One reason is that people living in a different gender to the one assigned to them at birth probably make up a very small proportion of the population (although we cannot be entirely sure because we do not have the data)². This means that even if a question were included on a household survey such as the LFS, and even if transgender people felt able to answer it, the number of respondents would be likely to be too small to produce robust estimates. A second problem is that the degree of discrimination experienced by transgender people makes many reluctant to disclose their gender history, and/or they may feel it is not relevant to their current identity.

Nevertheless, a representative from the organisation a:gender argued: 'We must find a way of including transgender people in surveys in a non-threatening, optional, way that preserves both privacy and dignity. While numbers are admittedly small, the numbers of transgender people at risk is much greater than the 'gender reassignment' population protected by the SDA [the Sex Discrimination Act, amended in 1999 to protect transsexual people against discrimination in employment]. As long as we fail to request data, there will be no data, which will simply perpetuate the current situation.' Moreover, asking about transgender status in surveys, even if it were not likely to produce statistically significant results, would help, 'to raise the profile of the transgender strand, increase awareness of its existence in and relevance to today's society and make a small contribution to the cultural change required to gain full acceptance of, and equality for, this group.'

² Whittle and colleagues (2007) quote an estimate of 5000 transsexuals in the UK (less than 1/100th of 1 per cent of the population), based on the number of people changing their passport. A much larger group of people are living permanently or for part of the time in an acquired gender, but the number is unknown.

The organisation a:gender proposed two alternative question formulations. The first was:

‘Are you living in a gender different to that assigned at birth?’

1. Yes
2. No / Prefer Not to Say’

The combined response aims to protect the privacy of those wishing not to divulge their trans status.

The alternative formulation, following discussion with other trans groups, was to expand survey questions on gender to include the following options:

1. Male/Trans male
2. Female/Trans female
3. Other (for example gender queer etc)

Following the success of the sexual identity project, ONS could consider initiating a project to develop survey questions on transgender status, in consultation with transgender organisations, using these proposals as a starting point. It would be important to recognise that the objective would primarily be to increase the visibility of transgender issues rather than to obtain population estimates.

In the shorter term, there are a number of existing survey questions that list a range of grounds of discrimination or unfair treatment, which could usefully be expanded to include transgender status.

- Where there is a list of grounds of discrimination or unfair treatment, as for example in the Scottish Crime and Justice Survey (SCJS) questions on hate crime or the Fair Treatment at Work Survey (FTW) questions on experiences in the workplace, transgender status should be included as a characteristic.

Although important in terms of raising the profile of discrimination against transgender people, this will not be sufficient to produce data on transgender people’s experiences across the ten domains. For that purpose, we recommend a specialist survey, building on the methodology developed by Whittle and colleagues (2007) in their on-line survey for the Equalities Review. The survey was hosted on-line by a trusted transgender organisation and respondents were sought through a wide range of trans organisations, networks and websites. 872 individuals responded. This approach cannot produce statistically representative data (the

sample is self-selected rather than random) but given the absence of a sampling frame for transgender people, it is the best approach available, and can succeed in producing a high quantity and quality of data on transgender people's experiences in a cost-effective way.

- We recommend that EHRC undertake a regular (triennial) specialist survey of transgender people, building on the on-line survey carried out for the Equalities Review (Whittle and colleagues, 2007). The survey should include questions for the full set of EMF indicators, asked in the same way as in existing sources, to aid comparability with the general population, as well as asking in more detail about issues of particular concern to the transgender community.

Breakdowns and intersectionalities

For all the equality characteristics, breakdowns should be as fine-grained as possible, for example giving figures for people with different impairment types as well as an overall disabled/non-disabled comparison. This point was included in our selection criteria (see chapter 2) and emphasised by participants in the human rights consultation event. At other events, we were advised by representatives of organisations concerned with older people that 65-74 and 75-plus was the minimum breakdown that they felt was useful among the older population, and ideally smaller age brackets still. Researchers with expertise on ethnicity recommended that the minimum breakdown for ethnicity should be White / Mixed / Indian / Pakistani and Bangladeshi / Black and Black British / Other, and that ideally further breakdowns within the 'Mixed', 'Black and Black British' and 'Other' categories should be provided. This is often feasible for data for England, but rarely for data for Scotland or Wales, where even the minimum recommended breakdown is hard to achieve given their smaller populations and proportionately smaller ethnic minority populations.

- We recommend that disaggregations by equality characteristics should be as fine-grained as is possible given the data source.

A facility for showing broad-brush inequalities and then burrowing down to more fine-grained analysis for particular indicators could usefully be developed as part of the web application described in section 16.6 below.

