

# **PSA Delivery Agreement 15:**

Address the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief

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# VISION

**1.1** This Government is committed to addressing the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief, promoting a fair and equal society, where everyone has the opportunity to prosper and reach their full potential. Although progress has been made over the past ten years, there is still work to be done to ensure more people, especially those from disadvantaged and under-represented groups, experience social justice and economic progress. Everyone is entitled to equality of treatment and opportunity, regardless of gender, age, race, disability, sexual orientation, religion or belief, and the Government is committed to tackling discrimination wherever it occurs.

**1.2** This commitment to equality is demonstrated through key priorities in other PSAs for 2008-11,<sup>1</sup> and this PSA complements action in these other areas, measuring progress both through hard outcomes such as hourly wage rates, and by asking people about their own experience in the workplace and as customers of public services. The priorities of this PSA are to:

- reduce the gender pay gap from 12.6 per cent;
- tackle barriers which are due to gender, disability or age that limit people's choice and control in their lives;
- increase participation in public life by women, ethnic minorities, disabled people and young people;
- reduce discrimination in employment due to gender, race, disability, age, sexual orientation, religion or belief; and
- reduce unfair treatment at work, college or school, and when using health services and public transport due to gender, race, disability, age, sexual orientation, religion or belief.

**1.3** As part of making progress on these priorities, the Government will monitor the number of trains and buses which are accessible to disabled people and the number of BME women councillors (currently at a low base of just 168), working on initiatives to tackle inequality in these specific areas.

**1.4** The Government is committed to ensuring that public services are delivered without barriers and constraints such as discrimination, and that people who use services are treated with dignity and respect. Tackling inequality will be achieved through cross-government effort with improved accountability, covering all public services.

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<sup>1</sup> Particularly PSAs 8, 11, 16, 17, 18, 19, 20, 23 and 24.



# 2

## MEASUREMENT

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**2.1** Success in delivering this PSA will be monitored using five indicators, which are summarised below. Further technical detail is set out in Annex A (Measurement Annex).

**Indicator 1: Gender gap in hourly pay**

- There is a gap between the full-time median hourly wage rate of men and the full-time median hourly wage rate of women of 12.6 per cent. The Government's aim is to reduce this gap over the CSR07 period.
- The Government believes in fair treatment and in equal pay for work of equal value, as set out in legislation. There is a strong economic case for reducing the gender pay gap, because it has a negative impact on economic performance. Pay gaps also exist for those who are disabled or from BME backgrounds, and the Government is committed to addressing these as well.

**Indicator 2: Level of choice, control and flexibility to enable independent living**

- Some groups do not have the level of choice, control and flexibility they need for independent living and a quality of life, which many people take for granted. The Wanless Review<sup>1</sup> highlighted that the assistance and social care needs of older people were not being properly met by services. There is a 300,000 shortfall of accessible housing for wheelchair users. 4 in 10 disabled people felt their housing made them unnecessarily dependent on others.<sup>2</sup> Promoting flexible working and affordability and accessibility of childcare is vital to increase participation by women, disabled people and families with disabled children in the labour market. Many people rely heavily on informal carers, and if these carers are not supported, this could lead to a substantial burden on the government, or poor quality of care.
- This indicator will highlight whether there are differences in people's perception of the choice and control in their lives as a result of their gender, disability or age, and to reduce any gaps. Failing to support independent living imposes social and economic opportunity costs on individuals, and unnecessary burdens on public services.<sup>3</sup>

**Indicator 3: Participation in public life by women, ethnic minorities, disabled people and young people**

- All groups within society should have an effective voice in making and influencing decisions that affect them. Disabled people, women, people from ethnic minorities, and young people are under-represented in civic institutions and decision-making bodies. One aim of this PSA is to reduce this under-representation. The Government will measure the difference in engagement rates between individuals from disadvantaged and non-disadvantaged groups, on the basis of disability, age, gender and ethnicity. The public activities covered include being a local councillor, school

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<sup>1</sup> *Securing Good Care for Older People: taking a long-term view*, Sir Derek Wanless, March 2006.

<sup>2</sup> John Grooms, 2003 cited in the DRC Independent Living discussion paper.

<sup>3</sup> *Improving the Life Chances of Disabled People*, Prime Ministers Strategy Unit, 2005.

governor, or magistrate, and also civic consultation, participation, activism and formal volunteering.

**Indicator 4: Discrimination in employment**

- The majority of the population view themselves as unprejudiced, yet nearly half the population say someone has been prejudiced or discriminatory towards them in the last year.<sup>4</sup> This indicator measures whether people feel they have been discriminated against when seeking employment and/or progressing in the workplace. The Government's aim is to reduce the number of people who feel this discrimination is due to their gender, race, disability, age, sexual orientation, religion or belief, as compared to people who do not belong to one of these groups.

