



Measurement Framework for Equality and Human Rights

Our mandate

Our ambition

Who can use the framework

Outline of the report





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Abbreviations

CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CMF	Children's Measurement Framework
CPS	Crown Prosecution Service
CQC	Care Quality Commission (England)
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DBEIS	Department for Business, Energy and Industrial Strategy
DCLG	Department for Communities and Local Government
DfE	Department for Education
DoH	Department of Health
DWP	Department for Work and Pensions
ECHR	European Convention on Human Rights
EHRC	Equality and Human Rights Commission
EMF	Equality Measurement Framework
ENNHRI	European Network of National Human Rights Institutions
Equinet	European Network of Equality Bodies
ECU	Equality Challenge Unit
ESFA	Education and Skills Funding Agency
EYFS	Early Years Foundation Stage
FGM	female genital mutilation
FRA	EU Agency for Fundamental Rights
GRMF	Good Relations Measurement Framework
Hefce	Higher Education Funding Council for England
HEFCW	Higher Education Funding Council for Wales



HESA	Higher Education Statistics Agency
HMIP	Her Majesty's Inspectorate of Prisons
HRA	Human Rights Act 1998
HRMF	Human Rights Measurement Framework
ICCPR	The International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IAPT	Improving Access to Psychological Therapies
IPPR	Institute for Public Policy Research
ISD	Scotland Information Services Division (part of NHS Scotland)
JRF	Joseph Rowntree Foundation
LGBT	lesbian, gay, bisexual and/or transgender
NEET	not in education, employment or training
NFRE	National Foundation for Educational Research
NGO	non-governmental organisation
NICE	National Institute for Health and Care Excellence
NS-SEC	National Statistician's Socio-Economic Classification
OECD	Organisation for Economic Co-operation and Development
Ofsted	Office for Standards in Education, Children's Services and Skills
OHCHR	Office of the United Nations High Commissioner for Human Rights
ONS	Office for National Statistics
PESA	Public Expenditure Statistical Analyses
SACRO	Safeguarding Communities – Reducing Offending
ScotPHN	Scottish Public Health Network
SFA	See ESFA
SMC	Social Mobility Commission
TUC	Trades Union Congress
UNICEF	UN Children's Fund
VAWG	violence against women and girls



Introduction

Our mandate

Our ambition

Who can use the framework

Outline of the report





1. Introduction

1.1 Our mandate

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 of opportunity and freedom from discrimination, and that fundamental rights are respected, protected and fulfilled. But as we know, society is rapidly evolving, in ways that affect different people differently.

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 is fortunate to have 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. It is our role to make these rights and freedoms a reality for everyone.

We have a statutory duty under section 12 of the Equality Act 2006 to monitor social outcomes from an equality and human rights perspective, by developing indicators and reporting on progress. Over the last decade, we have developed a series of measurement frameworks that enable us to monitor and evaluate progress towards protecting and promoting equality and human rights in a systematic way across England, Scotland and Wales. We have now reviewed our previous frameworks and built a single Measurement Framework to support our reporting to Parliament every three years.

We also use the framework, and specifically the domains and sections on the 'future we want' (see Chapter 5), to inform and structure our strategy work, as well as to monitor the UK's compliance with the seven United Nations human rights treaties it has signed and ratified.



1.2 Our ambition

It is our ambition to be a global leader in equality and human rights monitoring. For the past 10 years, we have invested significant time and resources to achieve this. We have consulted with national and international experts, built expertise across different professions (including legal, policy and research expertise), and tried pushing the boundaries of what is possible in relation to data disaggregation and statistical analysis of survey and administrative data.

We believe the new single Measurement Framework 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.¹

3

It has precise indicators and topics to monitor whether we are making progress in achieving the future we want.²

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.

¹ 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'. Please see Chapter 5 for a list of outcomes for each domain.

² Section 12(1)(c) of the Equality Act 2006 defines 'indicators' as 'factors by reference to which progress towards those results may be measured'. Please see Chapter 5 for a list of indicators for each domain that we use to measure progress.

**5**

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

6

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.

7

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.

8

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.

9

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

10

It can be used to drive social change and, ultimately, achieve progress towards equality and human rights (Figure 1.1 illustrates the way in which we view the Measurement Framework as driving social change in terms of progress towards equality and human rights).



Figure 1.1: Model for change – how the framework supports our strategy



The result is a framework that we hope will change the way people think about equality and human rights monitoring. For us, equality and human rights monitoring is more than fulfilling our statutory obligation to monitor progress. It is a powerful tool that shapes policy and political agendas and drives social change.



1.3 Who can use the framework

The Measurement Framework can be used by a wide variety of bodies and organisations.

1

We will use the Measurement Framework for our statutory reports to Parliament. We expect that the framework will inform the ‘Is Britain fairer?’ reviews in 2018, 2021 and 2024, although the indicators, topics, statistical measures and structure, process and outcome evidence will need to be regularly updated to make use of the best available evidence and advances in analysis. We also use the Measurement Framework, specifically the domains and sections on the ‘future we want’ (see Chapter 5), to inform and structure our strategy work, as well as to monitor the UK’s compliance with the seven United Nations human rights treaties it has signed and ratified.

2

Parliamentary committees, government departments and statutory bodies in Britain can use the framework as an agenda-setting tool, as it gives an indication of the issues that may be at the forefront of the national debate on equality, human rights and social justice in the foreseeable future. **Social researchers, economists and statisticians** in these bodies can also use the framework to inform their own collection of data.

3

Third-sector organisations, NGOs, charities and campaigning groups can use the framework as an agenda-setting tool.

4

City mayors, local authorities and their partners can apply and adapt the framework to their local contexts, and use it to monitor how rights are respected, protected and fulfilled on the local level, compared to the national level, and to fill data gaps.

5

Opinion formers and media can use the framework to inform public debate and discussion and to provide an equality and human rights context to wider social, economic, political and legislative issues.



6

Other **National Human Rights Institutions and National Equality Bodies** can use or adapt the framework to inform their own monitoring activities.

7

We hope that **international umbrella organisations**, such as the United Nations Office of the High Commissioner for Human Rights (OHCHR), the European Union Agency for Fundamental Rights (FRA), the Organisation for Economic Co-operation and Development (OECD), the Organization for Security and Co-operation in Europe (OSCE), the European Network of Equality Bodies (Equinet) and the European Network of National Human Rights Institutions (ENNHRI) use our framework as best practice, for instance in relation to data disaggregation and as an example of how structure, process and outcome evidence can be comprehensively collected at a national level.

8

Research institutions and academics could use the framework to carry out deep-dive research into specific elements of it, to further expand knowledge and innovation in this area, including using the framework as a 'business case' in funding applications and to fill data gaps.

9

City mayors, local authorities and their partners can apply and adapt the framework to their local contexts, and use it to monitor how rights are respected, protected and fulfilled on the local level, compared to the national level, and to fill data gaps.



1.4 Outline of the report

This first chapter sets out our mandate and ambition for the Measurement Framework and provides an overview of who can use it.

- **Chapter 2** of this report explains what equality and human rights monitoring is and how the framework, domains and indicators were developed. It also explains the difference between structure, process and outcome evidence, and our geographical remit.
- **Chapter 3** explains the theoretical underpinnings of the Measurement Framework and covers well-known concepts such as equality, inequality, capability, vulnerability, human development and human rights. It examines the theoretical tensions between these concepts and explains the pragmatic implications for the single Measurement Framework.
- **Chapter 4** explains the five different components of evidence collection and analysis that the Measurement Framework uses – protected characteristics; socio-economic group; geographical analysis; people at higher risk of harm, abuse, discrimination or disadvantage; and intersectionality.
- **Chapter 5** presents the six domains of the Measurement Framework – Education, Work, Living standards, Health, Justice and personal security, and Participation, and the 18 core and seven supplementary indicators that are the backbone of our monitoring work. Each indicator has a rationale, a number of clearly defined topics, and information on which structure, process and outcome evidence will be collected.
- **The final chapter (Chapter 6)** sets out the overlap between the Measurement Framework and other important, national and international frameworks, including: human rights standards listed in the Human Rights Act (HRA) and UN treaties; the Scottish Government's National Performance Framework; the national indicators for Wales; the measures of national well-being by the Office for National Statistics (ONS); and the Sustainable Development Goals.



Developing the framework

Equality and human rights monitoring

Developing a measurement framework

Developing domains

Developing indicators

Structure, process and outcome evidence

Geographical remit



2. Developing the framework

2.1 Equality and human rights monitoring

‘Equality and human rights monitoring’ is a general term that describes the essential role of gathering and using information to assess progress (or lack of progress) in the protection, promotion and fulfilment of equality and human rights over time.

Monitoring equality and human rights requires independent, objective, reliable and verifiable information on the situation in a particular country or context, at a particular point in time. It also requires a baseline of information for progress to be evaluated over time. It plays an instrumental role within society by increasing transparency and accountability in relation to equality and human rights, and improving standards.

Equality and human rights organisations and other organisations and bodies undertake monitoring to achieve a wide range of aims and objectives. This includes:

- Assessing the implementation of non-discrimination, equality and human rights law
- Building objective, independent and reliable evidence on equality and human rights violations and on the protection, promotion and fulfilment of equality and human rights standards
- Promoting legal accountability for human rights and access to justice

- Moving equality and human rights issues up the public, media, political, national and international agendas
- Building public knowledge and understanding on equality and human rights issues and promoting attitudinal change
- Exposing institutional and public policy failures, equality and human rights protection gaps and the need for additional legislative, regulatory, institutional and public policy interventions
- Supporting policy development and galvanising public action to protect, promote and fulfil equality and human rights
- Demonstrating good practice in equality and human rights, as a basis for further civil society monitoring initiatives
- Embedding a culture of equality and human rights protection within a range of different public and private bodies.

Equality and human rights monitoring can involve the gathering and use of both quantitative and qualitative information. Standardised quantitative information can be particularly useful in providing a consistent basis for making comparisons between areas, regions and countries and for tracking change over time, while disaggregated statistical data can provide a basis for comparing inequalities in the position of different groups of people and for identifying and assessing the position of those who are at higher risk of harm, abuse, disadvantage and discrimination.



2.2 Developing a measurement framework

We have a statutory duty under section 12 of the Equality Act 2006 to monitor progress towards equality and human rights and to report on this progress to Parliament.

Until now, we have worked with four measurement frameworks to monitor and evaluate progress towards equality and human rights. The measurement frameworks covered England, Scotland and Wales and consisted of a number of domains, indicators and statistical measures. They were based on four research reports, which focused on equality (Alkire *et al.*, 2009); good relations (Wigfield and Turner, 2010); children (Holder *et al.*, 2011); and human rights (Candler *et al.*, 2011).

These four measurement frameworks formed the basis for the collection of evidence for our first report to Parliament, ‘How fair is Britain?’ in 2010 (EHRC, 2010); the Human Rights Review in 2012 (EHRC, 2012); a series of research papers in 2012/13, and our most recent report to Parliament in 2015, ‘Is Britain fairer?’ (EHRC, 2015). ‘Is Britain fairer?’ (2015) was the first time that the Commission reported simultaneously on equality and human rights, making pragmatic use of the four measurement frameworks.

Following the publication of ‘Is Britain fairer?’ (2015), we reviewed the different components of the measurement frameworks to develop a single Measurement Framework for Equality and Human Rights (the Measurement

Framework). The Measurement Framework has a number of carefully selected domains and indicators to give a picture of progress across important areas of life in Britain. We will use it to fulfil our statutory requirement to monitor and report on equality and human rights, to inform our ongoing evidence collection and to support our legal, policy and international treaty work more generally.

In the following section we set out the building blocks of our Measurement Framework, namely the four different frameworks that had previously been used.

Equality and Children’s Measurement Frameworks

The Equality Measurement Framework (EMF) was developed in 2008-09 (Alkire *et al.*, 2009). The project was advised by a cross-government group of analysts and policy experts convened by the Government Equalities Office, including representatives from the Scottish and Welsh Governments. The framework formed the basis for our first statutory review (EHRC, 2010). It is strongly outcome-focused and uses mainly quantitative data as part of a ‘domain-indicator-measure’ approach. It covers 10 domains that each includes a number of indicators and measures. Domains reflect the things or areas in life that are important to people and that enable them to flourish, while indicators are intended to capture and define the underlying concept that we are trying to measure. Measures, meanwhile, capture and define the specific statistics that we are using to measure the underlying concept (Alkire *et al.*, 2009, p. 12).



The Children's Measurement Framework (CMF) was developed and published in 2011 (Holder *et al.*, 2011). It follows closely the approach used in the EMF but has child-specific indicators and measures for at-risk children that were developed through consultation to complement the national-level equality breakdowns. All the measures were based on quantitative data.

Good Relations Measurement Framework

The Good Relations Measurement Framework (GRMF) was developed to capture developments in the area of good relations between different groups in society, which at that point still formed part of our mandate (Wigfield and Turner, 2010).³ Although conceptually different from the EMF and the CMF, it uses a similar domain-indicator-measure approach. The GRMF covers four domains: attitudes, personal security, interaction with others and participation and influence. Each of these domains includes between four and six indicators, for each of which there is a number of statistical measures.

Human Rights Measurement Framework

The EMF, CMF and GRMF were complemented by the Human Rights Measurement Framework (HMRF), published in 2011 (Candler *et al.*, 2011), and developed in partnership with the Scottish Human Rights Commission. This was used as the basis for our first statutory review

of human rights (Human Rights Review, EHRC, 2012). The HRMF was designed to measure how Britain is meeting its human rights obligations. A key difference from the EMF, the CMF and the GRMF is the fact that the HRMF is based on the indicator framework developed by OHCHR, using the structure-process-outcomes approach (OHCHR, 2012). This approach provides evidence on the legislative framework (structure), the implementation of that framework through regulation and policies (process) and the results in terms of people's position and experiences (outcomes). The OHCHR indicators have been adapted for Britain. The HRMF brings together a broad range of information including the statutory, regulatory and public policy framework that is in place for respecting, protecting and fulfilling human rights; case law outcomes; concerns highlighted by domestic and international human rights monitoring bodies, regulators, inspectorates and ombudsmen, and allegations and concerns raised by non-governmental organisations (NGOs) and other civil society mechanisms such as media reports. The HRMF also draws on a wide range of statistical sources including administrative data and social surveys. The other main difference from the other frameworks is that the HRMF is organised by articles of the HRA 1998, which incorporates the European Convention on Human Rights (ECHR) and other international human rights conventions.⁴

³ Good relations' was removed from our mandate in 2013 in the Enterprise and Regulatory Reform Act 2013.

⁴ Theoretical overviews of the EMF, CMF and HRMF are provided in Burchardt and Vizard (2011), Vizard (2012), Clery *et al.* (2015), Vizard and Speed (2015). For a discussion of operational measures of autonomy, see Burchardt *et al.* (2015).



Single Measurement Framework for Equality and Human Rights

The previous frameworks had never been updated since published. They were built around the evidence available at the time so were not using the best data available today. There were also too many domains and indicators overall, some without a robust rationale or scope, which was making reporting to Parliament an onerous and unmanageable process.

The single Measurement Framework was developed between March 2016 and September 2017, building on the experiences of 'Is Britain fairer?' (2015). The indicators with the strongest rationale and best available evidence base from all of the four previous measurement frameworks were brought together by going through a rigorous process of prioritisation. For each indicator, the rationale was clarified, the scope was refined and sources of evidence were identified. The refined indicators were presented within six new domains.

We carried out an expert consultation in January 2017 encompassing events in London, Edinburgh, Manchester and Cardiff, and an invitation to key stakeholders to submit written responses. Overall, respondents were supportive of the single framework and acknowledged that it is a difficult task but one that we have managed well. There were a number of common themes that emerged from the consultation:

- Some stakeholders commented that we should use additional measures of process evidence to monitor the

progressive realisation of economic, social and cultural rights, according to a State's maximum available resources. We agree with this and have added measures to assess resource allocation and expenditure for all indicators that have a clear link to the International Covenant on Economic, Social and Cultural Rights (ICESCR).

- The expert consultation raised issues relating to the right to respect for family and private life and how it was mostly absent from our original proposals. We therefore developed a new supplementary indicator around 'Family life', which sits in the Participation domain.
- Some stakeholders flagged the need for the framework to feature violence against women and girls (VAWG) issues more prominently or to have a unique VAWG indicator. They were also concerned about us featuring sexual violence and domestic abuse under an indicator called 'Crime' in our previous proposals, given that a lot of violence against women and girls is not reported as crime. We have included some substantive issues that are important to the VAWG agenda in our framework, albeit not in the form of a unique VAWG indicator (because all the indicators in our framework apply to all protected characteristics). We have made it more explicit where VAWG-related issues appear in the framework and explained that all of our indicators across the framework have a gender perspective and that we will disaggregate data by gender, as well as do intersectional



analysis, where possible. We have renamed the 'Crime' indicator to 'Hate crime, homicides, sexual and domestic abuse', which we believe better reflects the issues we are capturing.