Getting a picture of inequality by gender, or by ethnicity, is often informative in its own right, but in many cases important inequalities are revealed when the indicator is analysed simultaneously by two or more equality characteristics (for example, ethnicity by gender). This is sometimes referred to as exploring the 'intersectionalities'. We have presented preliminary analysis for some indicators in

the preceding chapters using this approach and there is much more that could be done to exploit the potential of several of the datasets in this respect. However, the analysis needs to be designed with care, identifying in advance **which** intersectionalities are likely to be revealing and testing them out, based on other evidence or theories as to the mechanisms lying behind a particular inequality, rather than taking a ‘kitchen sink’ approach (analysing everything by everything else).

- We recommend that intersectionalities between equality characteristics are analysed and presented, where relevant and revealing.

16.4 Population coverage of the indicators

Household surveys are generally an effective means of monitoring inequality and human rights for the household population. However, there are a number of groups who are not well-identified in mainstream surveys or in administrative data but who are particularly important from the equality and human rights perspective. The way forward for collecting information on the transgender community was discussed above (section 16.3). Other groups for whom particular data collection efforts are required include:

- Gypsies and Travellers
- homeless people
- asylum seekers and refugees
- people with learning difficulties.

These groups are spread between the household and the non-household population, but even those within the household population are often not given the opportunity to identify themselves and/or do not wish to disclose their identity or circumstances. Reliable sources of data on these groups are few and far between but consultation respondents were keen that they should not be lost from the EMF as a result. Various administrative data sources exist on the homeless population, but they are limited by the definitions of homelessness they employ and the narrowness of information they contain (see discussion in chapter 9). The SHS contains a useful module on past experiences of homelessness, but by its nature, it cannot provide information on the current homeless population. ONS has a programme of improving statistics on migration, which may help to provide more information on asylum seekers and refugees in the medium term, but again this is unlikely to cover the range of information about their lives needed for the EMF.

A number of issues will need to be addressed in monitoring inequality and human rights among these particularly vulnerable and marginalised groups, including specialised training of interviewers, difficulties in sampling and accessing

interviewees, strategies to maximise participation, alternative questionnaire formats (for example for individuals with low or no literacy), additional confidentiality guarantees, and assurances about how the information collected will be used. Voluntary and public sector organisations with a particular interest in these groups have developed experience and good practice in accessing and gaining the trust of respondents, and these should provide a starting point for further work to monitor inequality and human rights for these groups.

For example, The *Count Me In Survey*, run by the Healthcare Commission in 2007 is a census of in-patients in mental health and learning disability services in England. It ensures comprehensive monitoring by ethnicity and provides information on whether or not people from an ethnic minority background are more likely to be referred to psychiatric services via criminal justice pathways rather than via health services, and whether they are more likely to be detained under the Mental Health Act or restrained.

The 'Sheffield Study' established that there are significant differentials in the health status of Gypsies and Travellers, even when compared to other disadvantaged groups. It provides a good-practice model addressing the need for separate monitoring of discrimination against Gypsies and Travellers in the healthcare context (Department of Health 2004; Parry et al 2007; Van Cleemput et al 2007).

- We recommend EHRC works with the GEO to develop a standard questionnaire module, based on the recommended indicators across the ten domains together with harmonised questions on equality characteristics, which can be modified to suit each intended setting.
- We recommend EHRC, GEO and the devolved administrations use the standard questionnaire to monitor inequality and human rights among Gypsies and Travellers, asylum seekers and refugees, homeless people, and people with learning difficulties, building on existing best practice in the voluntary sector.

In addition, the non-household population includes a number of groups which are of interest from an equality and human rights perspective, and participants in the human rights consultation event were particularly keen that they should be included in the scope of the EMF. They include:

- Care-home residents
- hospital in-patients, including psychiatric hospitals
- people living in hostels, refuges and temporary accommodation

- people detained in prisons, police cells and detention centres
- the street homeless.

Halls of residence, nurses accommodation and some armed forces accommodation also fall into the non-household category.

The Census in Scotland is the principal existing sources of data for the non-household population but has the significant drawback for the purposes of the EMF of being decennial. Scotland also carries out surveys of the prison population, which provides an important source.

The Life Opportunities Survey (LOS) (previously known as the Longitudinal Disability Survey), which has GB-wide coverage, plans to survey the disabled population in care homes and other institutions. A 'stock' sample is intended, using care homes and other institutions as a sampling frame. The precise specification and coverage is still being developed. More recently, the Smith Review on Crime Statistics (Smith Review, 2006) called for the British Crime Survey (BCS) to be extended to cover the population in group residences as soon as possible. Extending the SCJS in a similar way would significantly enhance our capacity to monitor inequality and human rights, especially with respect to Physical Security and Legal Security, among the non-household population in Scotland.

Equality and human rights standards have become much more firmly embedded in frameworks for public services regulation in recent years. As a result, audit and inspection bodies are becoming an increasingly important source of statistical information on the equality and human rights position of the non-household population. However, the statistical systems being developed by these bodies are not always 'joined up'. There is an important strategic role for the EHRC in relation to co-ordinating and pooling the information being generated by these bodies, with a view to developing overarching equality and human rights indicators that could be integrated into the EMF in the future.

