

## **Lewes District Council and Eastbourne Borough Council**

### **Joint Equality Monitoring Policy (2018)**

The Joint Equality Monitoring Policy has been written with reference to the Equality Act 2010, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

The GDPR places a strong emphasis on being accountable for and transparent about our lawful basis for processing data.

Section 149 of the Equality Act 2010 imposes a legal duty, known as the Public Sector Duty (Equality Duty), on all public bodies, to consider the impact on equalities in all policy and decision making. The Equality Act 2010 requires all public bodies to promote equal opportunities in relation to all groups protected under the Act. The collection of data is required to demonstrate compliance.

The Joint Equality Monitoring Policy sets out the principles under which Lewes District Council and Eastbourne Borough Council, and relevant contractors delivering services on the councils' behalf, will monitor the equality characteristics of staff and service users.

The term "services" covers internal services and functions (such as personnel), as well as services provided for businesses and residents (such as street cleaning).

#### **1. Purpose of equality monitoring**

##### **1.1 Equality monitoring is used to scrutinise:**

- Access to services
- Fairness of outcomes
- Satisfaction and complaints.

It supports effective corporate planning and decision making.

##### **1.2 Equality monitoring helps the council to meet its Equality Duty (Equality Act 2010) to eliminate discrimination, advance equality of opportunity and deliver services that meet the needs of our diverse community.**

## **2. Overall approach**

- 2.1 The approach taken to equality monitoring must be reasonable and proportionate, in accordance with best practice recommendations from the Equality and Human Rights Commission.
- 2.2 Equality monitoring data will be collected only if it is:
- To be used to scrutinise and improve services;
  - Unavailable from other sources;
  - Practical to collect – seriously incomplete data cannot be used for scrutiny;
  - Relevant to the service – data on age, gender, disability, ethnicity, and residential area will normally be collected. Data on other protected equality characteristics and socio-economic status will only be collected if there is a specific need to do so. Information on gender reassignment will not be sought, as the information is likely to relate to numbers of people too small to be analysed statistically.

## **3. Applicability**

- 3.1 There will be a general presumption in favour of equality monitoring. However, services will not be required to collect data where:
- The service is universal e.g. it is not necessary to monitor the equality characteristics of all council tax payers;
  - There is no request for service e.g. general enquiries;
  - The service has no relevance to equality.
- 3.2 Monitoring data will be recorded for customers and staff members. Where an individual applies to the Council for a service more than once or for more than one service, any equality monitoring data collected with each application will be recorded separately (e.g. three applications in one year by one individual will result in three equality monitoring records).
- 3.3 Heads of Service will make arrangements for the collection of equality monitoring data by their service area, in accordance with this policy. The arrangements will include consideration of the point at which it is most appropriate to collect equality monitoring data for an individual service. Each service area will set its own working practice e.g. monitoring may be at the point the service is requested, or when it has been delivered. In some circumstances, it may be appropriate to monitor a statistically valid sample of service requests or service units delivered.

## **4. Format of monitoring questions**

- 4.1 All equality monitoring questions will use the approved Council text, which is based on the questions asked in the 2011 census. The approved text will be

reviewed following publication of the questions to be included in the 2021 Census for England and Wales.

- 4.2 The approved text includes an explanation of the purpose of monitoring and the procedure relating to confidential storage and handling of data.

## **5. Confidentiality and data protection**

- 5.1 Equality monitoring data must be treated in accordance with the requirements of the Data Protection Bill 2017 and the Council's Data Protection principles and guidance.
- 5.2 Equality monitoring data will be separated from the rest of the document (e.g. job application, complaint, service request) at the point of receipt by a department. It must not be linked to the processing of the document or request in any way, but if used to monitor fairness, will be linked to a record of the outcome.
- 5.3 The Heads of Service will be responsible for ensuring that equality monitoring data collected by their department is stored securely and confidentially. Access to the data will be on a strictly need to know basis.
- 5.4 The Heads of Service will be responsible for ensuring that the data collected by their department is retained for no longer than is necessary, before being securely disposed of / deleted from our systems e.g. information on service uses may be deleted after it has been analysed; information on personnel will form part of their personnel record and will be retained for the duration of their employment.
- 5.5 Equality monitoring data must not be shared with any other organisations (except relevant contractors) and will only be used for statistical monitoring purposes.

## **6. Scrutiny**

- 6.1 The Heads of Service will arrange for ensuring equality monitoring data is scrutinised on a regular basis, and compared with benchmarks such as the population profile, to ensure services identify trends or patterns which are unexpected or may indicate differences relating to access, fairness or satisfaction for people who share different equality characteristics e.g. older/younger; male/female etc.

- 6.2 Heads of Service will be responsible for ensuring that reasonable steps are taken to investigate patterns and trends when appropriate. These steps may include a full equality analysis.
- 6.3 Heads of Service will be responsible for ensuring their equality monitoring arrangements and scrutiny serve the purposes set out in section 1 above, and are focused on service improvement.
- 6.4 Heads of Service will be responsible for taking any appropriate actions which are identified by scrutiny of equality monitoring data, in order to eliminate discrimination, advance equality of opportunity and deliver services that meet the needs of our diverse community.
- 6.5 A review of the equality monitoring data collected and analysed will be included within Functional Equality and Fairness Reviews to be carried out as part of the development of new strategies, policies and/or services and as part of an agreed programme of functional reviews.

## **Appendix 1 – Core Text and Questions**

## **Appendix 2 – Options for Additional Text**

## Appendix 1 – Core Text and Questions

### Guidance

The core equality monitoring questions are the Council's "default" position. These questions ask about gender, age, ethnicity, disability and residential area.