- A number of consultation respondents criticised our use of the term 'vulnerable' because it is often an imposed term, linked to processes of exclusion and isolation, and the people labelled with this term may challenge or decline to accept it. We commissioned a piece of work from the Institute for Employment Studies to help us understand how various definitions of 'vulnerable' are in use by different institutions and disciplines. We decided to acknowledge the term 'vulnerability' as an important concept that recognises a real state that affects people's lives. However, in terms of language, we will avoid using the term 'vulnerable people' and instead use the term 'people at higher risk of harm, abuse, discrimination or disadvantage' which is more widely accepted (see Section 3.7).

In parallel to the in-house development of the framework and the expert consultation, we worked with a number of partners on specific elements:

- Polly Vizard, Tania Burchardt and Husnain Nasim from the Centre for Analysis of Social Exclusion (CASE) at the London School of Economics and Political Science assessed the purpose and impact of equality and human rights monitoring and developed the theoretical framework.

- Andrea Broughton, Rachel Marangozov and Chiara Manzoni from the Institute for Employment Studies helped us define the concept of vulnerability and identify the people at higher risk of harm, abuse, discrimination or disadvantage.
- Jon Bashford and Sherife Hasan from Community Innovations Enterprise LLP helped us develop three indicators in the 'Justice and personal security' domain, namely 'Criminal and civil justice', 'Restorative justice' and 'Rehabilitation, resettlement and reintegration'.
- Jane Harris, Lucy Asquith and Hannah Spencer from CordisBright Consulting helped us develop the 'Social care' indicator.
- Ebony Riddell Bamber and Tracey Agyeman from the Equality and Diversity Forum (EDF) hosted a round-table discussion on intersectionality and how to apply the concept practically to equality and human rights monitoring. Participants were members of the EDF NGO and research networks.

We are very grateful to our partners and those who contributed to the development of the framework through a range of consultation events and discussions. A full list of people and organisations who sent a written response to the consultation can be found in the appendix.



2.3 Developing domains

The Measurement Framework covers six domains, or themes, which reflect the things or areas in life that are important to people and enable them to flourish.

Education – To be knowledgeable, to understand and reason, and have the skills and opportunity to participate in parenting, the labour market and in society

Education is an important driver of people's success in their work, sense of achievement and emotional and financial well-being. However, educational opportunity is not shared equally in Britain and outcomes vary hugely.

This domain assesses the extent to which all children and young people in Britain can fulfil their right to an education. It highlights the differences between various groups of children and young people in terms of how well they do in school, their likelihood to be excluded from school, to be bullied in school, or left without a clear path following the completion of their compulsory schooling. The domain also gives an overview of the major inequalities and barriers that adults face in higher education and lifelong learning. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect in the fulfilment of educational rights and opportunities.

Work – 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 be free from slavery, forced labour and other forms of exploitation

Work is an important driver of people's sense of achievement and emotional and financial well-being. Decent work enables people to secure an adequate standard of living and healthcare, and to participate in society and leisure activities. However, where work conditions are unfair or exploitative, or where people face harassment and discrimination, people's rights to decent work and being able to earn a living come under threat.

This domain assesses employment rates and the extent of unemployment and self-employment. It looks at casualisation of labour, discrimination in employment, and occupational segregation. It also highlights differences in earnings, including pay gaps and the prevalence of low pay. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect at work. The domain also looks at forced labour and trafficking, to assess the extent to which people's right to be free from slavery and forced labour is protected.



Living standards – To enjoy an adequate standard of living, with independence and security, and be cared for and supported when necessary

Having the skills to participate in the labour market and in society, and having the value of your work recognised, are important preconditions for enjoying an adequate standard of living. Where people do not have an adequate standard of living, for example because they live in poverty or in overcrowded accommodation or are not cared for and supported when needed, this has an impact on their life chances and opportunities to participate fully in society.

This domain looks at poverty, the social security system and housing conditions, including the prevalence of homelessness and overcrowding, to assess rights to an adequate standard of living and social security. It also looks at social care and support to assess how the rights to live independently and to be free from abuse are respected, protected and fulfilled. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect in the achievement of an adequate standard of living.

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

Being able to lead a healthy life can be influenced by your education, work and living standards. Food and nutrition, housing, having safe and healthy working conditions, having a healthy environment, having the skills to access information about healthcare, and being free from discrimination are all underlying determinants of health. However, access to healthcare is not shared equally in Britain and outcomes vary hugely across different people.

This domain looks at inequality in health outcomes, including suicide, infant mortality and life expectancy, as well as access to healthcare and mental health. It also assesses reproductive and sexual health, including access to sexual and reproductive healthcare and information, as well as autonomy in sexual and reproductive decision making. Another component of this domain is palliative and end of life care where we assess how people are cared for in the final stages of their life and whether they have the autonomy to choose how and where to die. All of the indicators have a direct link to the right to health, which includes a duty on the State to progressively respect, promote and fulfil the highest attainable standard of physical and mental health. Some elements of this domain are also relevant in the context of the right to be free from torture or inhuman or degrading treatment and punishment. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect in the fulfilment of these rights in the area of health.



Justice and personal security – To avoid premature mortality, live in security, and know you will be protected and treated fairly by the law

Avoiding premature mortality, living in security, and knowing one will be protected and treated fairly by the law is a precondition to having peace of mind, hoping for the future and being able to enjoy participating in society. Where this is not guaranteed, for example because a person has difficulty accessing justice, or is harassed because of who they are, there is a risk that they will be unable to fulfil their capabilities in other areas of life, such as education or work.

This domain looks at conditions of detention, including non-natural deaths and use of restraint and force, as well as the prevalence of hate crime, homicides, and sexual and domestic abuse. It assesses how effectively the criminal justice system and civil justice procedures are operating, including access to courts and tribunals, and provision of legal aid and liaison and diversion services. The domain also considers how far the State facilitates the use of restorative justice, and the rehabilitation, resettlement and reintegration of offenders. There are strong links between these issues and the rights to life, to liberty and security of person, to a fair trial, to freedom from torture and inhuman or degrading treatment, and to respect for private and family life. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect in the fulfilment of these rights in the area of justice and personal security.

Participation – To participate in decision making and in communities, to access services, to know that your privacy will be respected, and to be able to express yourself

Participation in decision making and in communities, without the undue interference of the State, is important to enable a person to influence the decisions that affect them in different areas of life, including education, work, living standards, health, and justice and personal security. Accessing services and forming relationships with freedom and autonomy also allow people to live their lives to the fullest. Where this comes under threat, for example because the right to privacy or family life is not respected, or where a person faces disproportionate barriers to getting involved politically, this undermines the foundation of our democracy.

This domain looks at voting and involvement in formal public life, as well as participation in civic organisations such as trade unions. It highlights barriers and inequalities when people access services such as transport, leisure, culture and sport, finance, banking and insurance. Lack of access can impact on many other capabilities such as standard of living, education, employment and health, and can lead to social isolation. This domain also looks at privacy and surveillance, including the collection, use, tracking, retention and disclosure of personal data. Social cohesion and neighbourhood trust, as well as freedom to enjoy a private and family life, is another set of topics covered in this domain.



Many of the rights covered in this domain are fundamental tenets of democratic life and feature in many international treaties. Analysis of these indicators enables us to understand overall progress towards fairness, dignity and respect in the fulfilment of these rights in the area of participation, privacy and social relations.







2.4 Developing indicators

Within each domain there are a number of indicators. These are intended to capture and define the underlying concept that we are trying to measure.

Each domain has three core indicators (18 in total), which reflect long-standing equality and human rights topics that have often been at the core of our monitoring activities in the past. We monitor and report on 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 completely 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 supplementary indicators on a regular basis for our wider business priorities, however we will only include between one and three of them each time we report to Parliament (see Table 2.1).

**Table 2.1: Measurement Framework at a glance**

<p>Education</p> <p>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</p> 	Educational attainment of children and young people
	School exclusions, bullying and NEET
	Higher education and lifelong learning
<p>Work</p> <p>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</p> 	Employment
	Earnings
	Occupational segregation
<p>Living standards</p> <p>The capability to enjoy a comfortable standard of living, with independence and security, and to be cared for and supported when necessary</p> 	Poverty
	Housing
	Social care
<p>Health</p> <p>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</p> 	Health outcomes
	Access to healthcare
	Mental health
	Reproductive and sexual health*
	Palliative and end of life care*
<p>Justice and personal security</p> <p>The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law</p> 	Conditions of detention
	Hate crime, homicides and sexual/ domestic abuse
	Criminal and civil justice
	Restorative justice*
	Reintegration, resettlement and rehabilitation*
<p>Participation</p> <p>The capability to participate in decision-making and in communities, access services, know your privacy will be respected, and express yourself</p> 	Political and civic participation and representation
	Access to services
	Privacy and surveillance
	Social and community cohesion*
	Family life*

* Supplementary indicators



A number of principles sit behind the selection of indicators:

Relevance for human rights – indicators should be rooted in international human rights standards, for example the UN Convention on the Rights of the Child.

Relevance for equality and non-discrimination – indicators should be rooted in international and domestic principles of equality and non-discrimination, for example the Equality Act 2010 and the ECHR.

Relevance for duty-bearers – the State has a duty to respect, promote and fulfil people's rights. Selected indicators should help to assess how the State is fulfilling its role as the principal duty-bearer, whether through legislation, policies, regulation or the provision of services.

Impact on life chances – some indicators may be chosen because the issue under consideration impacts on people's survival or their ability to prosper in the future.

Overview of social issues – indicators may also be chosen because, in conjunction with other indicators, they provide a balanced summary of the key equality and human rights issues within a domain, or cover specific issues that would not be picked up through other indicators.

Comparison across place and time – indicators should be comparable across England, Scotland and Wales, and should also provide up-to-date evidence that can be compared over time.

Bearing these principles in mind, the indicators should also:

- Be specific and focused on a particular issue within a domain, such as educational attainment or mental health.
- Be measurable, in that we can assess the current situation and whether there has been change over time.
- Be relevant over the long term, in that the issue that an indicator covers should have longevity and not be something that has only short-term relevance.
- Not be set in stone, so that they can be revised and updated in terms of topics or sources of evidence.
- The best we can obtain given the domain and topics of interest.

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 Commission's wider business activities are not restricted to what is covered in the framework, and we might work across a number of topics and issues that are not in the framework.



2.5 Structure, process and outcome evidence

The Measurement Framework is based on the human rights indicator framework developed by the Office of the United Nations High Commissioner for Human Rights, using a structure/ process/ outcomes approach (OHCHR, 2012), and the capability approach adopted for our previous frameworks, the EMF and the CMF.

Combining the two approaches allows us to monitor equality and human rights standards in a way that is compatible with both the international human rights framework and the capability approach.

Structures – this means the human rights and equality standards to which the UK is committed in principle, as evidenced by the HRA 1998, the Equality Act 2010, the ECHR and international treaties that the UK has signed and ratified, as well as primary legislation and some significant case law that changes the interpretation of primary legislation.

Processes – these are the efforts that are being made by the State and duty-bearers to implement the obligations that flow from these human rights and equality standards, including the implementation and evaluation of public policies. The process evidence is subject to a lot of changes over the years, as new policies, strategies, action plans and regulations come into place. We have therefore

provided examples of process evidence for each indicator that are indicative of the current situation but we have not provided a comprehensive list or full bibliographical references.

Outcomes – these reflect the position or experiences of individuals and groups, including the differential experiences and outcomes of people sharing different protected characteristics, evidenced by, for example, social survey or administrative data, or concerns highlighted by regulators, inspectorates, human rights monitoring bodies or non-governmental organisations (NGOs).

The three distinct types of outcomes evidence that we draw on can be monitored in terms of whether people have achieved the capabilities, and their experiences of treatment and autonomy:

- **Achievement of capability** – monitoring the central and valuable things in life that people can achieve in practice, for example being healthy, being educated, living in security
- **Treatment** – reflecting inequalities in treatment through discrimination or disadvantage by other individuals, or by institutions and systems, including lack of dignity and respect
- **Autonomy** – inequality in the degree of empowerment that people have in making decisions affecting their lives, and how much choice and control they really have given their circumstances.



Progressive realisation of economic, social and cultural rights

The International Covenant on Economic, Social and Cultural Rights (ICESCR) includes rights to education, work, food, housing, healthcare, social security and cultural development that are subject to 'progressive realisation', according to a State's 'maximum available resources'.

States are required to move as 'efficiently and expeditiously' as possible towards the full realisation of economic, social and cultural rights, and must not take deliberately retrogressive measures without a justifiable reason. Where a State adopts policies that decrease people's enjoyment of a right, this must be fully justified and must be temporary, necessary and proportionate, and non-discriminatory, and it must ensure the protection of a minimum core content of rights.

States must realise economic, social and cultural rights to the 'maximum of their available resources' – this is an important qualification of the obligation on States, and recognises that States have different capacities and that these can change over time. When analysing the use of resources, a number of criteria can be taken into account, such as: whether the State has given 'due priority' to economic, social and cultural rights in the way that it allocates resources; whether spending is efficient and effective; whether allocations for

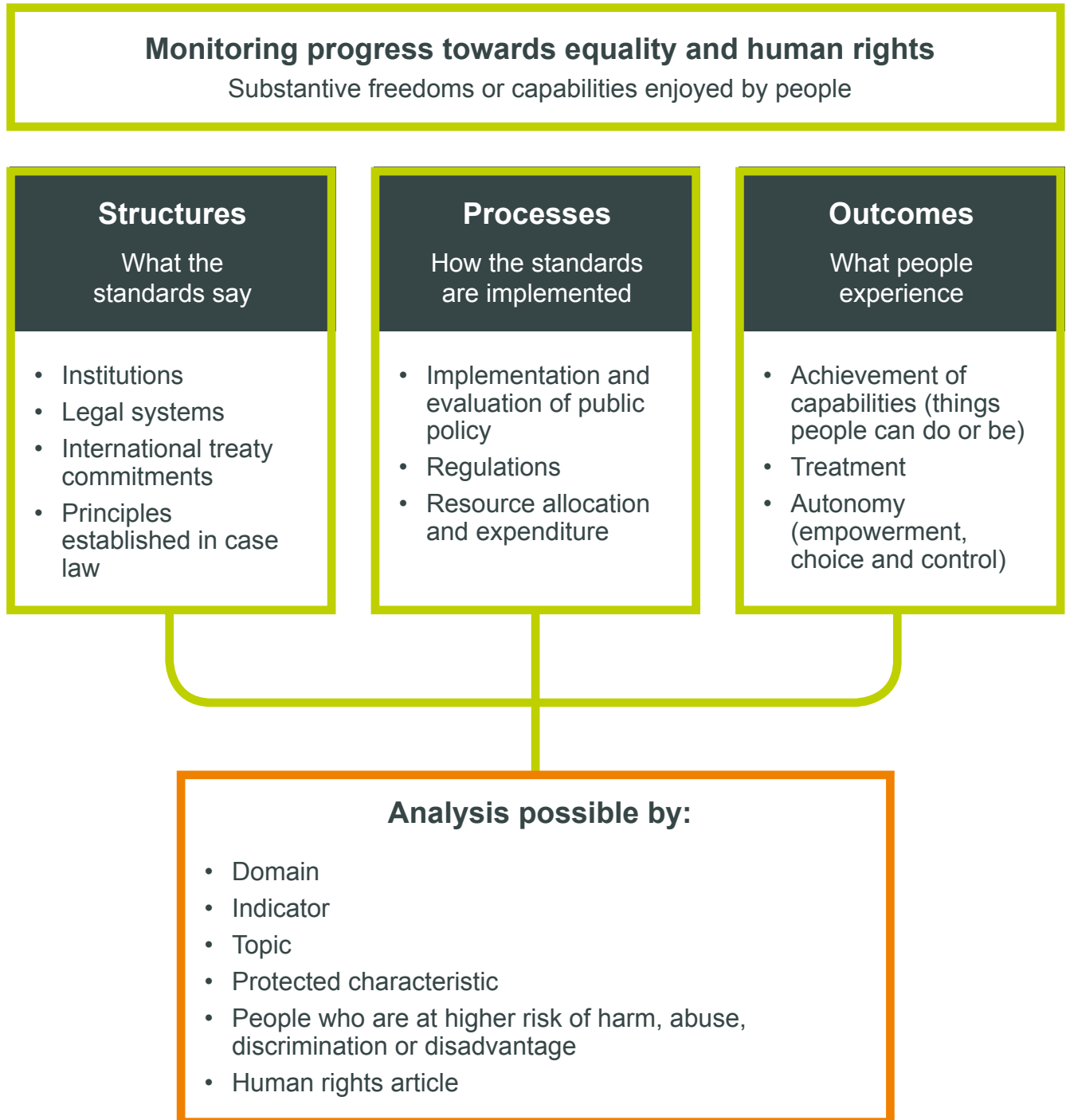
economic, social and cultural rights were fully spent or if they were diverted, and whether States have mobilised as many resources as possible, for example through taxation (Asia Pacific Forum of NHRIs and Center for Economic and Social Rights, 2015).