**Indicator 5: Fairness of treatment by services**

- Everyone should be treated with equal respect at work, college or school, and when using health services and public transport. This indicator measures whether people feel they have been treated with dignity and respect. Results will be compared between individuals from disadvantaged and non-disadvantaged groups on the basis of gender, race, disability, age, sexual orientation, religion or belief, with the aim to reduce any gaps between perception of fair treatment.

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<sup>4</sup> *Equality, Diversity and Prejudice in Britain – Results from the 2005 National Survey*, Abrams & Houston.

# 3

## DELIVERY STRATEGY

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**3.1** The Government sets the legislative framework on equalities and relevant areas of employment law. There are legal duties on the public sector to promote equality for disabled people, men and women, good race relations, and equality of opportunity between persons of different racial groups. Public authorities must take due regard, when exercising their public functions, of the need to eliminate unlawful discrimination on grounds of race, disability or gender. Over the next three years, public sector bodies at all levels will be implementing action plans developed in accordance with these duties which are important in underpinning the delivery of this PSA.

**3.2** The Government Equalities Office (GEO) will lead on this PSA and will:

- work with delivery departments to take forward key policy actions;
- bring discrimination law together into a Single Equalities Act; and
- work with Government Departments, local authorities, Government Offices, and the Equality and Human Rights Commission to agree the approach to assisting public bodies in complying with the public sector duties on disability, gender and race.

### GOVERNANCE AND ACCOUNTABILITY

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**3.3** The Minister for Women is the Cabinet Minister responsible for equality and the lead minister for this PSA. The relevant Cabinet Committee/s will drive performance by regularly monitoring progress, holding departments and programmes to account, and resolving inter-departmental disputes where they arise.

**3.4** The Senior Responsible Officer within government for will be the Director General responsible for the Government Equalities Office (GEO), who will chair a cross-government PSA Delivery Board. A PSA project team will be located within the GEO, with responsibility for monitoring progress, managing the ongoing project level risks, co-ordinating action across delivery partners, and for producing exception reports on the delivery of this PSA. The Project team will escalate project risks to the Delivery Board and will provide the Board with status reports at intervals as agreed.

**3.5** At local level Local Authorities will consider the scope for addressing inequality when selecting priorities for new Local Area Agreements. The nine Government Offices will work with Local Authorities to ensure equalities issues are properly taken account.

### PRIORITY ACTION I: NARROW THE GENDER GAP IN HOURLY WAGE RATES

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**3.6** There are three main ways of addressing the gender pay gap.<sup>1</sup> These are:

1. equal pay policy and anti-discrimination legislation, that aim to tackle the unexplained differences in pay and direct or indirect discrimination;

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<sup>1</sup> Further detail can also be found in the *Government's Action Plan implementing the Women and Work Commission's recommendations to reduce the gender pay gap*, CLG, September 2006

2. equal opportunities policies that aim to address workplace, work experience and labour market rigidities; and
3. wage policies, that aim to reduce wage inequalities and/or improve the wage of low-paid and female-dominated jobs.

**3.7** There are also pay gaps for individuals who are disabled or from BME backgrounds and the Government is fully committed to addressing these as well. It is expected that many of the causes of and actions being undertaken to reduce gender pay gaps apply to these other pay gaps as well, and further work will be done to establish any additional policy development needed to tackle these specific gaps.

### Reviewing equal pay legislation

**3.8** The Government undertook a consultation on the Discrimination Law Review's *A Framework for Fairness: Proposals for a single Equality Bill for Great Britain*.<sup>2</sup> The Review proposes simplifying equal pay legislation to make it easier for it to work in practice.

### The National Minimum Wage

**3.9** The Department for Business, Enterprise and Regulatory Reform (BERR) leads on the National Minimum Wage, with the independent Low Pay Commission advising on the rate within a remit set by BERR, and HM Revenue & Customs (HMRC) carrying out enforcement. The National Minimum Wage (NMW) has reduced pay gaps for women and other disadvantaged groups.

**3.10** The Low Pay Commission will take into account the impact of the NMW on women when advising the Government on the NMW in future, alongside other important considerations like the impact on employment, productivity and business.

### Choices about education and careers

**3.11** The Government will direct action towards women who are not working and girls at school when they make choices about education and careers through:

- Jobcentre Plus improving New Deal support for lone parents and partners to improve the retention and advancement of those on the margins of the labour market;
- the Department for Children, Schools and Families (DCSF) implementing national standards for careers advice to ensure all young people receive careers information, advice and guidance which are free from gender stereotyping; and
- the Department for Innovation, Universities and Science (DIUS) and DCSF working together to deliver new diplomas which will combine theoretical and practical learning, providing a real alternative to more traditional education and qualifications and making male-dominated training and occupations more attractive to girls.