The ONS Equality Data Review noted the gap in information on the non-household population in September 2007 and their Recommendation R5.3 stated: 'We recommend that ONS builds on existing development work on collection of information from the non-household population in collaboration with Communities and Local Government (for both the homeless and Gypsies and Travellers where not in households), DoH (care homes), Ministry of Justice (prisons) and in partnership with devolved governments and produces regular progress reports on this topic.' Progress on this recommendation appears to have been slower than one might have hoped; a first position paper was due in March 2009.

For the purposes of ensuring that the EMF covers the non-household population, we recommend that:

- EHRC engages with stakeholders including audit, inspection and other regulation bodies in Scotland. In some cases, data gaps will also need to be addressed. Important priorities in taking forward this work arise in relation to Life (indicator 4), Physical security (indicator 3) and Legal security (indicator 4). The need for joined-up frameworks for conceptualising and measuring new and emerging equality and human rights indicators – such as the indicators of dignity and respect that are increasingly being included in the frameworks adopted by inspectorates and audit bodies - is another important priority.
- EHRC, GEO and the devolved administrations continue to work with ONS to develop measurement of equality and human rights in the non-household population, in accordance with the Equality Data Review recommendation R5.3. In particular, where surveys are being developed or carried out in non-household settings (such as the LOS), the inclusion of harmonised equality characteristic questions and questions in relation to the EMF indicators should be actively pursued.

16.5 Geographical coverage of the indicators

Geographical coverage has been detailed on an indicator-by-indicator basis in the domain-specific chapters. However, two general issues arise. The first is the difficulty of gaining reliable information on small minority groups in Scotland (and in Wales), including all the ethnic minority groups and the non-Christian religious groups. To gain sufficient numbers of these small minorities from a simple random sample requires a very large overall sample size, which is expensive and in some ways inefficient since the sample includes more of the majority population than is needed for other purposes. More targeted sampling strategies can be effective but have disadvantages in terms of complexity of sample design and reduced precision of the estimates derived from them. More serious, perhaps, than the cost and complexity of sampling small minorities in Scotland, is the potential burden on respondents, some of whom may get surveyed multiple times. This point was raised at both the Scottish and Welsh consultation events.

A second general issue is the lack of GB-wide consistency for many of the measures. Although in most cases we have been able to find data that correspond to the same broad concept (what we have called an ‘indicator’), the question wording and definitions used (‘measures’) are more often than not different in the three countries. The exceptions are where the same datasource is available across all three countries, such as the LFS / Annual Population Survey. It is unclear to what extent

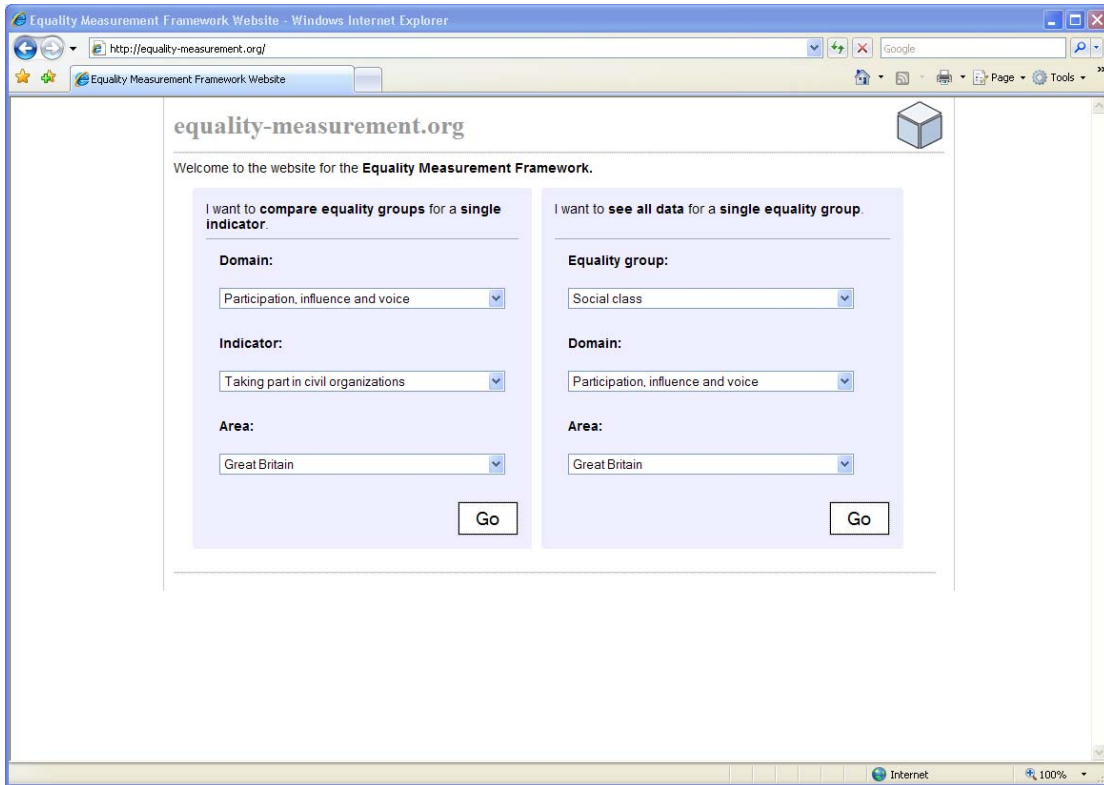
this is a problem. Although we began with a selection criterion that prioritised consistency across countries, so as to be able to compute GB measures, in practice the inconsistencies in several cases reflect refinements and improvements relevant to the context in question – for example, in relation to religious sectarianism in Scotland.

