Measurement Framework for Equality and Human Rights

Executive summary
Introduction

This report introduces the new single Measurement Framework that the Equality and Human Rights Commission (EHRC) will be using to monitor the protection, promotion and fulfilment of equality and human rights in Britain.¹

We live in a country with a long history of upholding people’s rights, valuing diversity and challenging intolerance. Britain has taken great strides towards ensuring that there is equality and freedom from discrimination, and that fundamental rights are respected, protected and fulfilled.

Fairness is important to people in Britain. We strive to be a society in which everyone can achieve their potential, and where people treat each other with dignity and respect. Britain has a strong equality and human rights legal framework to protect people from discrimination, and from violations of their basic rights and freedoms. However, the experiences of many people across England, Scotland and Wales often do not reflect what is set out in domestic law and international equality and human rights standards.

¹ We focus on Britain rather than the UK because our statutory mandate covers England, Wales and Scotland (with the exception of those human rights matters that are within the legislative competence of the Scottish Parliament).
Our mandate

It is our role to make these rights and freedoms a reality for everyone. As Britain’s National Equality Body and a National Human Rights Institution, our job is to help make Britain fairer. We do this by safeguarding and enforcing the laws that protect people’s rights to fairness, dignity and respect.

We have a statutory duty under section 12 of the Equality Act 2006 to monitor equality and human rights in Britain, and to report regularly to Parliament on progress. We also monitor the UK’s compliance with the seven United Nations human rights treaties it has signed and ratified. This is an essential part of our role.

The purpose of monitoring

Equality and human rights monitoring has a number of important aims and objectives:

• It builds objective, independent and reliable evidence on equality and human rights violations and on the protection, promotion and fulfilment of equality and human rights standards

• It can help to increase public awareness and understanding of equality and human rights issues

• It can promote legal accountability for human rights and access to justice

• It should move equality and human rights issues up the public, media, political, national and international agendas

• It draws attention to institutional and public policy failures, showing where there is a need for additional legislative, regulatory, institutional and public policy interventions.
Previous measurement frameworks

To enable us to carry out our monitoring role, over the last decade we developed four measurement frameworks, which have enabled us to systematically monitor and evaluate progress in relation to equality and human rights across England, Scotland and Wales.

These previous frameworks are the Equality Measurement Framework, the Children’s Measurement Framework, the Good Relations Measurement Framework and the Human Rights Measurement Framework. Those previous frameworks were built around the evidence available at time and had not been updated since then, so were not using the best data available today. There were also too many domains and indicators overall which was making reporting to Parliament unmanageable.
Towards a new single Measurement Framework

Following our most recent report to Parliament, ‘Is Britain Fairer?’ (2015), and in consultation with experts on data collection and monitoring and users of our research across the public, private and civil society sector, we reviewed the different components of our previous measurement frameworks.

We then replaced them with this single Measurement Framework for Equality and Human Rights, which will support our regular reporting to Parliament.
From theory to practice

As well as consulting with experts, we considered a number of key theoretical concepts when developing the new Measurement Framework. This included different ideas about how equality and human rights can be identified and therefore measured, and ways of identifying who might be at higher risk of disadvantage, discrimination, abuse or harm.

The development of the Measurement Framework has been informed in particular by Professor Amartya Sen’s capability approach, which has a number of distinct features:

1. **It focuses on central and valuable freedoms and opportunities** – so what matters are the critical things in life that people can actually do and be, not merely the resources that are available to them.

2. **It uses a positive interpretation of freedom** – which requires the promotion of equality and human rights, the redistribution of resources and other state efforts if it is to be achieved on an equitable basis.

3. **It distinguishes between means and ends** – for example, access to healthcare is seen as an important input for achieving good health, but the critical thing people aspire to is living a healthy life.

4. **It recognises diversity in people’s circumstances, characteristics and goals** and the need to be sensitive to the position of different individuals and groups.

5. **It recognises the role of individuals as agents** , including in defining their own objectives and being involved in decisions that affect them.

6. **It acknowledges the role of structures and processes in enabling or constraining people’s capabilities** – for example, accessible public transport is important to allow a person to participate fully in society.
What the new Measurement Framework covers

The Measurement Framework covers six carefully selected domains – Education, Work, Living standards, Health, Justice and personal security, and Participation – which reflect the capabilities or areas of life that are important to people and that enable them to flourish (see table on page 8).

Each domain has three core indicators (18 in total across the framework) that reflect long-standing equality and human rights topics that have often been at the core of our monitoring activities in the past. We will monitor and report on those core indicators every three years as part of our ‘Is Britain Fairer?’ reviews to Parliament.

Each domain also has up to two supplementary indicators (seven in total) which reflect equality and human rights topics that are either new in our framework, or have been substantially altered from what we covered in the past. We will monitor and report on supplementary indicators at least every nine years as part of our ‘Is Britain Fairer?’ report to Parliament. In practice, that means that we will monitor progress on supplementary indicators on a regular basis for our wider business priorities, but expect to include only between one and three of the supplementary indicators each time we report to Parliament.