**3.12** DIUS will develop adults' skills to compete and progress in the labour market. The Government's Skills Strategy and *World Class Skills: Implementing the Leitch Review of Skills in England*<sup>3</sup> set out an extensive range of learning and skills policies to equip adults to compete in the labour market. This focuses Government investment on people with the lowest skill levels.

<sup>2</sup> *Discrimination law review: A framework for fairness: Proposals for a single equality Bill for Great Britain – A consultation paper*, CLG, June 2007.

<sup>3</sup> *World class skills: implementing the Leitch review of skills in England*, DIUS, July 2007.

### Increasing employment participation rates

**3.13** The GEO will work with the Department for Work and Pensions (DWP) and DIUS to ensure that initiatives<sup>4</sup> that aim to increase employment participation rates place particular attention on the skills and human capital dimension. For some groups such as women from some ethnic minority groups and older women, it is possible that due to a lack of skills and/or human capital, individuals will find places at the lower end of the wage distribution, which widens pay gaps. Government is committed to tackling both employment and wage penalties, and the GEO will monitor the pay gap in conjunction with changes to employment rates. The GEO will produce evidence regarding the causes of the pay gap taking account of wider changes in the labour market. Government departments will work together to ensure that access by these groups to jobs is not limited to those employment opportunities at the lower spectrum of the wage distribution.

**3.14** Many of DWP's policies have a key role to play in addressing the gender pay gap. DWP are developing the in-work support available to lone parents to help improve job retention and progression. The Employment Retention and Advancement Demonstration (ERA) project gives personal adviser support and financial help to low income workers to stay in work and to take up training.

### Increasing awareness

**3.15** The Government will disseminate information to increase awareness of the pay gap and the contributory factors so as to address the market failure in information. Evidence of increasing awareness of the right to equal pay and women's willingness to assert that right, can be seen in the rise in the number of equal pay claims accepted annually by employment tribunals from 590 in 1999 to 17,268 in 2006.

## PRIORITY ACTION 2: TACKLE BARRIERS THAT LIMIT THE CHOICE AND CONTROL PEOPLE HAVE IN THEIR LIVES

**3.16** Delivering independent living requires innovative policy design and greater involvement of service users, to give individuals more opportunity to achieve the outcomes they require.

**3.17** The Government has agreed that 'by 2025, disabled people in Britain should have full opportunities and choices to improve their quality of life and will be respected and included as equal members of society'.<sup>5</sup> As part of its Independent Living Review, the Office for Disability Issues (ODI) in DWP is considering what needs to underpin the effective implementation and delivery of independent living for disabled people.

### Improving assistance and social care

**3.18** The Government is piloting a system of Individual Budgets, which combine adult social care services, Supporting People funding, disability equipment and adaptations, the Independent Living Fund and Access to Work. It will give people more choice and control over the services they use by giving them a transparent allocation of resources and the opportunity to buy their own services; use services provided through the local council; or a mixture of both. The Department of Health (DH) will ensure cost-effective, evidence-based, innovative approaches to supporting people to live independently in the community.<sup>6</sup>

<sup>4</sup> See also PSAs 2 and 8.

<sup>5</sup> *Improving the Life Chances of Disabled People*, Prime Ministers Strategy Unit, 2005.

<sup>6</sup> See PSA 18.

**Ensuring housing meets individuals' needs**

**3.19** Many disabled and elderly people require specific equipment or adaptations to their housing and/or their surrounding built environment in order to enjoy the same levels of access and activity as others. The Government delivers services to match individuals' needs through its Supporting People programme.

**3.20** The Department for Communities and Local Government (CLG) also helps ensure that housing meets individuals' needs through its neighbourhood renewal and housing market renewal strategies, low-cost home ownership and key worker housing schemes. CLG will update Lifetime Homes Standards and include them within their Code for Sustainable Homes and building regulations.

**3.21** CLG will continue to identify best practice for different impairment and age groups by building on the outcome of Regional Housing Strategies, and by issuing Good Practice Guidance on access for disabled people as well as guidance to social landlords on implementation of the Disability Discrimination Act regarding anti-social behaviour.

**3.22** The Housing Corporation's 2007 strategy statement on housing for vulnerable people commits it to independence and choice for social housing residents. CLG will ensure the Homes and Communities Agency continues this work.

**Accessible transport**

**3.23** The Department for Transport (DfT) are monitoring the number of trains and buses which are accessible to disabled people. They will be seeking to enhance the personal mobility options and range of transport choices for disabled people. This will include:

- improved information about, and access to, door-to-door transport (Dial-a-Ride, community transport), for example through an improved "door-to-door portal" and further development of the Transport Direct portal;
- use of personal forms of transport including powered wheelchairs and mobility scooters; and
- use of cars, for example, by implementing recommendations arising from the current strategic review of the Blue Badge scheme, and increasing information and advice at assessment centres for disabled car users.