16.6 Presentation and interpretation of data

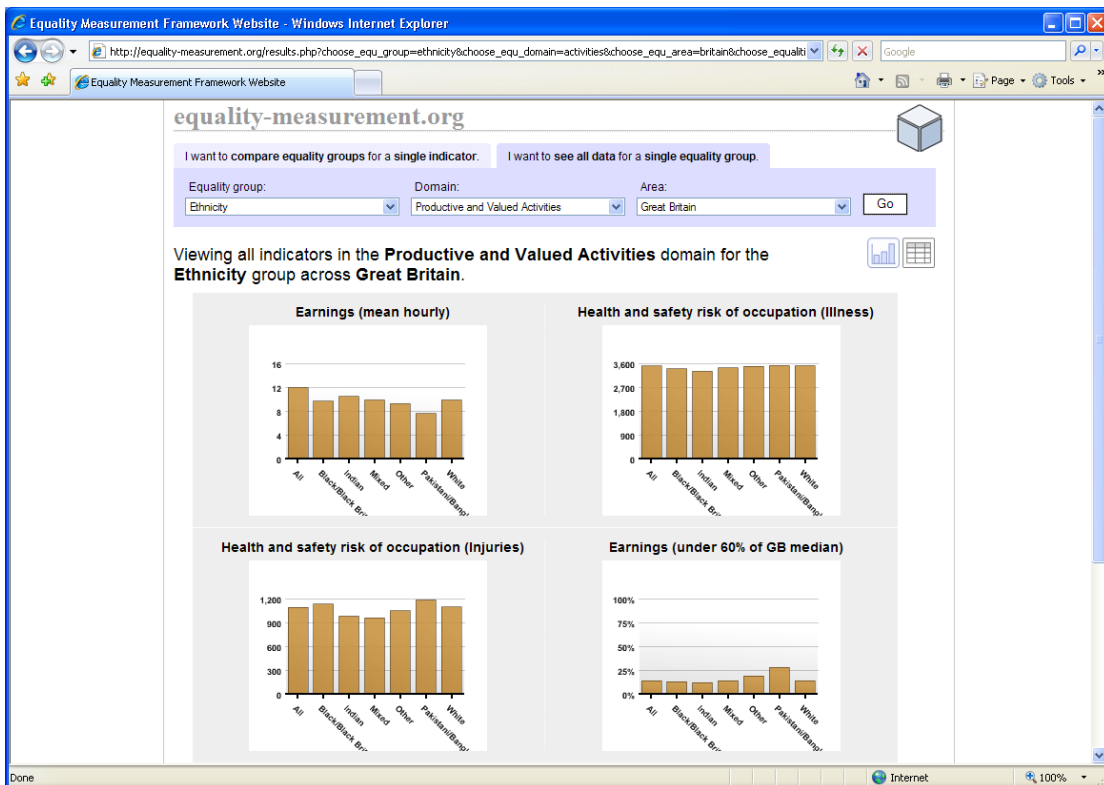
It is both a strength and a potential weakness of the EMF that the amount of information it contains is large – 10 domains of inequality, with up to five indicators in each (some of which have more than one measure), each disaggregated by up to seven equality characteristics plus combinations of characteristics, separately for England, Scotland and Wales. This is a strength because it reflects the complexity of equality and human rights as concepts and as experienced in people's lives, and because it reflects the range of different interests which users will bring to the framework and the purposes for which they will want to use it. The EMF will provide a rich resource for policymakers, the EHRC, equality groups, researchers, journalists and others to identify and track inequalities across characteristics, across domains and within and across the three countries, all in one place.