This results in an achievable monitoring exercise that allows us to provide a balanced summary of progress, regression or stagnation on human rights and equality in our ‘Is Britain Fairer?’ reviews, and to indicate where further analysis or concerted efforts are needed. It should be noted that the EHRC’s wider business activities are not restricted to what is covered in the framework.
## Measurement Framework at a glance

### Education
The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society

- Educational attainment of children and young people
- School exclusions, bullying and NEET
- Higher education and lifelong learning

### Work
The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation

- Employment
- Earnings
- Occupational segregation
- Forced labour and trafficking*

### Living standards
The capability to enjoy a comfortable standard of living, with independence and security, and to be cared for and supported when necessary

- Poverty
- Housing
- Social care

### Health
The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life

- Health outcomes
- Access to healthcare
- Mental health
- Reproductive and sexual health*
- Palliative and end of life care*

### Justice and personal security
The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law

- Conditions of detention
- Hate crime, homicides and sexual/domestic abuse
- Criminal and civil justice
- Restorative justice*
- Reintegration, resettlement and rehabilitation*

### Participation
The capability to participate in decision-making and in communities, access services, know your privacy will be respected, and express yourself

- Political and civic participation and representation
- Access to services
- Privacy and surveillance
- Social and community cohesion*
- Family life*

* Supplementary indicators
Structure, process and outcome evidence

The new Measurement Framework is based on the Human Rights Indicator Framework that has been developed by the Office of the United Nations High Commissioner for Human Rights, which considers the structures affecting equality and human rights in a country (the human rights and equality standards to which it is committed, and the international treaties it has signed), the processes that the state follows to meet the obligations that flow from these standards and treaties, and finally the outcomes of this for particular individuals and groups.

Evidence relating to particular groups

The Measurement Framework aims to monitor systematically the position of certain groups in relation to equality and human rights, using disaggregated data. Evidence is therefore collected in five specific areas: the protected characteristics that people may have (as defined in the Equality Act 2010, these are age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, religion or belief, race, sex and sexual orientation); socio-economic group; geographical location; whether people are ‘at higher risk’ of harm, abuse, discrimination or disadvantage; and finally intersectionality – how people may experience a combination of multiple forms of discrimination or disadvantage.

The new framework provides different options for the analysis. The analysis is possible by domain; indicator; topic; protected characteristic; people ‘at higher risk’; and by human rights article.
It is our ambition to be a global leader in equality and human rights monitoring.

We believe the new single Measurement Framework that we have developed is exemplary because:

1. It has strong theoretical foundations (equality, inequality, capability, human rights, vulnerability and intersectionality) that are applied to equality and human rights monitoring in a practical way.

2. It translates the central and valuable freedoms and opportunities, or critical things in life that people can actually do or be (capabilities), into outcomes for the future of Britain.

3. It has precise indicators and topics to monitor whether we are making progress in achieving the future we want.

4. In order to assess whether there has been progress, regression or stalling in relation to these indicators and topics, it provides detailed guidance on what structure, process and outcome evidence to look at.

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2 Section 12(1)(b) of the Equality Act 2006 defines ‘outcomes’ as ‘results at which to aim for the purpose of encouraging and supporting changes in society that are consistent with those duties’

3 Section 12(1)(c) of the Equality Act 2006 defines ‘indicators’ as ‘factors by reference to which progress towards those results may be measured’.
It uses intersectionality as a practical, analytical tool to show the distinct forms of harm, abuse, discrimination and disadvantage experienced by people when multiple categories of social identity interact with each other.

It brings consistency to our equality and human rights monitoring, by replacing the different frameworks that had previously existed with a single framework that can be applied across England, Scotland and Wales.

It is exemplary in relation to data disaggregation and equalities analysis.

It is compatible with major policy and statistics frameworks across the UK and globally.

It champions a new approach to vulnerability and people who are at higher risk of harm, abuse, discrimination or disadvantage because they face adverse external conditions and/or have difficulty in coping due to individual circumstances.

It can be used to drive social change and, ultimately, achieve progress towards equality and human rights (see model for change below).
Model for change: how the framework supports our strategy

1. Develop/update measurement framework for equality and human rights

2. Use framework to inform ‘Is Britain Fairer?’ reviews to Parliament

3. Use ‘Is Britain Fairer?’ evidence base to influence public bodies and others to improve equality and human rights outcomes, and to develop our own Strategic Plan

4. Achieve progress towards equality and human rights
Who can use the Measurement Framework?

As well as being used by the EHRC, the new Measurement Framework is intended to be of use to many other organisations and individuals, including parliamentary committees, government departments, statutory bodies and policy makers; economists, statisticians, social researchers and other academics; opinion formers and media; third-sector organisations, NGOs, charities and campaigning groups; and National Human Rights Institutions and National Equality Bodies in other countries.

As we populate the Measurement Framework, we plan to make our data and analysis publicly available through our website, so that all of those interested in progressing equality and human rights across Britain can use the evidence base and develop solutions.
Contacts

This publication and related equality and human rights resources are available from the Commission’s website.

For advice, information or guidance on equality, discrimination or human rights issues, please contact the Equality Advisory and Support Service, a free and independent service.

Website  www.equalityadvisoryservice.com
Telephone  0808 800 0082
Textphone  0808 800 0084
Hours  09:00 to 19:00 (Monday to Friday)
       10:00 to 14:00 (Saturday)
Post  FREEPOST EASS HELPLINE FPN6521

Questions and comments regarding this publication may be addressed to: correspondence@equalityhumanrights.com. The Commission welcomes your feedback.

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