**Flexible working**

**3.24** Flexible working arrangements enable individuals to better manage their responsibilities, undertake the activities they wish, and lead a fuller life.

**3.25** BERR leads on legislation relating to flexible working, and introduced the right to have requests for flexible working seriously considered by employers. In April 2007 it extended this from parents of young children to carers of adults. BERR will continue to examine the case for extending the right to request flexible working to parents of older children in the future.

**3.26** Since the right to request flexible working was introduced in 2003 BERR has also been monitoring its impact through the annual Work Life Balance Survey. In 2006, 56 per cent of employees were aware of the right to request flexible working, and among eligible employees, this rose to 65 per cent. Increasing this awareness should have a positive impact on the flexibility people actually access to manage their work life balance. 90 per cent of all employees said that at least one flexible working arrangement was available to them if they needed it. 22 per cent of the total employee workforce work through some form of flexible working arrangement (in addition to those who work part time).

**3.27** BERR is examining to the case to extend statutory maternity pay to 12 months, and introduce up to 26 weeks of additional paternity leave and pay for fathers.

**3.28** The Advisory, Conciliation and Arbitration Service (ACAS) provides guidance and a helpline for both employers and employees. In conjunction with the Trade Unions and the Commission for Equality and Human Rights, Government will continue to raise awareness of the right to request flexible working.

**3.29** Jobcentre Plus will work closely with employers to identify local flexible working opportunities for lone parents moving into work and with local authorities to identify suitable childcare.

**Carers 3.30** An ageing population is putting increased demands on people to become informal carers. In September 2007, the Prime Minister announced a Carers Commission to ensure that the voice of carers is central to the development of government policy.

**3.31** DH is reviewing the 1999 National Carers' Strategy. It is examining income and benefits, employment, equalities, and health and social care issues. Recommendations from the review (due to be published by spring 2008) will inform future plans to support carers.

**Employment and skills 3.32** DWP works closely with the Department for Innovation, Universities and Skills to ensure sustainable employment and progression.<sup>7</sup> Being in sustainable employment can often be a signal that an individual's choices have not been unduly constrained. The benefits derived from being in work include effects on health and well-being, housing affordability, and poverty reduction.

**3.33** DWP will meet the needs of those disadvantaged in the labour market by offering targeted back to work programmes, and monitoring the employment rates of disadvantaged groups.

**3.34** Equipping adults with the skills and support they need to get jobs and build careers makes a significant contribution to independence and choice. DIUS leads on policies to support low-skilled adults, and to help people learn what they need to enter and progress in the labour market. DIUS works with partners to develop a national strategy on equality and diversity in apprenticeships to improve participation and success levels of all under-represented groups. DCSF leads on policies surrounding careers guidance and choice of A-levels, apprenticeships and other qualifications and vocations.

**3.35** The Further Education Reform agenda led by DIUS, alongside implementation of the Leitch Review of Skills will bring a greater emphasis on personalisation and choice in the way that learning and skills are delivered - for example, through the introduction of Skills Accounts for adults. The existing information, advice and guidance services for adults are being re-shaped into a universal careers service that supports adults in making informed choices about training and work. The Government's aim of creating an economy in which every person has the opportunity to realise individual potential, overcome disadvantage and achieve economic well-being, will also help support people in gaining sustainable employment.

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<sup>7</sup> See PSAs 2 and 8.

## PRIORITY ACTION 3: INCREASE PARTICIPATION IN PUBLIC LIFE

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**3.36** The Department for Communities and Local Government (CLG) is responsible for:

- embedding equalities in work with Local Authorities;
- reflecting the equalities perspective in the CLG-led Community Empowerment Programme; and
- leading on policy issues in relation to race, and religion / belief.

**3.37** The GEO will work with CLG to build equalities dimensions into implementation of the Local Government White Paper proposals to develop more responsive services and empowered communities.<sup>8</sup>

### Working with partners

**3.38** Government will work with partners to identify and tackle barriers to the engagement of individuals including raising awareness of how to get involved and how involvement benefits both the individual and civic society. Particular initiatives include:

- the Councillors' Commission, which will make recommendations about how to improve the diversity of local councillors;
- research commissioned by the Government from the Fawcett Society on BME women's routes into, through and out of public life. A particular focus of this work has been on councillors which will feed through to the Councillors' Commission;
- CLG's Young Advisors Initiative, which is ensuring the voice of younger people can be heard by bodies such as local councils;
- The Magistrates Shadowing Scheme, which raises awareness amongst black and other ethnic minority groups of the value of becoming a local magistrate;
- 'Magistrates in the Community' which is run by the Magistrates' Association and raises awareness amongst schools, employers and the public. The Ministry of Justice (MoJ) also engages directly with employers to encourage them to release employees for magistrate service. The MoJ funds recruitment and sets policy; and
- Operation Black Vote, which is funded by CLG, but works independently to create pathways into the magistracy and other civic institutions for people from ethnic minorities.