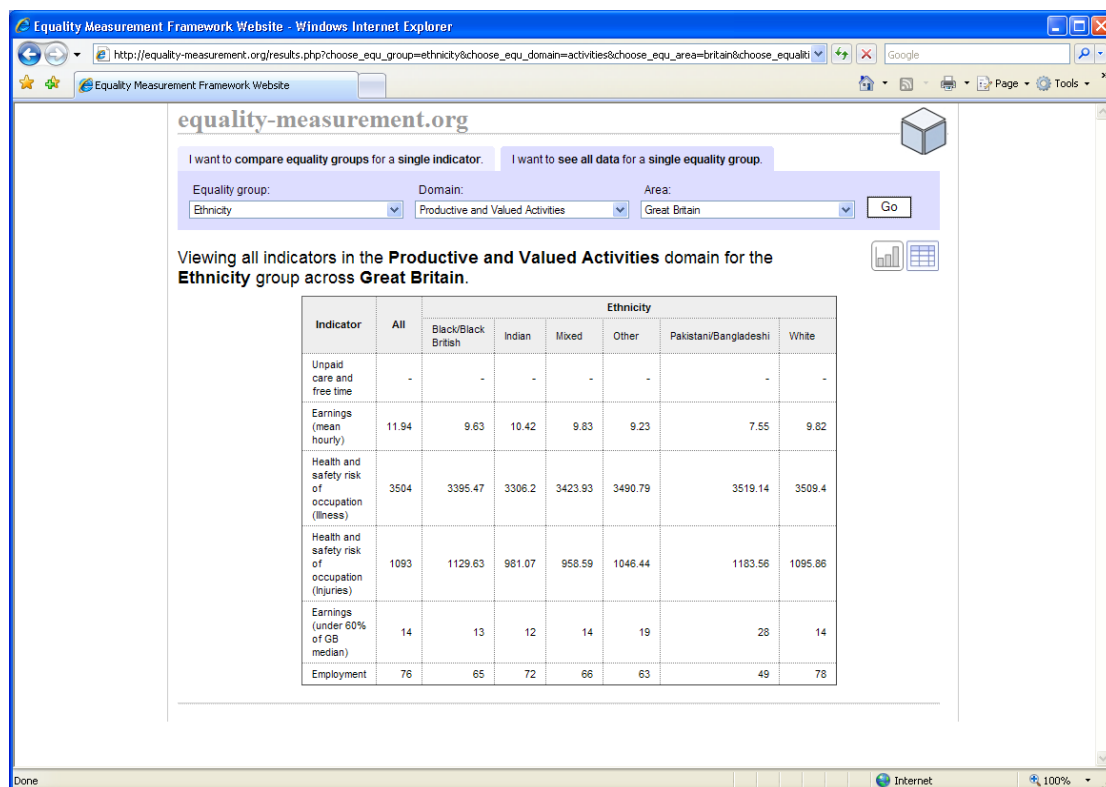
The large amount of information is also potentially a weakness, however, if it means the framework becomes off-putting or difficult to navigate. To ensure the framework is as accessible as possible to non-experts, we have begun development of a user-friendly interactive web tool, in collaboration with Oxford Consultants for Social Inclusion. The tool is in its infancy but a number of key features can be demonstrated. The foundation is a database of statistics for all the indicators and measures for the EMF (in so far as these are currently available), disaggregated by country and by equality characteristic and various combinations of equality characteristics. The interface offers the user the possibility to select, using drop-down boxes, the indicator or indicators s/he is interested in (organised by domain), the equality characteristic or combination of characteristics, and the country or combination of countries. S/he can opt to see all indicators for a particular domain in relation to a single equality group (for example, all Health indicators by ethnicity), or to see a particular indicator disaggregated by all available equality disaggregations (for example, 'self-reported health' by gender, ethnicity, disability, and so on).

EQUALITY MEASUREMENT FRAMEWORK: SELECTING THE INDICATORS



The tool then produces bar charts corresponding to the specification of indicator(s), equality characteristic(s) and country(ies) given by the user. A further option allows the user to see the data as tables rather than in bar chart form. The statistical significance of the differences between groups can also be indicated on the table, although this feature has not been incorporated into the demonstration as yet.





Other features, not yet incorporated in the tool but technically feasible and desirable include:

- an option to convert a bar chart (or table) showing **levels** to a chart (or table) showing *gaps* between groups
- the possibility of 'burrowing down' within a particular indicator to see either (a) separate components of the indicator, or (b) a more fine-grained disaggregation for a particular equality characteristic (for example by impairment type rather than simply disabled/non-disabled)
- allowing the user to define which combinations of equality characteristics s/he would like to see (intersectionalities such as gender **by** ethnicity, for example)
- allowing the user to define combinations of indicators s/he would like to see from different domains, to assess disadvantage for particular groups across domains.

In due course, as the EMF matures, the tool could also facilitate the analysis of trends, by adding a time dimension to each of the indicators.

- We recommend EHRC, GEO and the devolved administrations take forward the development of a user-friendly web tool for the EMF, with a view to making the EMF publicly available and accessible.

There are a number of other ways in which the interpretation of the data can be facilitated, whether in hard copy or electronically. The first is the presentation of contextual data alongside the indicators. Contextual data of two kinds were recommended by consultation participants:

1. differences in demographics of different equality groups (for example, the age structure of different ethnic minority populations)
2. overall inequality for selected indicators in each domain, not disaggregated by equality characteristic (for example, the distribution of educational qualifications in the population overall, before looking at differences between men and women, or by ethnic group).