In our Measurement Framework, we assess resource allocation and spending for all indicators that have a clear link to the ICESCR, namely in the domains of education, work, living standards and health. We draw on published material by others to do this.

Figure 2.1 shows the basic synergies and overlaps between the underlying concepts and principles.



Figure 2.1: Using structure, process and outcome evidence to monitor progress





2.6 Geographical remit

The geographical scope of the Measurement Framework is the same as the remit of the Commission. We are the National Equality Body and one of the National Human Rights Institutions for Great Britain. Our geographical remit covers England, Wales and Scotland, with the exception of those human rights matters that are within the legislative competence of the Scottish Parliament.

There are instances, however, where we may exercise our statutory duties and enforcement powers in respect of equality or human rights matters arising outside of Britain's territorial borders. We monitor progress on these extra-territorial issues to the extent as they fall within the specific domains and indicators of the new Measurement Framework.

Applicability of Equality Act 2010: extra-territorial jurisdiction

The Equality Act 2010 forms part of the law of England, Wales and, subject to some exceptions, Scotland.⁵ In some circumstances however the provisions of the Act have (or potentially have) applicability to actions that occur outside of Britain's borders. This is generally determined by the relevant court or tribunal. For example, the Act leaves it to employment tribunals to determine whether Part 5 (work) applies to an alleged act of discrimination that occurs partly or wholly outside Britain: a tribunal would consider whether there was a sufficiently close link

between the employment relationship and Britain. There are also a limited number of specific cases where the Act expressly provides for particular provisions to apply (or potentially apply) outside Britain.

Applicability of the Human Rights Act 1998: extra-territorial jurisdiction

The UK courts have applied the Human Rights Act (HRA) 1998, which incorporates the European Convention on Human Rights into domestic law, as having extra-territorial effect in circumstances where the UK has 'jurisdiction' for the purposes of Article 1 of the Convention. Current case law has established that relevant Human Rights Act and European Convention on Human Rights obligations can apply to the actions of UK state agents abroad, for example in the course of military or intelligence operations, in those circumstances where the UK has de facto effective control over the territory, or part of the territory, of another state, or effective control over an individual even if they are located outside UK borders.

International human rights instruments

The Commission's duty to protect and promote human rights, as envisaged in the UN Paris Principles, is set out in its founding legislation, the Equality Act 2006. This mandate is expressed broadly and therefore includes the United Nations (UN), Council of Europe and other international human rights treaties that the UK has, or plans to, ratify.

⁵ Subject to minor exceptions, the Equality Act 2010 does not apply to Northern Ireland.



Some of these treaties require signatory states to accept responsibility, in limited circumstances, for potential human rights breaches that take place abroad. The Commission is empowered to promote and monitor the ratification and effective implementation of these international instruments by the UK. For example, we have called for the expeditious ratification of the Istanbul Convention,⁶ which requires signatory states to implement extra-territorial jurisdiction so that certain offences committed by their citizens can be prosecuted in the national courts regardless of where the offences take place in the world. The UK Government recently announced that it will introduce new measures to protect women and girls from crimes committed by British nationals overseas as part of its Domestic Violence and Abuse Bill, covering England and Wales, and therefore this is an issue we will monitor as part of the 'Hate crime, homicide, sexual and domestic abuse' indicator in the 'Justice and personal' security domain.

The Commission is also empowered to promote awareness and understanding of and encourage good practice in relation to human rights among the voluntary and commercial sectors. An example is our work to raise awareness of the UN Guiding Principles on Business and Human Rights⁷ and domestic legislation that requires British companies to disclose 'due diligence' information about how they manage their human rights impacts at home and abroad. The Modern Slavery Act 2015, for example, requires companies to report on the steps they have taken to assess and mitigate risks of slavery and human trafficking in their domestic and overseas supply chains. Therefore, we will monitor progress on this across several indicators in the 'Work' domain.

⁶ The full name of the Istanbul Convention is Council of Europe Convention on preventing and combating violence against women and domestic violence.

⁷ The Guiding Principles do not create any new international legal obligations on British companies, but they can help boards to operate with respect for human rights and meet their legal responsibilities set out in domestic laws. The UK Government has published a national action plan for the implementation of the Guiding Principles where it sets out its expectation for UK companies to respect human rights wherever they operate.



Theoretical framework

Equality and inequality

Capability

Human rights

Human development

Legal theories

Critiques of the indicator-based approach

Vulnerability

Intersectionality



3. Theoretical framework

Our Measurement Framework is underpinned by several theoretical concepts relating to equality, human rights, vulnerability and intersectionality.

In this chapter, we first look more closely at the key theoretical concepts that we considered when developing the framework. There are many different kinds of ‘theory’ relevant to equality and human rights monitoring. These include philosophical theories that provide value-based underpinnings, theories of legal obligation that provide an account of how equality and human rights standards are codified, interpreted and enforced, and theories derived from political science and public administration, which explore governance, regulation and monitoring in relation to governments and other public bodies.

We also consider concepts of ‘vulnerability’ and approaches to identifying people who may experience multiple forms of discrimination (intersectionality).

We then turn to the practical implications of these theoretical concepts for our Measurement Framework.

3.1 Equality and inequality

What kinds of equality or inequality should be promoted or prohibited? There have been three dominant approaches in political philosophy over the last century that provide distinct answers to this question: utilitarianism, libertarianism, and liberal egalitarianism.

Utilitarianism

Utilitarianism is concerned with optimising the distribution of utility – variously interpreted as subjective well-being or happiness, so that the total sum of utility is maximised (Bentham, 1776). This perspective has enjoyed a resurgence of interest in recent years in the form of the ‘economics of happiness’ (Clark, 2016; Layard, 2011), the idea that the same amount of happiness counts equally whoever accrues it. However, gains in material goods or resources (such as income) and happiness are usually seen to produce diminishing returns in relation to happiness. In other words, an additional £1 to a person living in poverty gains more happiness than the same £1 given to a wealthier person. Utilitarianism can, therefore, be used to provide a reason for promoting material equality, or reducing material inequality.

However, utilitarianism does not promote wealth equality per se; any transfers of material goods or resources would be evaluated solely on the basis of whether they, in practice, produce a greater total sum of happiness. If it turned out, for example, that non-disabled people were more ‘efficient’ at translating resources into happiness than disabled people, a utilitarian would be obliged to advocate allocating resources to non-disabled people – or to bring in an additional ethical principle to avoid this unpalatable conclusion.



Critics of utilitarianism also point out that maximising subjective well-being is not necessarily the only goal that people may have – they may also have goals relating to the well-being of others or goals that are nothing to do with well-being at all, but rather to achieving artistic excellence or advancing human knowledge, for example (Sen, 1979).

More seriously still from an equality perspective, critics have drawn attention to the levels of subjectivity in assessing well-being and the problem of conditioned expectations or ‘adaptive preferences’. Someone who is accustomed to having a new car and a foreign holiday every year may feel deprived if they move job and are no longer able to afford such things, even if their standard of living is still well above the poverty line. Conversely, someone who has endured long-term hardship may take great pleasure in a modest improvement in their circumstances. If conditioned expectations of this kind feed through into levels of subjective well-being, subjective well-being will be an unreliable guide to people’s quality of life, and using it as a basis for comparison – let alone striving for equality of subjective well-being – will be a flawed objective.

Libertarianism

Libertarianism holds that people may acquire, keep or exchange belongings or services, and that any outcome of such trading is fair, provided there was no use of force or other forms of coercion. Wealth inequalities that may arise in the course

of freely-contracted market transactions are not viewed as an injustice. This idea of liberty tends towards minimising state interventions but formal equality of opportunity, such as ensuring that everyone is treated the same, may be endorsed by libertarians, and there may even be an argument for redressing inequalities that have arisen through coercion in the past, for example through slavery.

Liberal egalitarianism

The first principle of justice according to liberal egalitarianism is that everyone is entitled to a full set of basic liberties. According to Rawls, social and economic inequalities are justifiable in some circumstances and not in others. First, Rawls argues that ‘in all parts of society there are to be roughly the same prospects of culture and achievement for those similarly motivated and endowed’ (Rawls, 2001, p. 44). This is a strong statement of non-discrimination, including on grounds of gender, ethnicity, sexual identity and so on. Secondly, any inequalities must benefit the least advantaged members of society. This formulation, known as the ‘difference principle’ reflects the idea that some degree of inequality may be necessary in order to incentivise people to be productive, thereby increasing the size of the cake overall and, potentially, increasing the size of the slice allocated to the least well-off members of society.

One of the distinctive features of Rawls’ approach is that the difference principle applies to what he calls ‘primary goods’



– things such as income and wealth that are generally useful for people in pursuing their goals, whatever those goals may be. Rawls argues that evaluation of equality and inequality should focus on these all-purpose means (resources, or inputs) available to people to achieve desirable ends rather than on the ends themselves, because people have diverse goals and the State should not prescribe a particular vision of ‘the good life’. However, critics of egalitarianism have focused on the choice of primary goods as the currency of justice. Sen (1999), for example, argues that relying on primary goods overlooks the diverse rates at which people can convert them into real opportunities. He reminds us, for example, that a disabled person may need more or different resources to achieve the same standard of living as a non-disabled person.

3.2 Capability

In our view, the most compelling theoretical underpinning for equality and human rights monitoring is provided by Sen’s capability approach (Sen, 1985, 1993, 1999, 2009). The capability approach has been a major theoretical influence on the development of new indicator-based monitoring exercises, such as the the UN Development Programme’s Human Development Index, the Millennium Development Goals and the UN Development Programme’s Better Life Index, and it has formed the basis of our previous equality and children’s measurement frameworks.

The central concept is ‘capability’: central and valuable freedoms and opportunities, the critical things in life that people can

actually do or be. The approach has a number of distinctive features (Robeyns, 2006):

- Evaluation of substantive freedoms and opportunities: what matters are the central and valuable things in life that people can actually do and be, not merely the resources that are available to them, or their subjective well-being.
- Positive interpretation of freedom – ‘freedom to’, not just ‘freedom from’. Positive freedoms will often require the promotion of equality and human rights, the redistribution of resources and other state efforts if they are to be achieved on an equitable basis.
- Distinguishing between means and ends: for example, access to healthcare is an important input for achieving good health, but the valuable goal is health itself.
- Recognising diversity in people’s circumstances, characteristics and goals. This implies that we take account of the different resources that people may need to achieve the same real freedoms, and need to be sensitive to the position of different individuals and groups.
- Acknowledging the role of structures and processes in enabling or constraining people’s capabilities, for example through accessible public transport, or effective redress for workplace discrimination.
- Recognising the role of individuals as agents, including in defining their own objectives, and being involved in decisions that affect them.



Inequality is seen to arise when people have unequal real freedom to enjoy the central and valuable things in life. Applications of the approach must define a list of such ‘real freedoms’ or inequalities, which will be expressed as the valuable ends (‘health’ or ‘security’ for example) rather than in terms of the resources or other inputs that are required to achieve them (‘healthcare’ or ‘crime prevention’).

Inequality is understood to be caused by unjust structures and processes. This may include a distribution of resources that does not recognise diverse needs and/ or a denial of rights or liberties. These features, together with the focus on ends rather than means, make it a particularly attractive basis for grounding an equality monitoring framework.

In contrast to utilitarianism, the capability approach recognises multiple dimensions of human well-being and does not rely solely on subjective information. In contrast to libertarianism, it embodies a positive account of freedom and focuses attention on the potential for public action. And in contrast to liberal egalitarianism, it identifies variations in need and maintains a clear focus on valuable ends (capabilities) rather than means (resources or primary goods).

Nevertheless, the capability approach is not without critics. Sen does not offer a comprehensive theory of justice, so there is no guidance on the extent of inequality that should be deemed unacceptable. Sen’s account is also (intentionally)

incomplete in the sense that it does not provide a definitive list of central and valuable capabilities. Rather, Sen argues that a capability list must be specific to the evaluative task in hand, and should be drawn up through a transparent, deliberative and democratic process. For this reason, the process of developing the capability list for our original Equality Measurement Framework – and that we have used again and adapted for this Measurement Framework – involved consultation with around 200 members of the general public and individuals and groups at particular risk of discrimination and disadvantage.

Other critics include Dean (2009), who argues that recognition of ‘needs’ does not come about through a technical exercise but is the outcome of struggle, often collective struggle, and that ‘needs’ in this sense are not fixed for all time. This is an important reminder about the status of any capability list: it must be revisited from time to time to verify whether new capabilities have been identified as important.

3.3 Human rights

Central to human rights is the idea that a core set of basic freedoms should be guaranteed for all people everywhere, on the basis of non-discrimination and equality regardless of country, nationality, and citizenship, gender, age, race, ethnicity, religion or belief, disability or any other characteristic or status. Saying that someone has a human right to x is to



imply that the State has responsibilities, obligations and duties to uphold the human right to x. Examples of human rights that are widely claimed and cited include the right to life, the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, the right to participate in free and fair elections, the right to an adequate standard of living, and the rights to education and health (Vizard, forthcoming b).

The possibility of arriving at an objective, impartial and valid theory of human rights has been challenged from a number of perspectives. Given the diversity of moral practices, norms and principles over different historical periods and in societies with vastly different cultural, religious and ethical traditions, some philosophers have argued that it is not possible to arrive at a valid normative theory of universal human rights (Vizard, forthcoming b). Some theories admit the possibility of negative human rights but not positive human rights, and/ or civil and political rights but not economic and social rights. For example, libertarian theories specify the objectives of fundamental rights in terms of negative liberties ('freedom from'). The obligations that correspond to fundamental rights are characterised as negative prohibitions on interference, and the demands of justice are viewed in terms of processes rather than outcomes (for example Nozick, 1974; Hayek, 1960; c.f. Vizard, 2006, forthcoming a, b).

A key limitation of libertarian approaches, as well as some of the other influential theories in the liberal tradition, is that they fail to provide adequate ethical

foundations for the full range of human rights, and the corresponding obligations that are recognised in the international human rights framework. In the past, for example, economic and social rights were often viewed as having only aspirational or pragmatic status, or they were seen as being outcomes of international political agreements, as being 'special' or 'institutional' rights, or they were seen through the lens of positive law and legal obligation.

In contrast, there have been a number of attempts in recent years to develop broader normative theories of human rights that provide more adequate foundations for the human rights that are recognised within the international human rights framework. These include economic and social rights such as the right to an adequate standard of living, and the rights to education and health. As summarised in Vizard (forthcoming a, b), notable contributions to the recent literature in this area include:

- Pogge's account of global poverty and human rights. This addresses how global poverty and the non-fulfillment of other basic needs, such as health, can be addressed as human rights within a framework of negative duties. His account is based on the proposition that global institutions, policies, programmes and arrangements are causal factors behind the generation and reproduction of global deprivation and disadvantage, and that there are strict negative duties to refrain from supporting global institutions, policies, programmes and arrangements of this type (Pogge, 2008).



- Griffin's account of human agency and human rights. According to this account, human rights are grounded in human personhood and can be viewed as the minimum protections necessary for human agency. Based on this approach, Griffin argues that there is theoretical justification for a range of civil and political rights, as well as for 'a human right to the minimum resources needed to live as a normative agent' (Griffin, 2008).

The capability approach, with its focus on the central and valuable freedoms and opportunities, provides explicit support for positive obligations, as well as negative obligations, and for thinking about a broader class of human rights, including economic and social rights. The literature on the capability approach and human rights is summarised in Vizard (forthcoming a, b):

- Nussbaum develops an account of capabilities as universal entitlements based on human dignity. She argues that nation states with diverse historical, religious, cultural and moral traditions and people with different metaphysical theories and views on what is 'good' can reach agreement on a core set of values for practical and political purposes (Nussbaum, 2004, 2007, 2011).
- Sen suggests that human rights can include 'opportunity freedoms' such as the capability to be adequately nourished or to be educated, as well as 'process

freedoms', such as due process. Within Sen's conceptual framework, 'outcome freedoms' and 'process freedoms' are associated with both negative and positive claims on others, individually and collectively, including on governments, socio-economic arrangements, laws and public action (Sen, 2004, 2005, 2009, 2012).

Several of the arguments that justify a focus on the concept of capability in relation to equality are also relevant to human rights assessment. This includes the direct focus of the capability approach on ends (substantive freedoms) rather than means (income, resources, 'primary goods'), recognition of the importance of differences in people's needs and situations (for example, disability, entrenched discrimination), and recognition of the importance of adaptive expectations and behaviour (Vizard, (forthcoming a; c.f. Vizard, 2006, 2007; Burchardt and Vizard, 2011; Vizard *et al.*, 2011).