### Participation in decision-making groups

**3.39** The GEO and CLG will monitor participation in decision-making groups of all kinds at local level, in addition to the numbers of councillors, magistrates and school governors on the basis of disability, age, gender and ethnicity. This will give a clear view of the extent to which under-representation in local decision-making is being tackled. It will be supported by the CLG's Community Empowerment Programme, which aims to promote wider and further reaching opportunities for engagement, and culture change in public bodies. This will be led by the National Strategic Empowerment Partnership, co-ordinated by the Community Development Foundation, in collaboration with

<sup>8</sup> See chapter 2 of the White Paper, *Strong and Prosperous Communities*, CLG, October 2006.

national partners such as Improvement Development Agency (IdeA) and the Academy of Sustainable Communities, and regional consortia working in partnership with the Regional Improvement and Efficiency Partnerships.

**3.40** The third sector provides networks through which people come together in voluntary action to find a voice and solve problems. CLG will work with national umbrella and equalities bodies on principles to ensure effective third sector representation on Local Strategic Partnerships, and in public life more generally. The strategy for the Government's relationship with the third sector for the CSR years is set out in the final report of the review of the future role of the third sector in social and economic regeneration, published in July 2007.

**3.41** The 'Women Take Part' project will look at what support is available to help women become active as school governors, tenants association leaders and other public roles and how this can be built on enable public involvement of more under-represented women.

**Encouraging more BME women councillors**

**3.42** CLG will encourage potential local councillors to stand for election. Government cannot direct political parties, however the Discrimination Law Review – a Framework for Fairness - invited comments on widening the scope of voluntary positive measures for political parties in order to increase the representation of candidates from ethnic minority communities. This year's annual Minister for Women event will focus on encouraging more BME women to become councillors. In particular, Government will encourage more BME women to engage in civic participation across all public activities – in order to encourage an increase in the number of female councillors from ethnic minority backgrounds. They currently represent less than 1 per cent of all councillors, although BME women make up around 4.6 per cent of the population.

**School governors**

**3.43** DCSF will work with local authority co-ordinators of Governor Services and others to support recruitment of School Governors and encourage diversity on school governing bodies. DCSF will also encourage partners in local authorities to actively seek female candidates for the national Taking the Chair training programme.

**3.44** The Department for Culture, Media and Sport (DCMS) will work closely with Sport England, Arts Council England, the Museums Libraries and Archives Council, English Heritage and others at national, regional and local authority level to promote participation and formal volunteering across the cultural and sporting sectors. The Department will focus on those groups who are currently under-represented or otherwise excluded.

**Involving local service users**

**3.45** Local service deliverers will increasingly involve service users in the development of services to meet the needs of all groups. The trend towards local decision-making in the delivery of local services will increase opportunities for membership of local-decision making bodies within health and social services, for example:

- DH's Commissioning for Health and Well-being Framework emphasised the importance of consultation and proposed a responsibility on local commissioners of health and social care services to consult representative Local Involvement Networks in planning services for their areas; and
- the Local Government and Public Involvement in Health Bill proposes a duty on upper tier local authorities and Primary Care Trusts to produce a Joint Strategic Needs Assessment for health and social care to inform Sustainable Communities Strategies.

## PRIORITY ACTION 4: REDUCE DISCRIMINATION IN EMPLOYMENT

**3.46** Alongside enforcing discrimination law, the following initiatives will ensure successful delivery against this strategic priority.

### Engaging with employers on the need to diversify workplaces

**3.47** The Freud Review<sup>9</sup> & Ethnic Minority Employment Task Force identified a number of key areas of work to address in 2007-08, including employer engagement to diversify workplaces and address entrenched discrimination. DWP, BERR and CLG will take action to further the work of the Ethnic Minority Employment Task Force. Raising employer awareness is also important in implementing the Disability Discrimination Act.

### Removing barriers to employment

**3.48** DWP will actively promote the business case for non-ageist employment practices to the business community and employers through the 'Age Positive' initiative. DWP will also work with the business sector to encourage employers to increase flexible work and retirement opportunities for older workers, to enable more people aged over 50 to stay in work up to age 65 and beyond.<sup>10</sup>

**3.49** BERR leads on the framework of employment rights and responsibilities and the mechanisms to enforce them. In addition, during the course of the spending period BERR will review the case for a default retirement age based on the evidence of operation since 2006.