The Equality Monitoring Policy explains that data on equality characteristics other than age, gender, ethnicity, disability and residential area must only be collected if there is a specific need to do so. See Appendix 2 for optional text and questions on additional equality characteristics.

The **appearance** of the core text and questions can be altered to suit the style of any document. However, the wording must NOT be altered because it is based on the 2011 Census, and the monitoring results must be comparable over time and between departments.

The Equality Monitoring Policy will be reviewed following publication of the questions to be included in the 2021 Census for England and Wales.

### Core Text and Questions

These are given on the next page. The text at the start explains what the respondent should do. There is a data protection statement at the end of the questions which must be included.

### Equality Monitoring Questions

Please help us ensure our services are accessible and meet everyone's needs as fairly as possible by answering the questions on this form. We collect this information to build up an accurate picture of the communities using our services and the outcome of their service requests. Please feel free to leave out questions you do not wish to answer. All the information in this questionnaire is confidential and will be held separately from your personal details or anything identifying you personally.

Please put an 'x' in the appropriate box ☐

If you prefer not to fill in any of the boxes, please leave them blank.

**Thank you - by completing this form you are helping us to ensure that our services are fair and open to all.**

Your name will not be linked to the equality data when we monitor or report on it.

<b>Male:</b>		<b>Female</b>	
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**What is your age?**

Under 18		18 - 24		25 - 34		35 - 44	
45 – 54		55 - 64		65 - 74		75+	

**What is your ethnic group? Ethnic groups are defined by the 2011 census.****A. White**

English / Welsh / Scottish / Northern Irish / British	
Irish	
Gypsy or Irish Traveller	
Any other White background, write in box	

**B. Mixed / multiple ethnic groups**

White and Black Caribbean	
White and Black African	
White and Asian	
Any other Mixed / multiple ethnic background, write in box	

**C. Asian / Asian British**

Asian / Asian British	
Indian	
Pakistani	
Bangladeshi	
Chinese	
Any other Asian background, write in box	

**D. Black / African / Caribbean / Black British**

African	
Caribbean	
Any other Black / African / Caribbean background, write in box below	

E. Other ethnic group

Arab	
Any other ethnic group, write in box	

**Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?**

Yes, limited a lot:		Yes, limited a little:		No:	
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**Where do you live in the District?**

Lewes town		Newhaven		Peacehaven / Telscombe / East Saltdean	
Seaford		Village / countryside north of A27		Village / countryside south of A27	
Outside Lewes District (please say where)					

**Data Protection Statement**

Lewes District Council collects equality data to monitor fairness – to ensure our services are accessible to all, and that we are meeting the needs of different groups. The responses we receive to equality monitoring questions are separated from other information a person has provided to avoid any risk of bias. The Council stores equality data securely and confidentially. The information is kept no longer than is necessary for monitoring purposes, before being securely disposed of/ deleted from our systems. Equality data is not shared with any other organisations (except authorised external agencies - to ensure diversity and equality needs are met) and will only be used for statistical analysis and reporting.

## Appendix 2 – Options for Additional Text

### 1. Accessibility

You may wish to add text to make the monitoring form more accessible:

**This form is also available in big print and other formats.**

**Please contact .....**

### 2. Guidelines for use of Optional Equality Monitoring Questions

The core equality monitoring questions set out in Appendix 1 are the Council's "default" position. Those questions ask about gender, age, ethnicity, disability and residential area.

The Equality Monitoring Policy explains that data on equality characteristics other than age, gender, ethnicity, disability and residential area must only be collected **if there is a specific need to do so**. For example, there may be a specific need to ask about the religion or belief of respondents to a survey relating to the Council's cemetery service, because the service should meet the diverse needs of people with different faiths. However, it is much less likely that a parking survey would need to ask such a question.

Where a specific need exists, questions may be asked about religion or belief; sexual orientation; socio-economic status and/or marital or civil partnership status. Information regarding gender reassignment must not be sought, as the data gathered is likely to relate to a low number of people which is too small to analyse statistically.

You must seek authorisation from your Chief Officer before including any of the additional optional questions listed below in equality monitoring. Choose only the relevant question(s).

The **appearance** of the optional questions can be altered to suit the style of any document. However, the wording must NOT be altered because it is based on the 2011 Census, and the monitoring results must be comparable over time and between departments.

The Equality Monitoring Policy will be reviewed following publication of the questions to be included in the 2021 Census for England and Wales.



### 3. Wording for optional equality monitoring questions

Please put an 'x' in the appropriate box.

If you prefer not to fill in any of the boxes, please leave them blank.

**Thank you - by completing this form you are helping us to ensure that our services are fair and open to all.**

Your name will not be linked to the equality data when we monitor or report on it.

#### What is your religion?

No religion		Christian		Buddhist		Hindu	
Jewish		Muslim		Sikh		Other	
If you selected 'other' please describe your religion:							

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#### Sexual orientation. Are you?

Bi/Bisexual		Gay woman / lesbian	
Heterosexual / straight		Gay man	

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#### Are you? Please tick all that apply

In paid work...	Not in paid work...
An employee	Retired
On a government-sponsored training scheme	A student
Self-employed or freelance	A carer
Working for your own or your family's business	Looking after home or family
	Long term sick or disabled
	Actively looking for work
	Other (e.g. volunteering)

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### What is your legal marital or same-sex civil partnership status?

Never married and never registered a same-sex civil partnership		Divorced or formerly in a same-sex civil partnership which is now legally dissolved	
Married or in a registered same-sex civil partnership		Widowed or the surviving partner from a same-sex civil partnership	
Separated, but still legally married or still legally in a same-sex civil partnership			

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