Moreover, contemporary equality and human rights monitoring increasingly combines legal evaluation with 'de facto' results and the gathering of outcome-orientated statistics. For example, this approach is reflected in the monitoring methodology adopted by the UN Committee on Economic, Social and Cultural Rights and within the system of structure, process and outcomes indicators recommended by OHCHR. The capability approach provides theoretical underpinnings for these broader methodological approaches by highlighting



the importance of a broad information base for human rights evaluation and supplementing information about formal human rights commitments (and the measures adopted to protect, promote and fulfil human rights) with outcome-orientated information about substantive freedoms, and the central and valuable things in life that people can actually do and be (Vizard, forthcoming a).

3.4 Human development

Until the advent of human development theory, international development was conceived principally in terms of economic growth. Gross domestic product (GDP) per capita was a commonly used indicator reflecting the assumption that what mattered was aggregate economic output and productivity. The human development approach offered a radical challenge to that assumption (Sen, 1999). Instead of focusing on economic growth, human development was conceived as a process of expanding the real freedoms enjoyed by people, including political freedoms (civil liberties, democratic accountability, transparency and so forth) and other process freedoms, as well as central and valuable capabilities such as health, education and standard of living. Securing and extending capabilities is both a goal of human development and, Sen argues, a crucial input into the process of development. Economic growth depends on capability expansion, and investment in capabilities can start a virtuous circle of development. Moreover, paying attention

to the distribution of capabilities, for example ensuring that girls as well as boys are educated and that women's voices are heard alongside men's, will produce stronger development and better long-term outcomes.

3.5 Legal theories

While our focus within this chapter is on normative theory, it is important to note that equality and human rights monitoring is underpinned by legal theory as well. Indeed, a key objective of equality and human rights monitoring is to assess compliance with, and the implementation of, the equality and human rights standards that are recognised within the international human rights framework and that are codified in domestic, regional and international law. The Commission's measurement frameworks are unpinned by the international human rights framework, and by domestic, regional and international equality and human rights law, as well as by ethical theory.

The UK is a party to seven core international human rights treaties, while human rights in the UK are incorporated into regional and domestic law through the ECHR and the HRA (which incorporates many of the human rights recognised in the ECHR and gives further effect to these in UK domestic law). In addition, anti-discrimination and equality law within the UK includes the Equality Act 2010. Whereas normative theory focuses on the ethical justification, validity and content



of human rights-based claims, the point of departure for legal theories is the recognition and codification of equality and human rights standards in law, the analysis and interpretation of the legal duties that are established in law, and the evaluation of compliance and implementation.

3.6 Critiques of the indicator-based approach

A number of tensions arise in the development and application of indicator-based approaches to equality and human rights monitoring (Vizard, 2016):

- **Power-based critiques** highlight the way that indicators can function as a form of administrative and social control. This emphasises the top-down, managerialist and technocratic nature of measurement frameworks and indicators, as well as the ways in which indicator-based approaches can result in the empowerment of experts and bureaucracies (for example Dean, 2015). Ideological bias and objectivity critiques build on this analysis and raise further questions about whether indicators are truly 'objective' or 'scientific,' or whether the rationalistic veneer of indicators is nothing but a smokescreen for underlying ideological and political interests and subjective and normative judgments (for example Dean, 2015; Merry, 2011).
- **Data reductionist critiques** suggest that a focus on quantitative information fails to capture holistically information about complex phenomena and, in particular, neglects the qualitative aspects of human rights. Arguably, a quantitative information base is too narrow to capture the concept of human rights fully, and is systematically biased. For example, it has been argued that quantitative indicators at best only partially capture information about complex phenomena and neglect qualitative aspects of human rights. A focus on quantifiable information (for example quantity of teachers or nurses, not quality of education nor healthcare) results in an overemphasis on what is measurable, while human rights violations such as torture, by their very nature, relate to concealed activities and may only be partially observable (for example Merry, 2011). Concern has also been expressed regarding a shift towards audit-based procedures within human rights monitoring, and the reconceptualisation away from 'judgement-based, subjective assessments of state parties' performance and specific, contextual recommendations towards the objective evaluation of data collection methods and verification of outcomes' (McGrogan, 2016, p. 390).
- **Data validity and reliability critiques** raise concerns about the statistical validity and reliability of the indicators used to measure phenomena such as poverty, particularly where cross-country comparisons are concerned. For example, lack of data availability, poor



data quality and the mis-specification of indicators can result in measurement bias and under-reporting and misidentification (for example Reddy and Pogge, 2010). Other concerns relate to missing data and the use of scales and proxy data. Lack of data disaggregation has been highlighted as resulting in an overemphasis on population averages and inequalities in the position of subgroups being unaddressed (for example, in the context of the Millennium Development Goals).

- **Target-based critiques** suggest that a culture of targets generates distortions by encouraging gaming and an organisational culture of ‘delivering the targets’ while removing discretion to focus on locally determined important priorities and goals. The Conservative/ Liberal Democrat Coalition (2010–2015) put forward a political critique of the use of central targets (so-called top-down ‘command and control’) in the context of the management of public services, including under Labour administrations (1997–2010), and advocated a shift towards outcomes-focused monitoring (including the new NHS Outcomes Framework) (on which, see Vizard and Obolenskaya, 2015).
- **Accountability-based critiques** focus on the specification of indicators without building in adequate accountability for the results achieved.
- **Cost-based critiques** highlight the high costs of developing indicators and the opportunity cost of the

available funds, particularly within the context of developing countries, while **ethical critiques** focus on concerns around consent, data protection and confidentiality.

The development and use of **composite indicators** in the context of equality and human rights monitoring, where a number of indicators are collapsed into a single index or measure, can allow the communication of simple messages for impact purposes. However, this approach raises a number of specific concerns. These include the aggregation of diverse components, the averaging-out of trends and the application of weights (for example Ravallion, 2011). Because of the loss of key detail and the lack of ability to drill down in analysing inequalities within different areas of life, we have avoided using composite indicators within our own framework.

3.7 Vulnerability

Much equality and human rights monitoring is based on the concept of ‘vulnerability’ and whereas definitions of vulnerability differ according to professional areas (see below), it is widely recognised that there are certain groups of people who are at higher risk of disadvantage, discrimination, harm or abuse, compared to the rest of the population.

The following section provides a brief overview of how the term vulnerability is used in different fields in the UK and internationally, and how we have practically applied it to the purpose of equality and human rights monitoring.



‘Vulnerability’ in health and social care: individuals in need who are unable to protect themselves

The Department of Health (DoH) identifies a ‘vulnerable person’ as someone who ‘is, or may be, in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation’ (DoH, 2000, pp. 8–9). In a health context, therefore, the term ‘vulnerability’ is largely an imposed category, linked to processes of exclusion and isolation, though the people thus labelled with this term may challenge or decline to accept it (Aspinall, 2014). The understanding of ‘vulnerability’ in the Care Act 2014 repeats, in the main, this meaning (DoH, 2017).

A much broader definition is deployed in relation to children’s health and development. In line with the Children Acts of 1989 and 2004, the UK Government (HM Government, 2015) and the devolved administration in Wales (Welsh Assembly Government, 2006, 2008) refer not to ‘vulnerability’ but to children ‘in need’. Children are defined as being ‘in need’ if:

- They are unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a local authority.

- Their health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or
- They are disabled.

In law, children, by fact of being under 18 years of age, are regarded as being particularly at risk, with a much stronger need for protection compared to adults. This assumed vulnerability of children demands that service providers should be proactive about protecting them. The UK Government’s guidance on ‘Working together to safeguard children’ states that some children may be particularly at risk, and so require additional care in their assessment. These children include ‘young carers, children with special educational needs, (who may require statements of SEN), unborn children where there are concerns, asylum-seeking children, children in hospital, disabled children, children with specific communication needs, children considered to be at risk of gang activity, children who are in the youth justice system’ (HM Government, 2015).

Understandings of vulnerability beyond physical harm

Socio-economic definitions of vulnerability broaden our understanding of how people can be at higher risk of disadvantage, discrimination, harm or abuse.

The European Commission defines vulnerability predominantly in terms of potential social and economic factors that work to exclude particular people.



For example, the Social Protection and Social Inclusion Glossary of the European Commission's Directorate-General for Employment, Social Affairs and Inclusion uses the term 'vulnerable' to cover groups that experience a higher risk of poverty and social exclusion than the general population. Ethnic minorities, migrants, disabled people, homeless people, those struggling with substance abuse, isolated elderly people and children all often face difficulties that can lead to further social exclusion, such as low levels of education and unemployment or underemployment (European Commission, 2010).

International legal and human rights definitions – much broader and situation-based

The past two decades have seen a growing international concern to consider vulnerability when advancing human rights in various contexts. Three human rights treaties contain direct provisions about protecting the rights of people who are particularly at risk. These are: the 1990 Convention on the Protection of the Rights of all Migrant Workers and Members of their Families; the 2000 Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the 2006 Convention on the Protection of all Persons from Enforced Disappearance. The obligation to protect people in these situations aims to address causes of vulnerability, rather than treating people

as being inherently vulnerable. For example, migrant workers may need added protection owing to a series of factors, such as poor proficiency in the language of the country of employment.

Some bodies, such as the European Union Agency for Fundamental Rights (FRA), have tried to avoid the term 'vulnerable' because it implies a permanent state of being. The FRA speaks instead of 'vulnerable situations', saying that individuals can be vulnerable, but whole groups of the same people cannot be labelled in the same way because this disregards personal circumstances or the possibility of a change in circumstance that may mitigate vulnerability. The FRA argues that it is better to talk about situations or conditions that make people 'vulnerable' or potentially vulnerable, and then take action to change or improve these situations and conditions.⁸

However, the fact that treaties have emerged to protect women, ethnic minorities, migrants and children, as well as those who are socially and economically excluded, indicates that these groups are widely seen as requiring special attention across national contexts.⁹

The legal concept of vulnerability within the context of human rights has also been wide-ranging; in the case law of the European Court of Human Rights, it has been applied to Roma, to people with mental health issues, to people living

⁸ Expert interview with FRA, conducted by the Institute for Employment Studies to assist in the development of the Measurement Framework, where it set out its expectation for UK companies to respect human rights wherever they operate.

⁹ Expert interview with OHCHR, conducted by the Institute for Employment Studies to assist in the development of the Measurement Framework.



with HIV, and to asylum seekers (Peroni and Timmer, 2013). European Court of Human Rights case law shows that different aspects of vulnerability have been highlighted in different cases.

International legal and human rights approaches to vulnerability are deliberately broad and loosely defined to account for the many international contexts in which they could apply. In some developing or war-torn countries, 'vulnerability' would be more commonly associated with those exposed to structural risks around food security, torture and natural environmental disasters, whereas in the UK 'vulnerability' focuses more heavily on personal characteristics, such as physical or mental impairments and inability to protect oneself from harm.

Difficulties in defining 'vulnerability'

The concept of 'vulnerability' is often used as a synonym for being socially disadvantaged or economically excluded: policy literature variously describes people as 'disadvantaged', 'marginalised', 'hard to reach' and 'socially excluded'. However, most reports emphasise the complexity of needs that are experienced by people in these situations, whatever label is used to describe them. Some groups have also been described as 'hidden populations': sex work, for example, by its nature is frequently conducted clandestinely or covertly, not least because of the stigma attached to it. This reinforces the need for any definition of 'vulnerability' to be sufficiently distinct so that it can be meaningfully deployed for the purposes of equality and human rights monitoring.

Furthermore, some theoretical concepts of vulnerability relate to individuals while others are group-based. Fineman stresses the role that resilience plays in overcoming vulnerability and proposes to consider vulnerability as a 'universal, inevitable' condition of humanity (Fineman, 2010). Writing from an ethics point of view, Luna also rejects the use of vulnerability as a label for certain groups in the population (Luna, 2009). Gilson's psychological perspective on vulnerability, meanwhile, reinforces the views that vulnerability is a condition, and not a property, that characterises certain population groups (Gilson, 2011). Gilson remarks that associating vulnerability with certain population groups shifts the perspective from describing vulnerability as weakness to 'thinking of those who are vulnerable as weak'. She states that moving our lenses away from negative stances on vulnerability helps to imagine it as a 'condition of potential that makes possible other conditions'.

These approaches are useful in highlighting the role of resources and resilience in determining which individuals are at higher risk from discrimination, disadvantage, harm or abuse. They are also useful in highlighting the shortcomings of group-based or category-based approaches, which tell us little about how a person come to be at higher risk, and what may cause any change in this state.

However, if we were to avoid group-based approaches we would miss the shared experiences of group identity, risk exposures, discrimination, disadvantage,



value systems and distinctive history. It is particularly useful when a group-based definition captures acute vulnerability relating to a very specific group (for example, in relation to Gypsies and Travellers). Defining vulnerability at a subgroup level can also be useful when capturing acute vulnerability within a more diverse group (for example, in relation to migrants) (Aspinall, 2014).

Using vulnerability within our own Measurement Framework

The sections above showed that definitions of 'vulnerability' in the UK and further afield are broad and loosely defined, particularly in relation to children, where there is a presumed level of vulnerability by virtue of their age and almost regardless of circumstance. In health and social care domains in the UK, definitions tend to be imposed and limited to people who are in need of support services and who are unable to protect themselves, but even this is fairly broad, since a person can be both of the above and still not be at higher risk of harm or abuse; much will depend on their personal circumstances. Socio-economic understandings of risk are equally broad, and international legal and human rights approaches to vulnerability are arguably the most loosely defined, in order to maintain protection for people against a backdrop of very different national contexts.

Nevertheless, each of these perspectives has its own strengths, and brings useful insights that are relevant to equality

and human rights monitoring. Health and social care definitions are useful for highlighting the ways in which poor health and disability can put individuals at higher risk of harm, particularly if they are unable to protect themselves and are reliant on wider support services. Socio-economic perspectives widen our understanding of vulnerability beyond health conditions and frailty to include how socio-economic circumstances, such as unemployment, poverty, homelessness and poor educational opportunities, can work to exclude people. From this point of view, it is possible to identify a much wider range of people who are potentially at higher risk, such as ethnic minorities, religious minorities, people who are LGBT and Gypsy, Roma and Traveller communities. International legal and human rights perspectives offer the most potential to account for people's situations – how they are affected by institutional and political structures and a range of different environments. This also enables a greater understanding of the interplay between individuals and contexts.

Bringing all of this together, we have used vulnerability as a concept to develop our own definition of people who are at higher risk of harm, abuse, discrimination or disadvantage:

An individual can be **at higher risk** of harm, abuse, discrimination or disadvantage if they face **adverse external conditions** and/or have difficulty coping due to **individual circumstances**.



The definition has four elements.

1. Some people are **at higher risk** of harm, abuse, discrimination or disadvantage – in discussions organised by the Institute for Employment Studies on behalf of the Commission, some stakeholders did not favour the other terms above ('vulnerable', 'disadvantaged', 'hard to reach' or 'marginalised'), and preferred the term 'at higher risk'. We accept that 'vulnerable' is less popular because it carries with it some of the 'baggage' of its more traditional meaning and uses and we therefore describe people as being 'at higher risk of harm, abuse, discrimination or disadvantage' throughout the Measurement Framework.
2. People can be at higher risk if they face **adverse external conditions** – this may include one or more of the following experiences:
 - Insufficient support to meet a person's needs being provided by a particular service provider, such as social services for the elderly or for children in care.
 - A lack of existing legal protection and/ or limited access to justice and legal redress.
 - Discriminatory attitudes and stigma: for example, the stigma that people with mental health conditions often face, or the discriminatory attitudes that face those seeking asylum or refugee status.
3. People can also be at higher risk if they have difficulty coping due to **individual circumstances** – this may include:
 - Lack of resources: here taken to mean personal resources (for example good mental health, ability to speak English, confidence etc) and social resources (for example social networks, family support). It should be assumed for the purposes of this definition that all children lack sufficient resources because of their age. This is in line with current legal and statutory understandings of children being regarded as more vulnerable than adults by virtue of their age and developmental needs, and therefore requiring more proactive protection.
 - Lack of resilience: inability to activate and use certain resources, for example because of a lack of information, confidence or experience.
 - Personal characteristics: for example age.
4. Importantly, it is often the **combination of, or interaction** between, adverse external conditions and individual circumstances that can cause an individual to be at higher risk. For example:
 - Barriers in the labour market can interact with individual circumstances to compound economic exclusion, as with many older, female carers seeking work.



- The provision and structure of mainstream education often sits poorly alongside the personal responsibilities of young carers, limiting their educational opportunities.
- Stigma around mental health conditions is often compounded among those individuals from ethnic minority backgrounds because of the negative way in which these conditions are already viewed within some communities.

However, it should be noted that the line between external conditions and individual circumstances is blurry and that vulnerability can also arise only from adverse external conditions or only from individual circumstances. People's lives are extremely complex so there are also some factors that may play a role in both external conditions and individual circumstances, for example the lack of sufficient income to meet basic needs.