**3.50.** As set out above, DWP's role in setting and delivering policy in employment can also be used for delivery on reducing discrimination. The Government aims to tackle employment inequalities of several groups including disabled people, lone parents, ethnic minorities, and older workers which will complement this strategic priority.<sup>11</sup>

### Public sector equality duties

**3.51** The Race Equality Duty came into force in April 2001 and places specific employment requirements on public bodies. These include setting out arrangements for consulting staff as appropriate, in addition to monitoring and publishing the ethnicity data in relation to recruitment, training opportunities, performance appraisal, disciplinary action, and cause of exit.

**3.52** The Disability Equality Duty came into force in December 2006 and places particular focus on the importance of involving disabled people in policy design and delivery. Secretaries of State of most central government departments will have to publish a report every three years (from 2008) giving an overview of progress made by public authorities in their policy sector in relation to disability equality.

**3.53** The Gender Equality Duty came into force in April 2007 and requires public authorities to involve service users and employees as appropriate. Involvement should be based on available evidence during the development of an action plan which outlines its gender equality objectives.

<sup>9</sup> Reducing dependency, increasing opportunity: options for future welfare to work, David Freud, 2007.

<sup>10</sup> See PSA 17.

<sup>11</sup> See PSA 8.

## PRIORITY ACTION 5: REDUCE UNFAIR TREATMENT AT WORK, COLLEGE OR SCHOOL, AND WHEN USING HEALTH SERVICES AND PUBLIC TRANSPORT

**3.54** Securing progress against this priority will require local services to put the human rights principles of dignity and respect at the heart of their service delivery.

### Maximising the effects of a strengthened legislative framework

**3.55** The Human Rights Act ensures that individuals' human rights are respected by public authorities, and makes it unlawful for these organisations to act against these rights. The Ministry of Justice (MoJ) is responsible for human rights policy and the Human Rights Act and disseminates advice on the Act and how public authorities should behave under it. Benefits from the implementation of human rights in public services include: improved service user satisfaction, improved outcomes for service users, increased job satisfaction for staff, and ease and quality of staff decision-making. The Government has published practical guidance on the Human Rights Act and distributed it widely to organisations across the public sector.<sup>12</sup>

### Inspecting performance

**3.56** Inspectorates, such as the Commission for Social Care Inspection, Audit Commission and the Office of Standards in Education (Ofsted), are subject to the public sector duties and this influences the way they carry out inspections, providing an additional means of improving standards in areas of service where they have professional competence. The Healthcare Commission checks that hospitals comply with standards on treating patients with dignity and giving adequate nutrition or are penalised in their annual performance rating.

### Embedding dignity and respect in the health service

**3.57** DH will implement a comprehensive range of health and social care outcome indicators which will be used to show how the local health system is performing from April 2008.<sup>13</sup> In particular DH will deliver the Dignity in Care campaign which aims to eliminate tolerance of indignity in health and social care services through raising awareness and inspiring people to take action. The campaign includes the Dignity Challenge, which forms a ten-point checklist for people to measure how well their local services are performing backed up by a series of 'dignity tests'. DH intends to extend the Dignity in Care campaign to include mental health services, in particular a focus on tackling the stigma that is still associated with mental illness. In addition, DH's framework document – *Human Rights in Healthcare – a Framework for Local Action*<sup>14</sup> assists NHS Trusts in developing a human rights based approach to putting equality, dignity and respect at the heart of healthcare.

### Ensuring dignity and respect in schools and colleges

**3.58** Evidence from Ofsted and from a number of children's charities indicates that equalities issues need specific attention in schools' anti-bullying policies and DCSF is developing a suite of guidance to provide schools with comprehensive advice on each of these areas. DCSF is also encouraging schools to record all incidents of bullying, including those motivated by prejudice, and the Anti-Bullying Alliance and National Strategies have developed toolkits to help them with the process. DCSF will consider, when developing its single equalities scheme, the need for any further targeting of anti-bullying policies in the light of evidence of impact of the new guidance.<sup>15</sup> Ofsted's

<sup>12</sup> <http://www.justice.gov.uk/guidance/humanrights.htm>

<sup>13</sup> See PSAs 18 and 19.

<sup>14</sup> *Human Rights in Healthcare – a Framework for Local Action*, DH, March 2007.

<sup>15</sup> See also PSA 13.

Common Inspection Framework and the Learning and Skills Council's Equality and Diversity strategy provide advice to the Further Education sector.

**Assisting disabled people in accessing goods and services**

**3.59** ODI leads on disability rights policy, including legislation to protect disabled people from discrimination in accessing goods, facilities, services, premises, private clubs and public functions. It is actively engaged with the GEO to ensure that disability rights are properly reflected in proposals for a Single Equality Bill. ODI undertakes a programme of research to monitor the impact of the legislation and to inform future policy development. ODI also drives the implementation of the report on *Improving the Life Chances of Disabled People*.