Both of these types of contextual data are helpful in understanding and interpreting the inequalities in specific indicators. Nevertheless it is important to keep in mind that the indicators **describe** differences by equality characteristics but are not attempting to **explain** them – that is reserved for the analysis function of the EMF (see section 16.7 below), as outlined in Burchardt and Vizard (2007).

- We recommend that contextual data, on the demographics of different equality groups, and on overall inequality, be presented alongside the EMF indicators.

The second way in which the interpretation of the data can be facilitated is by having regard to statistical and substantive significance. Statistical significance can be assessed for each disaggregation in the sample; any differences that are not statistically significant cannot be taken as a reliable guide to differences in the population as a whole. Substantive significance refers to the size of the difference (a difference may be statistically significant but very small) and whether it is supported by other indicators. Taking care to locate individual indicators in the context of other indicators or disaggregations, rather than singling out a lone statistic, is a helpful way to avoid over-reliance on a single source or series.

- We recommend that the temptation to pluck single statistics out of the framework is resisted, and that wherever possible, indicators from a given domain (or across domains) are presented jointly or in comparison with disaggregations by other equality characteristics.

Thirdly, part of the 'value-added' of the EMF is its multi-dimensional nature: looking across aspects of equality (outcomes, processes and autonomy), ten domains of central and valuable freedoms, and across equality characteristics. To take full advantage of this, the presentation of intersectional inequalities (combinations of equality characteristics, such as disability **and** age), and of cross-domain inequalities (for example, who is disadvantaged in Health **and** in Productive and Valued Activities) is important.

- We recommend that intersectional and cross-domain inequalities be presented and reported wherever relevant.

Finally, even with the best presentation and interpretation, statistics can become rather dry. Illustrating statistics with case studies which provide examples of the different aspects of inequality in a form which engages imagination and empathy can be a powerful addition.

- We recommend that reports using the EMF database supplement the statistical information with qualitative research and case studies, for example, from EHRC's legal or advice line casework (with consent, and suitably anonymised). To facilitate this, we recommend that the EMF domains and indicators be mapped to legal and advice line cases.

16.7 Continuing development of other components of the EMF

The EMF defines three aspects of inequality – inequality of outcome, inequality of process (discrimination and other aspects of unfair treatment), and inequality of autonomy (empowerment, choice and control). In accordance with the project brief, the selection of indicators has thus far concentrated exclusively on indicators of outcome and process, but consultation participants emphasised to us the importance of the 'autonomy' aspect. In some cases, participants thought that indicators of outcome and process were incomplete without an autonomy adjunct (for example, with respect to work/life balance in the Productive and Valued Activities domain), and they thought it was important to be able to present outcome plus process plus autonomy to complete the picture for a particular domain and equality group.

A parallel project has been commissioned by the GEO to develop the methodology for autonomy indicators and is due to report in November 2009. It will be important to integrate the findings of that project into the EMF as soon as possible.

Consultation participants also raised the need to connect the EMF for adults, the focus of the current exercise, with an equivalent framework for children. There were a number of indicators for which transition between childhood and adulthood was seen

to be especially important (for example in the Education and Learning domain). In addition, some indicators have not been included in the adults' framework **on the assumption** that they will be included in the children's framework – infant mortality being one key example.

Consultation on the list of central and valuable freedoms for children took place in March 2009 and EHRC have indicated that they will take forward selection of indicators for the children's framework thereafter. Joining up the adults' and children's frameworks will be an important task.

Finally, the indicators selected for the EMF are intended to provide the basis for the monitoring function of the framework – to highlight where inequality is sharpest and where human rights are being infringed, and to assess whether the situation is improving or worsening over time. It will provide a rich picture of inequality and human rights in England, Scotland and Wales, which we hope will guide government and EHRC in setting their priorities, and provide detailed information for other organisations and individuals to advocate for change. However, this picture by itself tells us relatively little about the **causes** of inequality or the extent to which interventions to reduce inequality or promote human rights have been successful. The analysis and evaluation functions of the EMF are intended to work alongside the monitoring function, and these functions need further development.

16.8 Domain-specific recommendations

Human rights

We recommend:

- The development by EHRC, GEO and the devolved administrations of the EMF continues to be informed by human rights principles, including systematic disaggregation by vulnerable groups, robust coverage of the non-household population and by supporting the use of the EMF as an advocacy tool where there are data gaps (for example in relation to the development of an indicator of elder abuse, including in the institutional context).
- EHRC ensures that the ways in which the EMF builds on and embeds human rights principles as well as equality principles is emphasized in internal and external communications exercises.
- A full set of human rights indicators is developed to use with the EMF and to discharge the EHRC's obligation to monitor the position of individuals and

groups from the equality and human rights perspective, including by developing indicators and reporting triennially to Parliament.