It is important to understand how this use of the vulnerability concept differs from how other sectors are using it. First, it goes beyond merely describing unfavourable circumstances and positions (as implied by the terms 'disadvantaged' or 'excluded') to stress the way in which compounded disadvantage or characteristics can work to severely disadvantage individuals in specific ways (for example detained immigrants in the legal system, or Muslim women in the labour market). Second, it acknowledges the personal resources of

an individual in coping with disadvantage, which may or may not mitigate aspects of potential vulnerability. This adds a dimension of agency to the term 'vulnerability' that is missing from a label like 'disadvantaged', which tends to convey a degree of powerlessness and fixity in terms of the individual's ability to change their situation.

3.8 Intersectionality

The concept of intersectionality – in which the combination of a number of specific characteristics can lead to distinct forms of discrimination or disadvantage – is another concept that is important for equality and human rights monitoring. Yet here too, there are a number of different theoretical approaches.

Intersectionality is an area of study that looks at discrimination created by combined forms of prejudice. With roots in the American anti-slavery movement, its first uses were focused specifically on the unique experiences of black women.

Then in the late 1970s and early 1980s the concept of interlinked prejudice started to find practical and wider application. In 1977 the Combahee River Collective (a black feminist lesbian organisation from Boston) released a political statement identifying simultaneous and interlocking issues of racism, sexism, and homophobia within the American progressive movement (Solanke, 2009). Around the same time a number of landmark legal cases (including



DeGraffenreid v. General Motors) also demonstrated that discrimination could exist in employment that was based not just on racism or sexism, but on circumstances that were particular to black women in the workforce (Adewunmi, 2014). The anthology *This Bridge Called My Back* (Moraga and Anzaldúa, 1981) illustrated how race, gender, class, and sexual orientation could all combine to create distinct experiences, perspectives, and economic consequences.

Against this backdrop, intersectionality (as a named field of study) was formalised in the late 1980s by Kimberlé Crenshaw, a lecturer on civil rights at the Los Angeles School of Law (Adewunmi, 2014). Over the last few decades the study of intersectionality has expanded and grown: it now includes formal perspectives, theoretical frameworks, analytical approaches, a critical process, and an approach to human rights policy.

Since the 1990s the subject of intersectionality has also gained weight in international policy (Chow, 2016). Between 1991 and 1995, the United Nations went from recognising that some women were more at risk of sexual abuse and violence than others to recognising that some women face particular barriers to their empowerment (Chow, 2016). The United Nations Convention on Human Rights resolution concerning 'Integrating the Human Rights of Women throughout the United Nations System' adopted the term intersectionality in 2002. By 2010,

intersectionality was acknowledged by the Committee on the Elimination of Discrimination against Women as a 'basic concept for understanding the scope of the general obligations of States parties' (Chow, 2016).

Intersectionality has been used to tackle caste-based oppression of Dalit women in India, to investigate sexual violence perpetrated against Tutsi women in Rwanda, to discuss the forced sterilisation of Roma women, to critique the complexity of banning religious modes of dress in France, to explore issues of lesbian, gay, bisexual, and transgender representation in the UK Government, and to warn against the uneven effects of budgetary decisions on women's organisations in London (Monro and Richardson, 2010; Vacchelli and Kathrecha, 2013; Chow, 2016). Intersectionality has become a standard mode of multidisciplinary analysis concerned with identity and discrimination on the international stage.

In modern use, intersectional analysis is often applied through one of three different approaches, namely 'anti-categorical', 'intra-categorical' or 'inter-categorical' analysis (McCall, 2005; Winker and Degele, 2011). Anti-categorical analysis examines the meaning of race, gender, or other categories of identity within specific contexts. Intra-categorical analysis focuses on case studies, ethnographies, and wider social research to highlight people who are heavily disadvantaged or neglected due to a combination of different forms of



discrimination. Inter-categorical analysis strategically deploys categories of identity to examine relationships between them, and ways in which those relationships change over time (McCall, 2005; Winker and Degele, 2011).

The common thread through each of these approaches is that multiple forms of discrimination that are faced by the same individual are not treated as multiplicative, additive, or even necessarily additional. Each intersection is seen as its own case. Each form of discrimination beyond the first must be managed simultaneously. The specific and collective circumstances of discrimination, privilege, identity, and context are not simplified or exhaustively listed. In all cases, intersectionality aims to study disadvantaged groups and individuals in a way that respects their unique experiences (Adewunmi, 2014; Chow, 2016).

Based on this theory of intersectionality, which acknowledges that the reality of human life is far more complex and nuanced than any one category could grasp, we have developed our own definition of intersectionality that allows us to apply the concept practically to equality and human rights monitoring:

Intersectionality is an **analytical tool** that we use for the purpose of equality and human rights monitoring to show the **distinct forms of harm, abuse, discrimination and disadvantage** experienced by people when multiple categories of social identity interact with each other.

The definition has three elements:

- 1) It is an **analytical tool** that builds on the theoretical foundations of intersectionality, and helps us to practically apply the concept to equality and human rights monitoring.
- 2) It acknowledges that **everyone belongs to multiple categories** and is affected by/engaged in different sectors and settings.
- 3) It identifies **distinct forms of harm, abuse, discrimination and disadvantage** that we would be unable to detect using any of the categories above on its own.

Chapter 4 sets out in more detail our practical approaches to gathering and analysing evidence across the domains and indicators, using the approach to intersectionality and definition of people who are at higher risk that are set out in this chapter.

In Chapter 5, we demonstrate how the capability approach to measuring and monitoring equality and human rights will be used in practice with the full set of domains and the indicators that sit within it.



Evidence collection and analysis

Five components of evidence collection and analysis

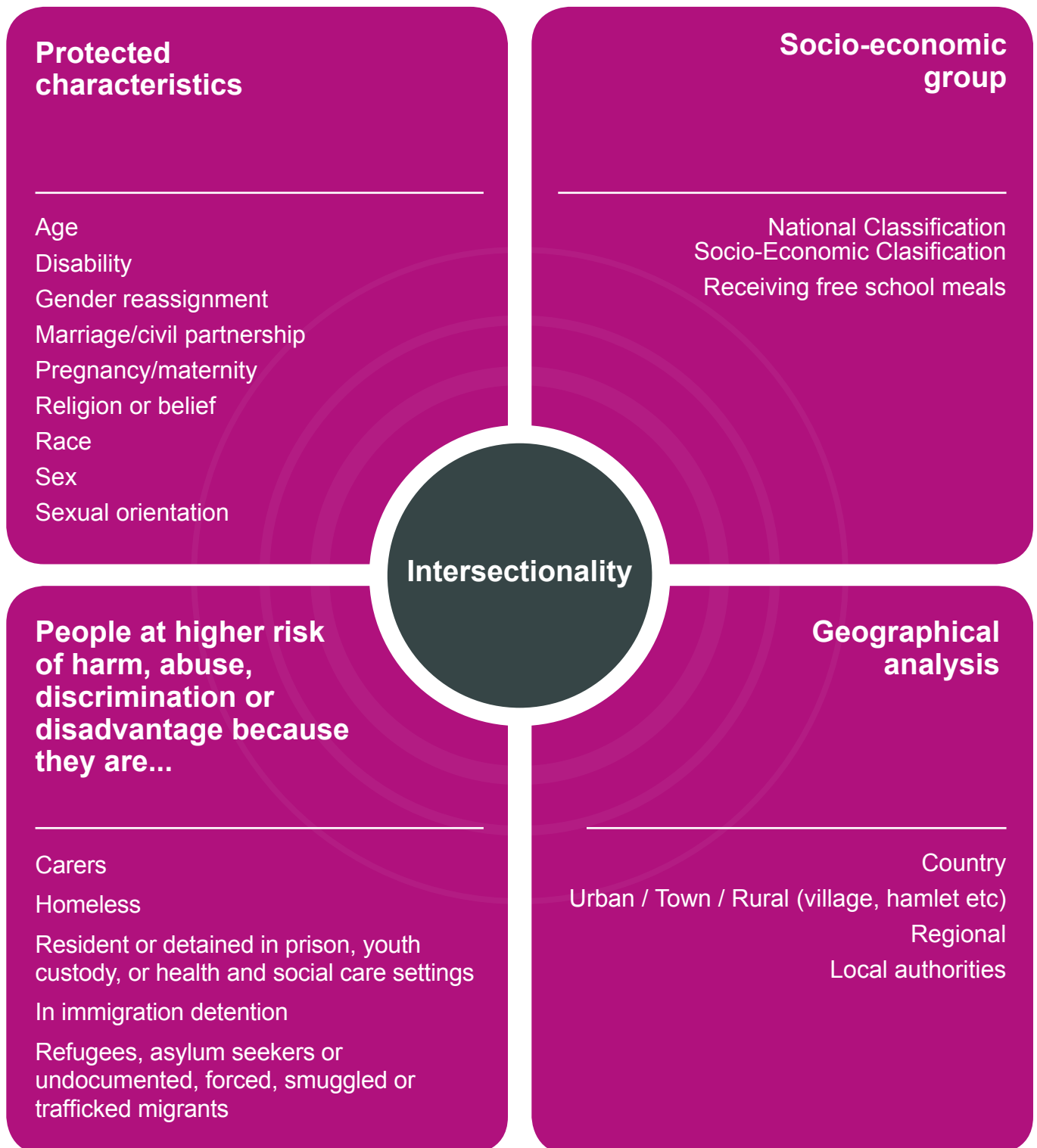
Qualitative and quantitative data



4.1 Five components of evidence collection and analysis

The Measurement Framework aims to monitor systematically the position of certain groups in relation to equality and human rights, using disaggregated data. The collection and analysis of evidence has five specific components (see Figure 4.1):

Figure 4.1: Five components of evidence collection and analysis





Protected characteristics

One of the five components of our evidence collection and analysis relates to the protected characteristics, as defined in the Equality Act 2010, and including the specific subgroups that are contained within them:

Age: refers to a person of a particular age (for example 32-year-olds) or belonging to a particular age group, for example 16-24-year-olds. In our own statistical data analysis, we would usually report on age groups (for example 16-24 years, 25-34 years and so on up to 65-74 and 75 or over for adults).

Disability: a person has a disability if she or he has a physical or mental impairment that has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. For our own evidence collection and analysis, we disaggregate the population into disabled and non-disabled people, and then further into disabled people with specific impairments. Where data allows, we use ONS harmonised categories to report separately on the following impairment categories: Vision, Hearing, Mobility, Dexterity, Learning or understanding or concentrating, Memory, Mental health condition, Stamina or breathing or fatigue, Social or behavioural and Other impairment. Disabled people with more than one type of impairment will be counted within each relevant category.

Gender reassignment: a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. Due to the fact that survey and administrative data collected by government departments do not capture gender reassignment, for our own evidence collection we use other qualitative and quantitative evidence to shed light on the experiences of transgender people in Britain.

Marriage and civil partnership: refers to the legal status of being married or being a civil partner. For our own statistical analysis, we try to use data where the population is disaggregated into those who are single (that is never married or in a civil partnership), currently married or in a civil partnership, or previously married or in a civil partnership. Since this characteristic refers to legal status, the data we use would not usually include cohabiting couples who are not married or in a civil partnership with each other.

Pregnancy and maternity: Pregnancy is the condition of being pregnant. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding. In our evidence collection, we often note that only a few sources provide data on whether women are pregnant or have a young baby and this information is not routinely collected in official surveys.



Race: refers to a group of people defined by their race, colour, nationality (including citizenship) or ethnic or national origins. Data used in monitoring is preferably based on ONS harmonised questions for ethnicity and in our own statistical analysis this characteristic will be referred to as 'Ethnicity'. Wherever possible, comparisons should be made between a White British group (including white people from England, Wales, Scotland, and/or Britain) and ethnic minorities. The latter should ideally include as many as possible of the following: White minorities, such as Irish, Gypsy and Traveller; Asian, such as Indian, Pakistani, Bangladeshi and Chinese people; Black, such as African and Caribbean people; and other people not separately identified.

Religion or belief: religion has the meaning usually given to it and includes lack of religion, and belief includes religious and philosophical beliefs (such as humanism) and includes lack of belief. Generally, a belief should affect one's life choices or the way that one lives for it to be included in the definition. Data used in monitoring covers affiliation to specified religions or to no religion, and should be disaggregated where possible to include: No religion, Christian, Buddhist, Hindu, Jewish, Muslim, Sikh and Other religion. Since data are not routinely collected on non-religious beliefs that would fall within this protected characteristic, in the statistical analysis this characteristic will be referred to as 'Religion'.

Sex: refers to a man or a woman. In the survey data we use for our own statistical analysis, this characteristic is self-defined and allows transgender people to self-identify according to their gender and not their biological sex. Therefore, this characteristic is referred to as 'Gender' in our data tables.

Sexual orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. Data used in monitoring allows people to self-define as belonging to one of the following categories: Heterosexual or straight; Gay or Lesbian; Bisexual; Other.



Socio-economic group

Another important component of evidence collection and analysis involves monitoring the position of people from different socio-economic groups.

For adults, socio-economic group is based on the National Statistician's Socio-Economic Classification (NS-SEC). This is based on current or former occupation, plus those who have never worked or are long-term unemployed. Ideally, eight categories are identified:

1. Higher managerial and professional occupations
2. Lower managerial and professional occupations
3. Intermediate occupations (clerical, sales, service)
4. Small employers and own account workers
5. Lower supervisory and technical occupations
6. Semi-routine occupations
7. Routine occupations
8. Never worked or long-term unemployed

Where necessary, these may be combined into fewer categories, usually either six or four as appropriate. Alternative, proxy classifications may also be used where NS-SEC is not available.

For children, socio-economic group can be identified from adults in the family, where such data are available. In an educational context, free school meals may be taken as a proxy to identify those children coming from families with low-paid or no employment.



Geographical analysis

Geographical analysis is also an important component of evidence collection and analysis. A key element of the analysis is at a country level: as our remit covers Britain, this will be England, Scotland and Wales. Where possible, England may also be broken down into nine regions (formerly Government Office Regions): North East, North West, Yorkshire and the Humber, East Midlands, West Midlands, East of England, London, South East and South West.

In addition, we consider analysis that is disaggregated by the 2011 Rural–Urban classification for small geographies. This is used to classify small areas according to size and the sparsity of the settlement they are part of, and this classification can then be applied to any data that can be matched to the same areas. Data used in monitoring is generally based on three categories: Urban; Town and fringe; Village, hamlet, and isolated dwelling.

For our own reporting purposes, it is generally not possible to consider the large number of local authority areas, although other users may choose to apply this Measurement Framework to smaller areas.

People at higher risk of harm, abuse, discrimination or disadvantage

As we set out in Chapter 2, our definition of people at higher risk is:

An individual can be at **higher risk** of harm, abuse, discrimination or disadvantage if they face **adverse external conditions** and/or have difficulty coping due to **individual circumstances**.

Our approach to gathering and analysing evidence against the indicators in the Measurement Framework – systematically covering different sectors and protected characteristics, socio-economic groups, geographical analysis, and some forms of intersectionality – will capture many conditions and circumstances that place people at risk of harm, abuse, discrimination or disadvantage according to this definition. For example, our lens on protected characteristics will prompt us to search for evidence of the experiences of Gypsies, Roma and Travellers in a wide range of settings and circumstances under the protected characteristic of ‘race’. Similarly, experiences of disabled children will be identified in the ‘Education’ domain; lesbian, gay, bisexual and transgender people’s experiences of hate crime will be captured in the ‘Justice and personal security’ domain. Our intersectional analysis will also identify individuals who experience multiple forms of discrimination that would render them at higher risk of harm, abuse, discrimination or disadvantage according to our definition (see section on intersectionality below).



However, there are some people whose unfair treatment or even exploitation may not be detected by applying our other analytical lenses, as it is difficult to get reliable data about their position and experiences through conventional sources. We have used our definition to identify five further groups that should be separately reported on as their experiences might otherwise remain undetected (see Table 4.1).

Table 4.1: People at higher risk of harm, abuse, discrimination or disadvantage

People at higher risk of harm, abuse, discrimination or disadvantage

External conditions

Individual circumstances

Carers

Children and adults who provide regular unpaid personal help for a friend or family member with a long-term illness, health problem or disability

Insufficient financial or other support from the State and public authorities

Lack of resources (including financial resources and, supportive networks); Physical or mental impairments; Disengagement from education (children) or employment (adults); Multiple caring responsibilities; Unemployment

People who are homeless

People who have already lost, or have been threatened with or are at risk of losing, their homes, or whose housing is unfit for occupation

Insufficient support from local authority; Insufficient suitable housing; Insufficient income from employment to meet housing costs

Lack of resources (including financial resources and supportive networks); Poor mental health; Unemployment; Discriminatory attitudes and stigma

People who are resident or detained

In prison, youth custody, or health and social care settings

Deprivation of liberty; Lack of access to good quality healthcare; System failures to protect individuals from harm or abuse; Poor treatment of those in detention

Lack of personal resource (including lack of a supportive network); Poor mental health; Disadvantaged positions within the system



People at higher risk of harm, abuse, discrimination or disadvantage

External conditions

Individual circumstances

People in immigration detention

Deprivation of liberty, and for an unspecified length of time; Unclear immigration status; Imbalance of power between individuals and those who run and work in the centres; System failures to protect individuals from harm or abuse; Discriminatory attitudes and stigma

Lack of familiarity with the country or the language, or not speaking English; Having no support network; Fear of the future and what it will hold or where they will be

Refugees and asylum seekers, and migrants

Who have been trafficked, smuggled or who are undocumented

No resource to public funds; Criminal exploitation; Labour exploitation; Discriminatory attitudes and negative stigma

Lack of personal resources, including financial resources and support networks; Poor mental health



Intersectional analysis

It is important to acknowledge that analysing each of the categories mentioned above on its own would still not provide an accurate picture of how people's rights are respected, protected and fulfilled. This is where the concept of intersectionality helps us (see Section 3.8 for brief overview of the history and theory of intersectionality).