## PERSONAL SAFETY

**3.60** The Government's PSA to *Make Communities Safer* (PSA 23) contains an indicator on reducing the most serious violence, including tackling serious sexual offences and domestic violence. It also includes a commitment to monitor all domestic violence-related offences, including domestic violence resulting in the most serious violent crimes and sexual offences. Once baseline data has been established, this flagging of domestic violence-related offences will enable trends in serious domestic violence to be monitored both nationally and locally, facilitating increasingly effective real-time performance management of this important issue.

## EQUALITY AND HUMAN RIGHTS COMMISSION

**3.61** The Equality and Human Rights Commission (EHRC) is a non-departmental public body established under the Equality Act 2006, and will be a key partner for the GEO and other government departments working in this field. The EHRC is an independent advocate, aiming to deliver a society based on equality and human rights while shifting the focus from single equalities to an integrated mandate. The EHRC has powers to tackle discrimination, inequality and injustice while promoting good relations. It will act both to remove discriminatory barriers as well as awareness-raising of equalities and human rights issues.

**3.62** The Equality Act empowers the EHRC to carry out key functions and enforce the law. By developing an efficient monitoring and enforcement capability, the Commission will undertake inquiries into any matter relating to the statutory duties. This includes the positive duties on race, disability and gender, as well as making recommendations for further action. The EHRC will also ensure that equality priorities represented in the 2007 CSR and this PSA, are taken forward in delivery plans and departmental strategies across government.

**3.63** The EHRC will also define a series of Memorandums of Understanding with public service inspectorates to ensure equalities are effectively promoted.

## CONSULTATION

**3.64** This PSA has been developed in collaboration with stakeholders from national and local government, the equality commissions, the third sector, and the public sector inspectorates. This consultation has been undertaken to:

- build an accurate picture of the delivery chain for the PSA; and
- develop an understanding of how the delivery chain should operate to ensure success.

**3.65** Key consultation exercises run by others e.g. the ODI's vision for disabilities in 2025, and the work leading up to the development of the final report of the Equalities Review have also informed the development of this PSA. In addition, the following engagement exercises were undertaken:

- meetings of cross-government officials group;
- consultation meetings with non-departmental public bodies;
- delivery chain planning workshops with representatives from Government Departments, regulators, academics, non-departmental public bodies; and
- consultation meetings and handover with Equalities Review team.

## **DEVOLVED ADMINISTRATIONS**

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**3.66** The indicators for this PSA cover a range of policy areas: some areas are reserved and therefore apply to the United Kingdom as a whole (e.g. taxation, employment law, benefits, equalities legislation) however much of the delivery and aspects of policy are devolved to administrations in Northern Ireland, Scotland and Wales.

**3.67** The devolved administrations have been consulted on this PSA and as well as contributing at reserved level, each has its own responsibilities, powers and priorities which may also contribute to delivery. Each administration is also developing its own high-level strategic priorities, the themes of which are consistent with this PSA. The contribution of devolved administration programmes to delivery will vary according to the extent to which equality issues are devolved and where mechanisms for delivery are held. In addition, some of the data sources chosen for measurement of indicators are not UK-wide.



# A

## MEASUREMENT ANNEX

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**A.1** With the exception of Indicator 1, all indicators will be reported as a composite of more than one equalities strand. The strands included in the composite are set out under disadvantaged groups in the indicator fact sheets below. The composite is calculated as an aggregation of the reported gaps of each of the equalities strands and full details of the methodology of this can be found at: [www.womenandequalityunit.gov.uk](http://www.womenandequalityunit.gov.uk).

Indicator 1	Differential gap in hourly wage rates between men and women
Data provider	ONS.
Data set used	Annual Survey of Hourly Earnings.
Baseline	April 2008 – Published in Nov 2008.
Frequency of reporting	ASHE – annual.
95 per cent confidence interval at last outturn	Annual Survey of Hourly Earnings – Overall 1 per cent.
Data Quality Officer	GEO Economic Advisor.
Minimum movement required for performance assessment	0.7 percentage points.
Disadvantaged groups included:	Gender.

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### DEFINITION OF KEY TERMS

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- *Hourly Wage Rate:*  
The median hourly wage rate. The measure will not distinguish between the hourly rate of full-time and part-time workers. Therefore the median wage rate will be that of both full-time and part-time workers within that cohort.
- *Differential Gap:*  
Male median hourly wage rate minus female median hourly wage rate.