- In taking the development of the EMF forward, EHRC, GEO and the devolved administrations should fully examine the obligations perspective, and a tool should be developed which maps the EMF to the duties recognized in domestic and international law.
- We agree with participants at the human rights event that in order to build on the international practice set out in the OHCHR Indicators Framework, it is necessary to develop three types of indicators. In the OCHRC terminology, these are:
 - **Structural indicators** (focusing on the ratification/adoption of legal instruments and the existence of basic institutional mechanisms deemed necessary for facilitating realization of the human right concerned);
 - **Process indicators** (focusing on the steps undertaken by the primary duty-bearer, the state, to meet human rights obligations, including public programmes and specific interventions);
 - **Outcome indicators** (focusing on achievements from the perspective of rights-holders).
- In the terminology of the OHCHR, the current data set focuses on outcome indicators. We recommend that the EHRC supports the development of a full set of human rights indicators that can be used with the EMF. The objective here would be to retain the full set of outcome indicators, but to expand the indicator set by covering the OHCHR categories of structural and process indicators.
- In line with international human rights monitoring good practice, a list of vulnerable groups that are covered by the EMF should be developed and made publicly available by EHRC, GEO and the devolved administrations.

Life

We recommend that:

- Recording of ethnicity on death certificates be reconsidered, despite concerns about accuracy. In the meantime, EHRC, GEO and the devolved administrations should take forward discussion with health departments and

ONS about other possible ways of producing mortality rates by ethnicity (for example data linkages).

- Infant mortality should be a high priority for inclusion as an indicator in the children's framework, as it is developed by English Longitudinal Study of Ageing. Strong arguments have been put forward by consultation participants for its importance, which we fully endorse, including the fact that it has an enormous impact on parents and other adults. However, given the necessity of limiting the overall number of indicators and avoiding overlap, we are not recommending it be included in the adults' framework.
- Life expectancy and specific-cause death rates in England and Wales can be disaggregated by social class, but not in Scotland. The Scottish Government may wish to consider instituting a census longitudinal study, similar to that derived from the England and Wales census, to provide a source for mortality statistics by social class.
- In line with better data regulation principles, rather than recommending an entirely new indicator development process under Measure 4.3, we recommend that EHRC and GEO work with the Scottish Government to develop an indicator of deaths from non-natural causes in social and healthcare establishments. Relevant audit, inspection and regulatory bodies should also be involved in this work. This work should be undertaken in conjunction with the development of an indicator of physical security for people in private and public institutions (see recommendations under the 'Physical security' domain).

Health

We recommend:

- The EHRC, GEO and the devolved administrations support further research to address the issue of adaptive expectations and older people in the light of the data analysis under Measure 3.1 (perceptions of dignity and respect) and 3.2 (inadequate nutritional support during hospital stays).
- The EHRC, GEO and the devolved administrations support a research project examining the new experimental A&E statistics on accident and injury by location, and their potential for possible integration into the EMF.

Physical security

We recommend:

- The Scottish Government considers extending the SCJS self-completion module to cover sexual offences and the inclusion of a religion and belief variable.
- That EHRC work with DoH and HO and the relevant audit, inspection and regulatory bodies, including those in Scotland and Wales, to ensure the timely delivery of national statistics that enable the physical security of people resident or detained in public and private institutions to be monitored. The timely delivery of national statistics on elder abuse is a particular priority. The EHRC has an important overarching and regulatory co-ordinating role and should also work to ensure the development and integration of the new indicators on elder abuse into the EMF at the earliest possible date.
- A sexual orientation variable should be included in the SCJS as soon as it is possible.

Legal security

We recommend:

- The new Hate Crime and Domestic Violence Reports published by the CPS has improved the availability of legal case outcome data on rape, domestic violence and hate crime. There is a continued need to improve the quality of data on victim characteristics. The CPS has signalled its commitment to improving the monitoring of victim's characteristics in key areas such as rape by ethnicity in the next year. We recommend that the EHRC work with the CPS, COPFS, the HO, the Ministry of Justice and other stakeholders and partners to ensure monitoring of legal case outcome figures by the characteristics of victims improves significantly in the future. These statistics should be made publicly available and the EHRC should ensure that as new statistics are made available they are included in the EMF.
- SCJS data providers should ensure that a sexual orientation variable is included in the SCJS as soon as it is possible, as well as a religion and belief variable.

Education and learning

We recommend that:

- The LFS /Annual Population Survey should extend questions on educational qualifications to the over-65 age group.
- The Scottish Adult Literacy and Numeracy Survey should include questions a full range of equality characteristics including religion/belief and sexual orientation, and there should be a commitment to repeat the survey on a frequent (preferably at least triennial) basis.
- Consideration should be given to revising the questions in the SHS to provide more detailed information on internet use (rather than access).
- Consideration should be given to including in the SHS additional questions on ability to speak, write and read English or Scots Gaelic, and on the experience of being treated with dignity and respect (or lack of it) in education.
- Particular attention should be given by EHRC, GEO and the devolved administrations in developing the children's EMF to ensure indicators covering the transition from school to further and higher education are included.