We have developed our own definition of intersectionality, which allows us to apply the concept practically to equality and human rights monitoring.

Our definition of intersectionality is:

Intersectionality is an **analytical tool** that we use for the purpose of equality and human rights monitoring to show **distinct forms of harm, abuse, discrimination and disadvantage** experienced by people when multiple categories of social identity interact with each other.

Examples of distinct forms of harm, abuse, discrimination and disadvantage that we may detect with this approach are:

- Low rate of employment for Black, Bangladeshi, and Mixed ethnic women.
- Social exclusion of older lesbians and gay men in care homes
- High rate of suicide among white, middle-aged men

In order to analyse these kinds of issues we utilise inter-categorical analysis in our quantitative research and intra-categorical analysis in our qualitative research (see Section 4.2 below).



4.2 Qualitative and quantitative data

We draw on a range of qualitative and quantitative sources to analyse the equality and human rights standards that are in place (structure), the efforts taken by the State to meet the obligations that flow from these standards (process), and the position and experience of people on the ground (outcome): see Table 4.2.

Table 4.2: Qualitative and quantitative sources used for structure, process and outcome analysis

	Structure	Process	Outcome
Qualitative sources	<ul style="list-style-type: none"> • Identification of the relevant international and regional human rights standards in the ECHR and UN treaties • Legislation • Latest principles established in case law 	<ul style="list-style-type: none"> • Evaluations and review of public policies • Parliamentary inquiries and reports • Independent inquiries and investigations • Outcomes of inspections, regulations and complaints procedures • Complaints handled by relevant ombudsmen • Reports by think tanks, NGOs and academia 	<ul style="list-style-type: none"> • Observations and conclusions from regulators, inspectors, parliamentary committees, human rights monitoring bodies • Published reports by NGOs, think tanks, academics • Key allegations by private individuals and civil society organisations • Reports in the media
Quantitative sources	<ul style="list-style-type: none"> • Usually not relevant 	<ul style="list-style-type: none"> • Government budget decisions • Public Expenditure Statistical Analyses (PESA) • Other reports on public resource allocation and expenditure • Our own statistical analysis of administrative and survey data, collected by public bodies 	<ul style="list-style-type: none"> • Quantitative evidence published by others • Our own statistical analysis of survey and administrative data, collected by public bodies



We ensure that the qualitative and quantitative data we include in our analysis is robust and fit for purpose:

- Sources must be referenced and verifiable.
- The methodology must be clearly presented and robust, setting out how data was analysed and any limitations.
- Findings need to be based on a clear set of criteria or a clear assessment approach.
- The author must be objective.
- The evidence should point to an underlying systemic issue, rather than illustrating individual, random, anecdotal or ad hoc facts.
- In some cases where evidence is scarce, for example for people at higher risk of harm, abuse, discrimination or disadvantage, we consider alternative sources, but only if the issues highlighted are raised by more than one source and supported by more than just opinion.

Secondary statistical data analysis of survey and administrative data

When choosing to do our own or to commission secondary statistical data analysis of survey and administrative data collected by public bodies, the following criteria are important:

- Data should come from official statistics or major academic studies (for example, national surveys and administrative data, such as educational statistics and recorded crime data).
- Data should be available and easily accessible. The process of obtaining data can be lengthy, especially if data is classed as sensitive, for example on sexual identity.
- Analysis of change over time should be possible (so data are collected reasonably frequently), allowing for monitoring; it may be necessary to pool years of data, for example for smaller samples such as when looking at Scotland or Wales, or when looking at some protected groups, such as ethnic minorities.
- Continuity should be provided, not only in the provision of data but in continuity of definitions (for example, of disability) or question wording (if data are survey-based).
- There should be good geographical coverage, preferably including Britain, England, Scotland and Wales, from one source. Failing that, country-specific data that is comparable is preferred, but not always available. In addition, we seek to disaggregate data for the English Regions and/or Rural-Urban categories where possible, although this is not always essential.
- It should be possible to disaggregate according to as many as possible of the nine protected characteristics set out in the Equality Act (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage and civil partnership).



- Further, it should be possible to disaggregate disability data into categories of impairment type.
- Although it is not one of the protected characteristics, we also aim to cover socio-economic group/social class, as it is a crucial characteristic that impacts upon life opportunities across all domains.
- Data should be subject to the standard statistical requirements of accuracy, reliability and validity.

Statistical tests that are used to evaluate statistically significant differences for each measure depend on the form of the measure involved (percentage, mean, median, rate or count) and the underlying form of the dependent variable involved (binary, continuous or integer).

Statistical analysis includes cross-sectional analysis for two or more time periods, with comparisons between groups in each time period, plus change over time within groups. Where suitable microdata are available from the data source, intersectional analysis will also be carried out using appropriate regression models using data on protected characteristics, socio-economic group and geographic areas as independent variables, and including selected interaction terms. In all cases, the analysis will adjust (where it is possible and where it is relevant) for any complex survey design. The latter adjustment is not needed where administrative data provides the data source.

The appropriate regression models used for intersectional analysis are as follows:

- **Analysis for percentages:** where the outcome is binary and the measure is a percentage, the data are analysed using a logistic regression model.
- **Analysis for means:** where the outcome is continuous and the measure is a mean, the analysis is based on a linear regression model instead of a logistic regression model.
- **Analysis for medians:** where the outcome is continuous and the measure is a median, for example regarding employee pay, the analysis is based on a median regression model instead of a logistic regression model.
- **Analysis for rates:** where the outcome is a rate calculated from a number of events (an integer) and a population estimate, standard errors are estimated assuming a Poisson distribution, and a log-linear regression model is used instead of a logistic regression model, with an offset of the natural log of the population to adjust for differences in population sizes.
- **Analysis for counts:** where the outcome is simply a number of events (an integer), standard errors are estimated assuming a Poisson distribution.

In Chapter 5, we introduce the specific domains and indicators that the Measurement Framework uses.



Domains and indicators



Education



Work



Living standards



Health



Justice and personal security



Participation



5. Domains and indicators

Building on the theoretical concepts discussed in Chapter 3, and mindful of our approach to evidence collection and analysis set out in Chapter 4, this chapter sets out the domains and indicators that we will monitor through our Measurement Framework.

The Measurement Framework has **six domains**, which reflect the things or areas in life that are important to people and enable them to flourish: Education, Work, Living standards, Health, Justice and personal security, and Participation. For each domain in this chapter, there is a table outlining the relevant capabilities, how this translates into ‘the future we want’ and which indicators and topics we will use to measure progress.

Across the six domains, there are **25 indicators**, of which 18 are core indicators and seven are supplementary. For each indicator, there is a rationale of why it is included and the key structure, process and outcome evidence that we will use. It should be noted that the process evidence, which we use to monitor how the State is implementing equality and human rights standards in Britain, is subject to a lot of changes over the years as new policies,

strategies, action plans and regulations come into place. We have therefore provided examples of process evidence for each indicator that are indicative of the current situation but we have not provided a comprehensive list or full bibliographical references.

Across the 25 indicators, there are **50 statistical measures** for which we will do our own secondary analysis, using survey and administrative data. These statistical measures can either be process evidence (if they give an indication of how standards are implemented by the State, for example waiting times for mental health treatment) or outcome evidence (if they give an indication of what people experience, for example self-reported mental health).

Each statistical measure has a **code** which indicates where they belong, for example ‘LST.PVT.1A’ is a statistical measure that sits in the Living standards domain (LST) under the Poverty indicator (PVT), it is the first statistical measure (1) under this indicator, is called ‘Percentage living in households below 60% of contemporary median income after housing costs’ and is available for adults (A).



For each statistical measure, we indicate the **data sources** we expect to use and the **protected characteristics** for which we believe data should be available. For various reasons, either of these may differ in each published analysis. For example, the data sources we list may become unavailable, or new data sources may replace old sources or provide better information. In terms of the protected characteristics, our analysis may not always be able to include all the characteristics listed. The information may not have been released or be accessible; the quality of the data may not be sufficient; the sample may not be large enough, even after combining several years' data; or the data may cease being collected. In instances where the data sources are developed or expanded over the years, we may also include additional characteristics as these become available. For all measures we will also include **socio-economic group** and **geographic breakdowns**, where possible relating to English regions and urban/rural classifications.



5.1 Education

Indicators

Educational attainment of children and young people (Core)

School exclusions, bullying and NEET (Core)

Higher education and lifelong learning (Core)



Table 5.1 Education domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹⁰ – the future we want	Indicators ¹¹ – how we measure progress	Topics
<p>To be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in parenting, the labour market and in society.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Attaining the highest possible standard of knowledge, understanding and reasoning • Being fulfilled and stimulated intellectually, including being creative if they wish • Developing the skills necessary for parenting and for participating in the labour market • Learning about a range of cultures and beliefs and acquiring the skills to participate in a diverse society • Accessing education, training and lifelong learning that meet their needs • Developing the skills to access information and technology necessary to participate in society 	<ul style="list-style-type: none"> • People’s right to education is respected, protected and fulfilled • People are free from discrimination and abuse in education • All children have the opportunity to reach their full potential through education, irrespective of their disability status, race, religion/belief, sex, sexual orientation or socio-economic group • Social exclusion, bias, stereotyping and bullying have no place in the education system • No child is unfairly excluded from school • All young people are in education, employment or training • A person’s age, disability, race, religion/ belief, sex, sexual orientation or socio-economic group has no bearing on their ability to attend higher education and do well • Every person has a meaningful opportunity for lifelong learning 	<p>Educational attainment of children and young people</p> <p>School exclusions, bullying and NEET (not in education, employment or training)</p> <p>Higher education and lifelong learning</p>	<ul style="list-style-type: none"> • Early years education • Attainment at school-leaving age • Impact of gender bias and stereotyping on educational attainment • Impact of poverty and social exclusion on educational attainment • Exclusions from school • Bullying in schools • NEET • Higher education, including subject choice, attainment, degree-level qualifications • Lifelong learning



¹⁰ Section 12(1)(b), Equality Act 2006

¹¹ Section 12(1)(c), Equality Act 2006



Educational attainment of children and young people (Core indicator)

Rationale

The educational attainment of children and young people is a key driver of their success, sense of achievement and financial well-being in later life. This indicator provides insight into the extent to which all children and young people in Britain can fulfil their right to an education, and provides an overview of the major inequalities in attainment.

Topics

- Early years education
- Attainment at school-leaving age
- Impact of gender bias and stereotyping on educational attainment
- Impact of poverty and social exclusion on educational attainment

What people experience: The 'Outcome'

Statistical outcome measures

EDU.EAT.1: Percentage with a good level of development or of literacy and numeracy in early primary education (children aged 4-7)

	England: Early years foundation stage profile results, Department for Education	Disability (including Impairment type), Ethnicity, Gender, Socio-economic group ¹²
	Scotland: Achievement of Curriculum for Excellence (CfE) Levels Return, Scottish Government	Disability, Ethnicity, Gender
	Wales: Foundation phase outcomes and National Curriculum teacher assessment of core subjects at Key Stages 2 and 3, Welsh Government	Gender






¹² See Section 4.1 for information on the terms used for the protected characteristics within the statistical analysis, in particular the use of 'Ethnicity' instead of 'Race' and 'Gender' instead of 'Sex'.



Educational attainment of children and young people (Core indicator)

EDU.EAT.2: Percentage achieving good examination results at school-leaving age or on leaving school (children)

	<p>England: Revised GCSE and equivalent results in England and outcomes of looked after children by local authority, Department for Education</p>	<p>Disability (including Impairment type), Ethnicity, Gender, Looked after children, Socio-economic group</p>
	<p>Scotland: Summary statistics for attainment, leaver destinations and healthy living, and education outcomes for Scotland's looked after children, Scottish Government</p>	<p>Disability (including Impairment type), Ethnicity, Gender, Looked after children, Socio-economic group</p>
	<p>Wales: Academic achievement by pupil characteristics, and academic achievement and entitlement to free school meals, Welsh Government</p>	<p>Disability (including Impairment type), Ethnicity, Gender, Socio-economic group</p>

Further topics




Topic	Sources
<p>Impact of gender bias and stereotyping on educational attainment (careers advice, subject focus, extra-curricular activity)</p>	<p>DfE; Scottish Government; Welsh Government; Scottish Parliament Equalities and Human Rights Committee; Scottish Qualifications Authority; House of Commons; Business, Energy and Industrial Strategy Committee; Education Committee; Sub-Committee on Education, Skills and the Economy; Scottish Survey of Literacy and Numeracy; Journal of Education and Work</p>
<p>Impact of poverty and social exclusion on educational attainment</p>	<p>DfE; Joseph Rowntree Foundation (JRF); Sutton Trust; Education Endowment Fund; Institute for Public Policy Research (IPPR); Education Policy Institute, Social Mobility Commission (SMC)</p>



What the standards say: The ‘Structure’

- Right to education and training; purpose of education – HRA 1998 Protocol 1, Article 2; CRC 28, 29; CRPD 24; ICESCR 13; CERD 5(e)(v)
- Compatibility with Convention rights – Scotland Act 1998 29 (1) 29(2), 57(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Legal framework for supporting children and young people in their education – Education (Scotland) Act 2016; Education (Additional Support for Learning) (Scotland) Act 2009
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- New powers for school staff to discipline students – Education Act (England) 2011
- Changes to safeguarding and child protection; introduction of education, health and care plans – Children and Families Act 2014 (England)
- Regulation of teaching and school term dates – Education (Wales) Act 2014
- Elimination of discrimination against women and girls in education – CEDAW 10
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>England</p> 	Educational Excellence Everywhere (DfE, 2016); DfE Strategy 2015–2020: World-class Education and Care (DfE, 2016)	Ofsted; Ofqual; Office of the Independent Adjudicator	Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms
<p>Scotland</p> 	Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland (Scottish Government, 2016); Scottish Attainment Challenge (Scottish Government, 2015)	Education Scotland; Scottish Qualifications Authority	As above; Government Expenditure and Revenue Scotland reports
<p>Wales</p> 	Qualified for Life: An Education Improvement Plan (Welsh Government, 2016)	Estyn; Public Services Ombudsman for Wales	As above; Government Expenditure and Revenue Wales reports



School exclusions, bullying and NEET (Core indicator)

Rationale

The constructive participation of children and young people in their education is of crucial importance to their future life chances and well-being. This indicator assesses how effectively their right to education is respected, protected and fulfilled. It looks at the likelihood of being excluded from school or left without a clear path following the completion of their compulsory schooling. It also touches on the adverse impact that bullying can have on children's experiences of education.