Indicator 2	Differential gap in self-reported choice and control in terms of assistance, equipment, flexible working and caring arrangements that enable independent living
Data provider	ONS.
Data set used	Omnibus Survey.
Baseline	Spring 2008 – Published Autumn 2008.
Frequency of reporting	8 months out of 12 (need to aggregate 4 months for robust data).
95 per cent confidence interval at last outturn	First data expected March 2008.
Data Quality Officer	GEO Economic Advisor.
Minimum movement required for performance assessment	First data expected March 2008.
Disadvantaged groups included:	Age, Disability, Gender.

## DEFINITION OF KEY TERMS

- Independent living*<sup>1</sup>

All individuals having the same choice, freedom and control as any other individual – at home, at work and as members of the community. It does not mean individuals doing everything for themselves, but it does mean that any practical assistance people need should be based on their own choices and aspirations (source: Disability Rights Commission (DRC)).
- Differential Gap*:

This is measured by a composite measure of the disadvantaged groups.

<sup>1</sup> Independent living is distinct from living independently. The latter concerns itself with facilitating individuals to live with as little reliance on others as possible and in their own homes. Independent living relates to the choice and control individuals have over the services they access, and the lifestyle decisions they make. Therefore this may require significant support from others but what is key, is that this support is given at the request and ultimate control of the person who receives it.

Indicator 3	Differential gaps in participation in civic society - the composite change in the gap between involvement rates of disadvantaged groups by comparison with non-disadvantaged groups
Data provider	CLG.
Data set used	Citizenship Survey.
Baseline	April 2008 – Published summer 2008.
Frequency of reporting	Annual, (Limited quarterly monitoring using quarter of total sample size).
95 per cent confidence interval at last outturn	Citizenship survey - Overall 1 per cent, sexual orientation has approximately twice the confidence interval of gender.
Data Quality Officer	GEO Economic Advisor.
Minimum movement required for performance assessment	2 percentage points.
Disadvantaged groups included:	Age, Gender, Ethnicity, Faith, Disability.  Sexual Orientation included depending on sufficiently robust data being derived from new questions in the Citizenship Survey.

## DEFINITION OF KEY TERMS

- Participation in civic society:*  
An aggregation of civic activities measured in the Citizenship Survey. These include activities which range from being a local councillor, a governor at a school, to signing petitions. From the 2005 Citizenship survey the activities included are: civic participation, civic consultation, civic activism and formal volunteering. These activities will be included in the 2007 Citizenship survey, but under different titles. Participation is measured by an individual answering whether she/he had undertaken at least one such activity in the past 12 months.
- Differential Gaps:*  
These are measured by a composite measure of the disadvantaged groups.

Indicator 4	<b>Differential gaps in perception of employment based discrimination – the composite change in the gap between perception rates of disadvantaged groups by comparison with non-disadvantaged groups</b>
Data provider	CLG.
Data set used	Citizenship Survey.
Baseline	April 2008 – Published summer 2008.
Frequency of reporting	Annual, (Limited quarterly monitoring using quarter of total sample size).
95 per cent confidence interval at last outturn	Citizenship survey - Overall 1 per cent, sexual orientation has approximately twice the confidence interval of gender.
Data Quality Officer	GEO Economic Advisor.
Minimum movement required for performance assessment	2 percentage points.
Disadvantaged Groups	Age, Gender, Ethnicity, Faith, Disability.  Sexual Orientation included depending on sufficiently robust data being derived from new questions in the Citizenship Survey.

## DEFINITION OF KEY TERMS

- *Employment Based Discrimination:* The citizenship survey asks questions on:
  - *Discrimination when applying for a job* – whether respondent felt the reason they did not get the job was because of their belonging to a particular equalities strand.
  - *Discrimination when applying for promotion* – whether respondent felt the reason they did not get the promotion was because of their belonging to a particular equalities strand.
- *Differential Gaps:*  
These are measured by a composite measure of the disadvantaged groups.

<b>Indicator 5</b>	<b>Differential gaps in perception of dignity and respect when accessing services – the composite change in the gap between perception rates of disadvantaged groups by comparison with non-disadvantaged groups</b>
Data provider	CLG.
Data set used	Citizenship Survey.
Baseline	April 2008 – Published summer 2008.
Frequency of reporting	Annual, (Limited quarterly monitoring using quarter of total sample size).
95 per cent confidence interval at last outturn	Citizenship survey - Overall 1 per cent, sexual orientation has approximately twice the confidence interval of gender.
Data Quality Officer	GEO Economic Advisor.
Minimum movement required for performance assessment	2 percentage points.
Disadvantaged Groups	Age, Gender, Ethnicity, Faith, Disability.  Sexual Orientation included depending on sufficiently robust data being derived from new questions in the Citizenship Survey.

## DEFINITION OF KEY TERMS

- *Perception of Dignity and Respect:*  
An individual being treated with esteem or respect by service providers when accessing that particular service.
- *Differential Gaps:*  
These are measured by a composite measure of the disadvantaged groups.