Standard of living

We recommend that:

- A question on sexual orientation is included in the FRS, the Wealth and Assets Survey, the LOS (the longitudinal disability survey), and the National Travel Survey (as well as the Integrated Household Survey and the Scottish Household survey, which have already signalled an intention to include such a measure).
- A measure of social class is added to the Scottish House Condition Survey social questionnaire.
- A question on religion/belief is added to the GB FRS (already asked in Northern Ireland), and the Scottish House Condition Survey.
- The SHS could usefully ask all respondents how easy or difficult it is to reach local facilities, even if they are currently using public transport or travelling by foot or bicycle.

- The methodology for developing questions on material deprivation for children and pensioners for the FRS is extended to include adults of working age, with a view to shedding light on within-household inequality and on the impact of the extra costs of disability. This means expanding the number of questions that relate to individual deprivation rather than household deprivation and asking the questions of each adult member of the household separately.
- EHRC, GEO and the devolved administrations include trends in the Gini coefficient and the 90:10 ratio as contextual information for this domain.
- EHRC, GEO and the devolved administrations ensure that new data becoming available from the Wealth and Assets Survey and the Life Opportunities study (longitudinal survey of disability) in 2009/10 be incorporated into measures 2.3 and 3.3 for this domain.
- EHRC, GEO and the devolved administrations develop and pilot new survey questions on how people are treated by public and private organisations with a key role to play in securing people's standard of living (for indicator 5).
- EHRC, GEO and the devolved administrations work with voluntary sector organisations to include homeless people in the scope of the EMF – a group of particular human rights concern in this domain – possibly by means of a specialist survey.

Productive and valued activities

We recommend that:

- A question on sexual orientation is included in the IHS (including the ONS Opinions Survey).
- The sample size of the FTW is increased so as to be able to analyse results separately in Scotland (and Wales).
- Transgender status and asylum / refugee status is added to the list of characteristics in relation to which unfair treatment, bullying or harassment may have occurred in the FTW and 'the way you dress' is broadened to 'the way you look', to capture other ways in which non-conformity can give rise to discrimination and unfair treatment.

- The duration for which the Time Use Module is carried on the ONS Opinions Survey is extended, to facilitate disaggregation by sub-group within Scotland (and Wales), and a commitment is made to repeat it at least every three years.
- EHRC, GEO and the devolved administrations pursue the possibility of adopting the questions from the ELSA on the gains from, and recognition of, unpaid caring, in a general population and GB-wide survey, such as the ONS Opinions Survey or the UKHLS, and extending the scope of these questions to explicitly include looking after children (including own children or grandchildren).

Individual, family and social life

We recommend that:

- EHRC, GEO and the devolved administrations work with data providers and academic experts to develop new survey questions on (1) being able to participate in key social and cultural occasions which matter to you, (2) being able to be yourself, and (3) being able to form and pursue the relationships you want. These indicators are of particular importance to the so-called ‘new’ equality strands and should be developed as a high priority.
- A question on sexual orientation is included in Understanding Society (the UKHLS), in accordance with the ONS Sexual Identity Project findings.
- Consideration is given to expanding the SHS question on contact with family to include ‘family or friends’, in recognition of the fact that some people gain greater support from their friends.
- Consideration is given to including questions on financial, emotional and verbal abuse (other than threats of violence) in Scottish Crime and Victimization Survey module on domestic violence.

Identity, expression and self-respect

We recommend that:

- EHRC, GEO and the devolved administrations work with data providers and experts to develop a new measure of the ability to communicate in the workplace or when accessing services in the language of choice, using the LIW questions as a starting point, with follow-up questions asking about access to facilitation and translation services for those with communication impairments or unable to use their language of choice (measure 3.1).

- EHRC, GEO and the devolved administrations seek funding and support for including measures of self-respect and of stigma (see measures 4.1 and 5.1) in a self-completion component of Understanding Society (the UKHLS) or the IHS. The relevant questionnaire instruments are already developed and tested.

Participation, influence and voice

We recommend that:

- The Scottish Parliament collects anonymous information on a wider range of equality characteristics of their elected representatives (measure 1.2.).
- A question on sexual orientation is added to the British Election Study (BES), SHS, and Scottish Social Attitudes Survey to enable more indicators to be monitored by sexual orientation. The Scottish Government has indicated that such a question will in future be included in the major social surveys it funds.
- A question on political activity is added to a larger Scottish-specific survey such as the SHS, to enhance the potential for within-country disaggregation by equality characteristics (measures 2.1 and 3.1).
- A commitment is needed to ensure the frequency of questions on voting behaviour in household surveys is at least every three years (for example through the BES, or, preferably, Understanding Society - the UKHLS).
- A new question or set of questions is developed to assess the extent to which people experience discrimination, or are treated with dignity and respect, while participating or attempting to participate in decision-making forums. Such questions could be considered for inclusion in the SHS.