Topics




- Exclusions from school
- Bullying in schools
- NEET




What people experience: The 'Outcome'

Statistical outcome measures

EDU.EBN.1: Pupils per 1,000 subject to permanent or fixed-term exclusions (children)

	England: Permanent and fixed-period exclusions in England, Department for Education	Age, Disability (including Impairment type), Ethnicity, Gender, Socio-economic group
	Scotland: Summary Statistics for Schools in Scotland, Scottish Government	Age, Disability (including Impairment type), Ethnicity, Gender, Socio-economic group
	Wales: Permanent and fixed-term exclusions from schools, Welsh Government	Age, Disability, Ethnicity, Gender, Socio-economic group

EDU.EBN.2: Percentage not in employment, education or training (NEET) (young people aged 16-18/19)

	Great Britain: Annual Population Survey, ONS	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group
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Further topics




Topic	Sources
Prevalence of bullying in schools	Ditch the Label; Economic and Social Research Council (Next Steps project); Ofsted, National Centre for Social Research; Mencap; Stonewall / Stonewall Scotland; Young Minds; Mental Health Foundation; LGBT Youth Scotland; Equality Network; EHRC; Theatre in Education
Impact of bullying on school attainment and pupil well-being, particularly for at-risk children (for example who are LGBT, disabled, looked after and Gypsy, Roma and Traveller children)	National Institute of Economic and Social Research; NatGen Social Research; Warwick University; London University Institute of Education; Children's Society; Time for Inclusive Education; LGBT Youth Scotland; Equality Network; Girl Guiding UK; End Violence Against Women
Drivers of high exclusion rates among at-risk children (for example those from disadvantaged socio-economic groups, Gypsy, Roma and Traveller children and children who have special educational needs or additional support needs). Impact of school exclusion on pupil attainment and life chances	DfE; Scottish Government; Welsh Government; Barnardo's; JRF; Sutton Trust; Education Endowment Fund; Education Policy Institute; SMC; Time for Inclusive Education; LGBT Youth Scotland; Equality Network, National Foundation for Educational Research (NFER)
Drivers of NEET status and associated equality issues; impact of government reform of further education	Scottish Government; House of Commons Library; NFER



What the standards say: The ‘Structure’

- Right to education and training; purpose of education – HRA 1998 Protocol 1, Article 2; CRC 28, 29; CRPD 24; ICESCR 13; CERD 5ev
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Changes to safeguarding and child protection; introduction of education, health and care plans – Children and Families Act 2014 (England)
- New powers for school staff to discipline students – Education Act (England) 2011
- Compatibility with Convention rights – Scotland Act 1998 29 (1, 2), 57 (2); Government of Wales Act 2006 108(6)(c), 81(1)
- Legal framework for supporting children and young people in their education – Education (Additional Support for Learning) (Scotland) Act 2009
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Regulation of teaching and school term dates – Education (Wales) Act 2014
- Requirement on local authorities to safeguard and promote the well-being and educational achievement of looked after children – Social Services and Well-being Act (Wales) 2014
- Elimination of discrimination against women and girls in education – CEDAW 10
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>England</p> 	<p>Educational Excellence Everywhere (DfE, 2016); DfE Strategy 2015–2020: World-class Education and Care (DfE, 2016); School Admissions Code (DfE, 2014)</p>	<p>Ofsted; Ofqual; Office of the Independent Adjudicator; Youth Justice Board for England and Wales</p>	<p>Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms</p>
<p>Scotland</p> 	<p>Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland (Scottish Government, 2016); Curriculum for Excellence (Scottish Government, 2004)</p>	<p>Education Scotland; Scottish Qualifications Authority</p>	<p>As above; Government Expenditure and Revenue Scotland reports</p>
<p>Wales</p> 	<p>Qualified for Life: An Education Improvement Plan (Welsh Government, 2016); School Admissions Code (DfE, 2014)</p>	<p>Estyn; Public Services Ombudsman for Wales; Youth Justice Board for England and Wales</p>	<p>As above; Government Expenditure and Revenue Wales reports</p>



Higher education and lifelong learning (Core indicator)

Rationale

In adulthood, educational attainment has a major impact on vocational success, as well as personal fulfilment and well-being. This indicator assesses educational inequalities in the adult population and highlights potential barriers to the full exercise of educational rights in Britain.

Topics

- Higher education, including subject choice, attainment, degree-level qualifications
- Lifelong learning

What people experience: The 'Outcome'

Statistical outcome measures

EDU.HLL.1: Percentage with degree-level qualifications (adults aged over 25)



Great Britain: Annual Population Survey, ONS

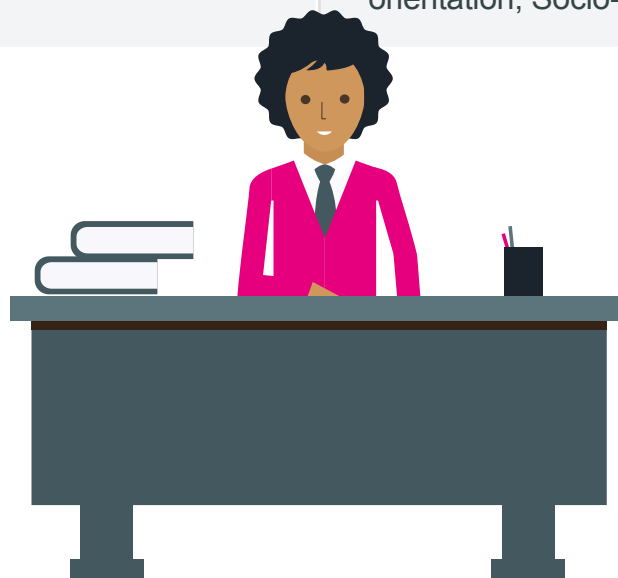
Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

EDU.HLL.2: Percentage participating in learning activities in the last three months (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group



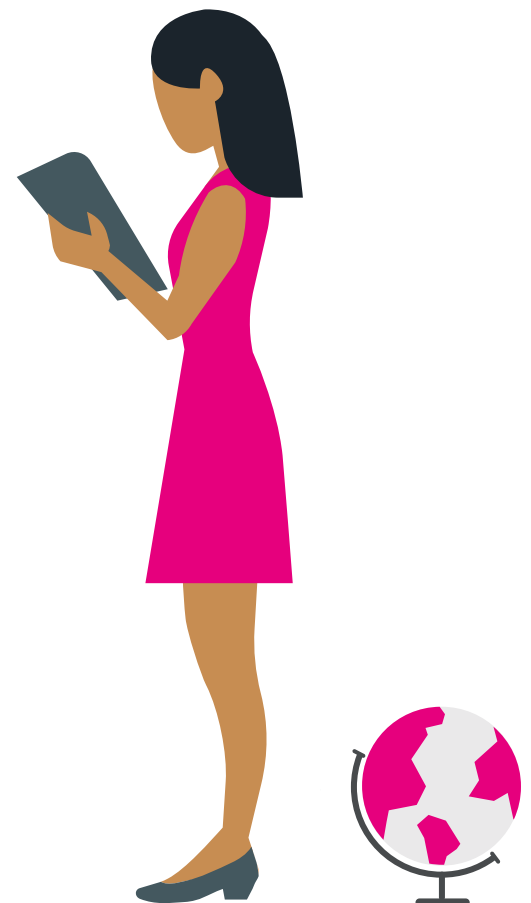


Further topics

Topic	Sources
Subject choice and attainment level in higher education and disparities (for example by gender, race, disability)	Equality Challenge Unit (ECU); Higher Education Statistics Agency (HESA); Runnymede Trust; University Alliance
Impact of poverty on access to higher education	Sutton Trust; University Alliance; National Education Opportunities Network; DfE; JRF; Sutton Trust; SMC; Poverty and Inequality Commission Scotland




What the standards say: The 'Structure'

- Right to education – HRA 1998 Protocol 1, Article 2; CRC 28, 29; CRPD 24; ICESCR 13; CERD 5(e)(v)
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Increased choice, transparency and control for students; alternative payments to students in higher or further education – Higher Education and Research Act 2017
- Changes to university funding including the introduction of top-up fees – Higher Education Act 2004
- Reform of governance of further education institutions and higher education institutions, including regionalisation of colleges – Post-16 Education Scotland Act 2013
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Latest principles established in case law.





How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>England</p> 	<p>Educational Excellence Everywhere (DfE, 2016); DfE Strategy 2015–2020: World-class Education and Care (DfE, 2016); School Admissions Code (DfE, 2014)</p>	<p>Ofsted; Ofqual; Office of the Independent Adjudicator; Youth Justice Board for England and Wales</p>	<p>Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms</p>
<p>Scotland</p> 	<p>Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland (Scottish Government, 2016); Curriculum for Excellence (Scottish Government, 2004)</p>	<p>Education Scotland; Scottish Qualifications Authority</p>	<p>As above; Government expenditure and Revenue Scotland reports</p>
<p>Wales</p> 	<p>Qualified for Life: An Education Improvement Plan (Welsh Government, 2016); School Admissions Code (DfE, 2014)</p>	<p>Estyn; Public Services Ombudsman for Wales; Youth Justice Board for England and Wales</p>	<p>As above; Government expenditure and Revenue Wales reports</p>



5.2 Work

Indicators

Employment (Core)

Earnings (Core)

Occupational segregation (Core)

Forced labour and trafficking (Supplementary)



Table 5.2 Work domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹³ – the future we want	Indicators ¹⁴ – how we measure progress	Topics
<p>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.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Having a decent paid job, with support where necessary • Doing something useful and having the value of their work recognised even if unpaid • Having rest and leisure, including holidays, and respite from caring responsibilities • Working in just and favourable conditions, including health and safety, fair hours, and freedom from harassment and discrimination • Not being forced to work in a particular occupation or without pay • Not being prevented from working in a particular occupation without good reason • Being free from slavery, forced labour and other forms of exploitation 	<ul style="list-style-type: none"> • People’s rights to decent work and to be free from discrimination are respected, protected and fulfilled • People are free from discrimination, harassment and victimisation in employment • Everyone has the right to a free choice of profession • No one is prevented from working in a particular occupation without good reason • People are paid the same for the same, or similar, work • Working environments are as safe and healthy as possible • There is no place for forced labour, slavery or other forms of exploitation 	<p>Employment</p> <p>Earnings</p> <p>Occupational segregation</p> <p>Forced labour and trafficking</p>	<ul style="list-style-type: none"> • Employment, including self-employment, part-time, fixed-term, temporary and casual employment, zero-hours contracts, and flexible working • Unemployment and economic activity • Unfair treatment, bullying and harassment in the workplace • Pay gaps in median hourly earnings • Low pay • Gender differences by industry, occupation, region and sector • Vertical and horizontal segregation, including in senior management and on boards • Segregation within apprenticeships • Adults trafficked for domestic servitude and other forms of exploitation • Victims of trafficking referred to the National Referral Mechanism

¹³ Section 12(1)(b), Equality Act 2006

¹⁴ Section 12(1)(c), Equality Act 2006



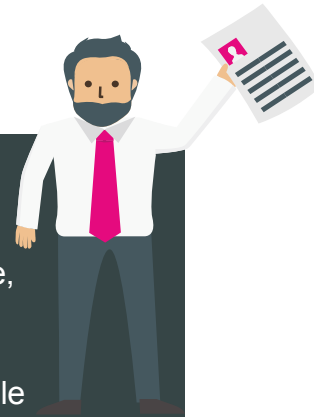
Employment (Core indicator)

Rationale

Employment, including differences between employment rates and the extent of unemployment and self-employment, is a good indicator to assess how people's rights to work of free choice and being able to earn a living are respected, protected and fulfilled in Britain. The indicator also looks at casualisation of labour and discrimination in employment to assess the right of all workers to have decent work and be free from discrimination in employment.

Topics

- Employment, including self-employment, part-time, fixed-term, temporary and casual employment, zero-hours contracts, and flexible working
- Unemployment and economic activity
- Unfair treatment, bullying and harassment in the workplace



What people experience: The 'Outcome'

Statistical outcome measures

WRK.EMP.1: Employment rate (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

WRK.EMP.2: Unemployment rate (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

WRK.EMP.3: Percentage employed in jobs classed as insecure* (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

* 'insecure employment' refers to agency work (including permanent agency work), casual, seasonal, and other temporary work; employees on zero-hours contracts or on-call working; self-employed workers in SOC 6, 8 or 9

Work domain



Further topics

Topic	Sources
Extent of unemployment and economic activity and characteristics of unemployed and inactive people, including those aged 65	Labour Force Survey analysis of employment rates; unemployment rates and economic activity rates; House of Commons Library briefing papers; House of Commons/ Lords/ all-party select committees; Department for Business, Energy and Industrial Strategy (DBEIS); Scottish and Welsh Government publications; Scottish Parliament briefings; Institute for Fiscal Studies; Institute for Employment Studies; new academic research on employment, unemployment and economic inactivity
Extent of self-employment and characteristics of self-employed people, including those aged over 65	Labour Force Survey analysis of self-employment rates; House of Commons Library briefing papers; House of Commons/ Lords/ all-party select committees; DBEIS; Scottish and Welsh Government publications; Resolution Foundation; new academic research on self-employment
Extent of part-time, fixed-term, temporary and casual employment and characteristics of part-time, fixed-term, temporary and casual employees; extent of employment that is on zero-hours contracts by occupation, supplemented by qualitative information on the detrimental aspects of some forms of temporary, short-term and casual employment and zero-hours contracts, including greater job insecurity, low pay and poorer employment rights (includes those aged 65)	Labour Force Survey analysis of part-time, fixed-term, temporary, casual employment and zero-hours contracts; House of Commons Library briefing papers; House of Commons/ Lords/all-party select committees; DBEIS; Scottish and Welsh Government publications; Scottish Parliament briefings; Institute for Employment Studies; Resolution Foundation; JRF; Trades Union Congress (TUC); Scottish Trades Union Congress; new academic research on part-time, fixed-term, temporary and casual employment, particularly qualitative research to assess why some forms of these can disadvantage particular people

Work domain



Further topics

Topic	Sources
Extent and types of flexible working and characteristics of flexible workers	Labour Force Survey analysis of different types of flexible working; House of Commons Library briefing papers; House of Commons/ Lords/all-party select committees; DBEIS; Scottish and Welsh Government, including Fourth Work–Life Balance Survey; Institute for Employment Studies; new academic research on flexible working
Unfair treatment in the workplace	EHRC inquiry on pregnancy and maternity discrimination; DBEIS; Welsh Government publications; employment tribunal statistics on cases taken and outcome; Scottish Household Survey; any new research by other organisations or academics, particularly qualitative research to assess the impact of unfair treatment
Bullying in the workplace	DBEIS; Welsh Government; any new research by other organisations or academics, particularly qualitative research to assess the impact of bullying
Harassment in the workplace	DBEIS; Scottish and Welsh Government publications; any new research by other organisations or academics, particularly qualitative research to assess the impact of harassment

What the standards say: The ‘Structure’



- Right to work not explicitly covered and not directly enforceable in UK courts – HRA 1998
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2), 57(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Right to same employment opportunities and to free choice of profession and employment; prevention of discrimination against women on grounds of marriage and pregnancy – CEDAW 11(b), 11(c), 11(2)

Work domain



- Right to work and free choice of employment – CERD 5(e)(i)
- Right of persons with disabilities to work on equal basis with others – CRPD 27
- Right to work of free choice and being able to earn a living; right of all workers to have decent work; right for all workers to have safe and healthy working conditions – ICESCR 6, 7(a), 7(b)
- Employment rights of workers and employees set out, including in terms of maternity rights, rights to time off work and right not to be unfairly dismissed – Employment Rights Act 1996
- Exploitation of flexible working arrangements by employers restricted – Small Business, Enterprise and Employment Act 2015
- Employee can make a flexible working application for any reason – Flexible Working Regulations 2014
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>Britain</p> 	<p>Work Programme (to 2016); Access to Work; Work Choice (to 2016); Work and Health Programme (from 2017); Right to request flexible working; Agency Workers Regulations; zero-hours employment contracts; workplace bullying and harassment</p>	<p>Health and Safety Executive; Employment Agency Standards Inspectorate; Acas; Director of Labour Market Enforcement; Employment Agency Standards Inspectorate; Low Pay Commission; Gangmasters and Labour Abuse Authority</p>	<p>Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms; Government expenditure and Revenue Scotland/ Wales reports</p>
<p>Scotland</p> 	<p>Fair Work Convention; Poverty and Inequality Commission</p>		



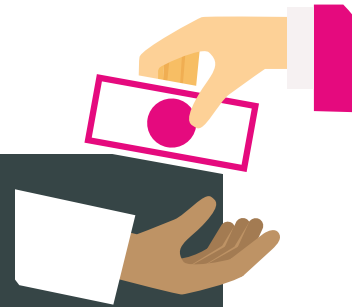
Earnings (Core indicator)

Rationale

Earnings, including the extent of pay gaps and prevalence of low pay, are a good indicator to assess how people’s rights to fair wages and remuneration for work of equal value are protected in Britain.

Topics

- Pay gaps in median hourly earnings
- Low pay
- Gender differences by industry, occupation, region and sector



What people experience: The ‘Outcome’

Statistical outcome measures

WRK.ERN.1: Median hourly employee earnings, including overtime (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

Further topics

Topic	Sources
Extent of low pay, including characteristics of low paid and those earning below the Living Wage and National Minimum Wage	Labour Force Survey analysis of numbers/ proportions paid below the National Minimum Wage and National Living Wage; House of Commons Library briefing papers; House of Commons/ Lords/ all-party select committees; DBEIS; Scottish and Welsh Government publications; JRF, Low Pay Commission; EHRC ‘Measuring Up?’ reports; new academic research on low pay
Gender differences in median hourly and weekly earnings by industry, occupation, region and sector	Annual Survey of Hours and Earnings analyses of median earnings (published data); House of Commons Library briefing papers; House of Commons/ Lords/ all-party select committees; DBEIS; Scottish and Welsh Government publications; Scottish Parliament briefings; EHRC; Institute for Fiscal Studies; new academic research on gender pay gaps




What the standards say: The 'Structure'

- Right to work not explicitly covered and not directly enforceable in UK courts – HRA 1998
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Requirement on specific public bodies with 20 or more employees to publish their gender pay gap every two years, and an equal pay statement, including occupational segregation information in relation to gender, ethnicity and race every four years – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Requirement on listed authorities to publish an equality objective in relation to addressing any gender pay difference identified or publish reasons why it has not done so and to publish an action plan in respect of any gender pay difference – The Equality Act 2010 (Specific Duties) (Wales) Regulations 2011
- Requirement to produce a procurement strategy on the payment of a living wage and define a living wage – Procurement Reform (Scotland) Act 2014
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2), 57(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Right to equal remuneration in respect of work of equal value – CEDAW 11(d)
- Right to equal pay for equal work and to just and favourable remuneration – CERD 5(e)(i)
- Right of persons with disabilities to work on equal basis with others – CRPD 27
- Equal right of men and women to enjoy economic, social and cultural rights; Right to fair wages and equal remuneration for work of equal value – ICESCR 3; 7(a)(i)
- Right not to suffer unauthorised deductions from wages – Employment Rights Act 1996 12
- Minimum wage for workers of at least school leaving age provided – National Minimum Wage Act 1998
- Requirement on large private sector employers to publish gender pay gap information under section 78 of Equality Act 2010. Also provides for deterrents to stop employers infringing national minimum wage legislation – Small Business, Enterprise and Employment Act 2015 147, 152
- Private and voluntary-sector organisations with 250 or more employees must publish gender pay gap calculations on an annual basis – (Gender Pay Gap Information) Regulations 2017
- Rate of the national minimum wage set out – National Minimum Wage Regulations 2015
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>Britain</p> 	<p>Mandatory gender pay gap reporting; National Living Wage</p>	<p>England: Living Wage Commission</p> <p>Great Britain: Low Pay Commission</p> <p>Scotland: Scottish Living Wage Accreditation</p> <p>Wales: Cynnal Cymru (Sustain Wales)</p>	<p>Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms; Government expenditure and Revenue Scotland/ Wales reports</p>



Occupational segregation (Core indicator)

Rationale

Occupational segregation, including the extent of both vertical and horizontal segregation, is a good indicator to assess how people’s rights to free choice of profession and employment are protected in Britain.

Topics

- Vertical and horizontal segregation, including in senior management and on boards
- Segregation within apprenticeships

What people experience: The ‘Outcome’

Statistical outcome measures

WRK.OCS.1: Percentage employed in high-paid occupations* (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

*Managerial and professional occupations, SOC 1 & 2

WRK.OCS.2: Percentage employed in low-paid occupations* (adults)



Great Britain: Annual Population Survey, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

*Caring, leisure and other service occupations; sales and customer service occupations; and elementary occupations, SOC 6, 8 & 9





Further topics





Topic	Sources
Extent of vertical and horizontal occupational segregation, including in senior management and on boards	Labour Force Survey analysis of numbers and proportions of employees in occupational groups; House of Commons/ Lords/ all-party select committees; DBEIS; Scottish and Welsh Government publications; EHRG inquiry into board appointments in FTSE 350 companies; research by other organisations (for example Cranfield University) on FTSE companies; new academic research on horizontal and vertical occupational segregation or senior management/ boards
Segregation within apprenticeships, including under-representation of ethnic minority and young disabled people	Analysis of apprenticeship data published by Education and Skills Funding Agency (ESFA) and Skills Development Scotland; House of Commons Library briefing papers; House of Commons/ Lords/ all-party select committees; DBEIS; Scottish and Welsh Government publications; SMC; Skills Development Scotland; Institute for Employment Studies; new academic research on apprenticeships

What the standards say: The 'Structure'

- Right to work not explicitly covered and not directly enforceable in UK courts – HRA 1998
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Requirement on public bodies to collect and use data on recruitment, development and progression by protected characteristic, including reporting on gender pay gap, and occupational segregation as it affects women, ethnic minorities and disabled people – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Requirement on public bodies to supply the Scottish Government from time to time with data on the gender composition of their board – Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2), 57(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Right to free choice of profession and employment – CEDAW 11(c)
- Right of persons with disabilities to work on an equal basis with others – CRPD 27
- Right of everyone to be promoted in his employment to an appropriate higher level – ICESCR 7(c)
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
Britain 	Women on Boards: Lord Davies targets	SMC	Budget announcements; Office for Budget Responsibility; PESA; Cumulative impact assessment of welfare reforms; Government expenditure and Revenue Scotland/ Wales reports
England 	English Apprenticeships – our 2020 Vision; Apprenticeship Levy (2017)	ESFA	
Scotland 	Youth Employment Strategy; Partnerships for Change 50/50; Modern Apprenticeships	Audit Scotland	
Wales 	Apprenticeship Programme	Careers Wales	



Work domain



Forced labour and trafficking (Supplementary indicator)

Rationale

Forced labour and trafficking is a useful indicator to assess the extent to which people’s right to be free from slavery and forced labour is respected, protected and fulfilled.

Topics

- Adults trafficked for domestic servitude and other forms of exploitation
- Victims of trafficking referred to the National Referral Mechanism

What people experience: The ‘Outcome’

Further topics

Topic	Sources
<p>Number of adults trafficked for domestic servitude and other forms of exploitation, and qualitative information on the conditions which allow trafficking to occur</p>	<p>National Referral Mechanism statistics; All Party Parliamentary Group on Human Trafficking and Modern Slavery; Anti-Slavery Commissioner Annual Reports; House of Commons/ Lords/ Home Office and Scottish and Welsh Government publications; JRF; new academic research on forced labour and trafficking, particularly qualitative research on the impact of being trafficked</p>
<p>Number of potential victims of trafficking referred to the National Referral Mechanism, including from Britain and qualitative information on the conditions which allow individuals to be potential victims of trafficking</p>	<p>National Referral Mechanism statistics; All Party Parliamentary Group on Human Trafficking and Modern Slavery; Anti-Slavery Commissioner Annual Reports; House of Commons/ Lords/ Home Office; Scottish and Welsh Government; JRF; new academic research on forced labour and trafficking, particularly qualitative research on the impact of being a victim of trafficking</p>





What the standards say: The 'Structure'

- Prohibition of slavery and forced labour – HRA 1998 4
- Freedom from forced labour, slavery and servitude – ECHR; latest principles established in case law
- Prohibition of slavery and enforced servitude – ICCPR 8
- Suppression of trafficking of women – CEDAW 6
- Freedom from exploitation, violence and abuse – CRPD 16
- Right to identity; separation of children from parents; obligation to combat the illicit transfer of children – CRC 8, 9, 11
- Prohibition of sale of children, child prostitution and child pornography; right to identity – CRC Optional Protocol
- Efforts to combat human trafficking based on a victim-centred approach to protection and prosecution must improve – EU Anti-Trafficking Directive 2011/36/EU
- All forms of human trafficking must be prevented; victims and witnesses of trafficking to be protected; effective investigation of trafficking ensured; achievement of international co-operation against trafficking – Council of Europe Convention on Action Against Trafficking in Human Beings 2008
- Anti-Slavery Commissioner established to lead and coordinate efforts in tackling slavery in England and Wales; legislation brought into line with the EU Anti-Trafficking Directive and the Council of Europe Convention – Modern Slavery Act 2015
- Human trafficking, slavery, servitude and forced or compulsory labour addressed in Scotland – Human Trafficking and Exploitation (Scotland) Act 2015
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators
<p>England</p> 	National Referral Mechanism; UK Government guidance on reporting on modern slavery 2015	Gangmasters Licensing Authority; UK Human Trafficking Centre; National Crime Agency; Modern Slavery Human Trafficking Unit; Anti-Slavery Commissioner
<p>Scotland</p> 	Trafficking and Exploitation Strategy for Scotland (May 2017)	
<p>Wales</p> 	Wales Anti-Slavery Leadership Group	



5.3 Living standards

Indicators

Poverty (Core)

Housing (Core)

Social care (Core)





Table 5.3 Living standards domain



Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹⁵ – the future we want	Indicators ¹⁶ – how we measure progress	Topics
<p>To enjoy an adequate standard of living, with independence and security, and to be cared for and supported when necessary.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Enjoying an adequate and secure standard of living, including nutrition, clothing, housing, warmth, social security, social services and utilities • Having control over personal spending • Getting the care they need • Having control over how care is provided to support independent living • Getting around inside and outside the home and enjoying their home in peace and security • Living with independence, dignity and self-respect • Owning property and financial products including insurance, social security, and pensions in their own right 	<ul style="list-style-type: none"> • People’s right to the highest attainable standard of living is respected, protected and fulfilled • Everyone has an adequate standard of living, including nutrition, clothing, housing, warmth, social security, social services and utilities • All people can live as independently as possible and with dignity • Nobody lives in overcrowded accommodation • Social/affordable housing is readily available • Those who rent have security of tenure • People have access to and control over effective and high-quality social care and support to enable independent living, including accessible housing 	<p>Poverty</p> <p>Housing</p> <p>Social care</p>	<ul style="list-style-type: none"> • Adults and children living in households below 60% contemporary median income after housing costs • Social security / benefit system • Child poverty and poverty of disabled people, refugees and asylum seekers • Food and fuel poverty • Material deprivation • Homelessness • Overcrowding and suitable accommodation • Housing benefits • Housing tenure • Housing for Gypsies/Travellers and disabled people • Access to social care • Quality of social care • Dignity and respect in social care • Choice and control over support to enable independent living, and independent advocacy • Social care funding • Impact of caring on carers

¹⁵ Section 12(1)(b), Equality Act 2006

¹⁶ Section 12(1)(c), Equality Act 2006



Poverty (Core indicator)

Rationale

Poverty is one of the most commonly used indicators to measure living standards. By looking also at the social security system, food and fuel poverty, wealth and income distribution, and experiences of poverty for people who are particularly at risk of discrimination, disadvantage, harm or abuse, this is a critical indicator for assessing how rights to social security and an adequate standard of living are respected, protected and fulfilled.

Topics

- Adults and children living in households below 60% contemporary median income after housing costs
- Social security / benefit system
- Child poverty and poverty of disabled people, refugees and asylum seekers
- Food and fuel poverty
- Material deprivation

What people experience: The 'Outcome'

Statistical outcome measures

LST.PVT.1A and LST.PVT.1C: Percentage living in households below 60% of contemporary median income after housing costs (adults and children)



Great Britain: Family Resources Survey / Households below average income, Department for Work and Pensions

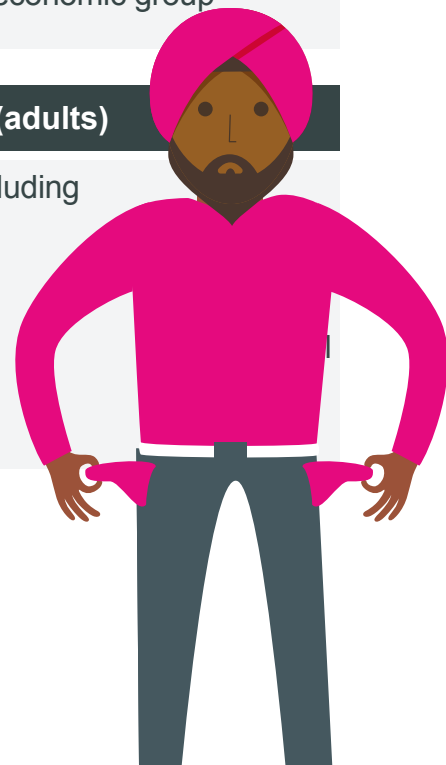
Age, Disability (including Impairment Type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

LST.PVT.2: Percentage experiencing severe material deprivation (adults)



Great Britain: Family Resources Survey/Households below average income, Department for Work and Pensions

Age, Disability (including Impairment Type), Ethnicity, Gender, or civil partnership status, Religion, orientation, Socio-economic group





Further topics

Topic	Sources
Social security and benefit system	House of Commons Library briefing papers; House of Commons/ Lords/ All-Party Parliamentary Group on Poverty and other committees; Scottish and Welsh Government; Just Fair Consortium; Institute for Fiscal Studies; JRF; Poverty and Social Exclusion; Citizens Advice Scotland; Poverty Alliance; Oxfam
Food and fuel poverty	Trussell Trust; DBEIS; plus some of the above
Experiences of poverty for disabled people, families with children/ child poverty, refugees and asylum seekers	As above plus SMC; Children’s commissioners in England, Scotland and Wales; Refugee Council; Scottish Refugee Council; Children’s Society; Child Poverty Action Group
Experiences of material deprivation	House of Commons Library briefing papers, House of Commons/ Lords/ All-Party Parliamentary Group on Poverty and other committees; Scottish and Welsh Government; Institute for Fiscal Studies; JRF; Poverty and Social Exclusion
Wealth and income distribution	Wealth and Assets Survey (ONS); ratios of household income (calculated using ONS data); Gini coefficient and Palma ratio (UK only); Family Resources Survey (DWP); Centre for Analysis of Social Exclusion (London School of Economics); Resolution Foundation; OECD; JRF

What the standards say: The ‘Structure’





- Not explicitly covered – engagement of HRA 1998 Articles 2, 3, 8, 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)

Living standards domain



- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Social security – CEDAW 11(e)
- Right to social security and social services – CERD 5(e)(i)(v); CRC 26; ICESCR 9
- Adequate standard of living – CRC 27
- Adequate food, clothing and housing – ICESCR 11
- Introduction of universal credit, personal independence payments and establishing the Social Mobility Commission and Child Poverty Commission aimed at lowering the overall welfare bill – Welfare Reform Act 2012
- Introduction of benefit caps, freezes and enhanced conditionality aimed at lowering the overall welfare bill – Welfare Reform and Work Act 2016
- Powers transferred to the Scottish Government in relation to social security and employment support – Scotland Act 2016 Part III
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>Britain</p> 	<p>UK Government policy: welfare reform; Income tax rates and personal allowances</p>	<p>SMC</p>	<p>HM Treasury Public Expenditure; PESA; Budget announcements; Office for Budget Responsibility; Cumulative impact assessment of welfare reforms</p>
<p>England</p> 	<p>Child Poverty Strategy</p>	<p>Children’s Commissioner; SMC</p>	
<p>Scotland</p> 	<p>Child Poverty Strategy for Scotland 2014–17</p>	<p>Children’s Commissioner</p>	<p>As above; Draft budget and final budget (Scotland)</p>
<p>Wales</p> 	<p>Tackling Poverty Action Plan; Child Poverty Strategy for Wales</p>	<p>Children’s Commissioner</p>	<p>As above; Final budget and first and second supplementary budgets (Wales)</p>

Housing (Core indicator)

Rationale

Housing conditions, including homelessness and overcrowding, housing benefits, housing tenure, and housing for Gypsies/ Travellers and disabled people, are a good indicator to assess how the right to an adequate standard of living is respected, protected and fulfilled.

Topics



- Homelessness
- Overcrowding and suitable accommodation
- Housing benefits
- Housing tenure
- Housing for Gypsies/ Travellers and disabled people






What people experience: The 'Outcome'

Statistical outcome measures

LST.HSG.1A and LST.HSG.1C: Percentage living in overcrowded accommodation (adults and children)

	England: English Housing Survey, Department for Communities and Local Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Socio-economic group
	Scotland: Scottish Household Survey/Scottish House Condition Survey, Scottish Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

LST.HSG.2: Percentage satisfied with their accommodation (adults)

	England: English Housing Survey, Department for Communities and Local Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Socio-economic group
	Scotland: Scottish Household Survey/Scottish House Condition Survey, Scottish Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group
	Wales: National Survey for Wales, Welsh Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation



Further topics

Topic	Sources
Homelessness, including its impact on specific people such as young people leaving care and asylum seekers	House of Commons Library briefing papers; Scottish and Welsh Government data and publications; Department for Work and Pensions (DWP) publications and UK Government data on homelessness; Homelessness Monitor; Just Fair Consortium, Crisis; Shelter; Homeless Link
Housing benefits and the impact of cuts on certain people, for example disabled people, those with a mental health condition	Some of above plus key legal cases
Housing tenure and the availability of social/ affordable housing; concerns or issues arising from the private rental sector	As above, plus data on tenure from Department for Communities and Local Government (DCLG), National Survey for Wales; London Fairness Commission; JRF
Gypsies and Travellers	As above, plus caravan counts /total pitches by tenure in England and Wales and data collected by the Scottish Government; legal cases; the Traveller Movement; Friends, Families and Travellers
Accessible housing for disabled people	As above, plus Leonard Cheshire Disability; Scope; Habinteg Housing Association

What the standards say: The 'Structure'





- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Cap imposed on total household benefits – Benefit Cap (Housing Benefit) Regulations 2012
- Eligibility criteria for homelessness abolished – Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012
- Right to Buy and extension of the repairing standard abolished – Housing (Scotland) Act 2014
- Private rental sector more strongly regulated; homelessness law reformed to focus more on prevention; enhanced provision for Gypsies and Travellers – Housing (Wales) Act 2014

Living standards domain



- Introduction of benefit caps, freezes and enhanced conditionality – Welfare Reform and Work Act 2016
- Sale of higher value local authority homes and measures allowed to promote private home ownership and boost levels of housebuilding – Housing and Planning Act 2016
- Power conferred on Scottish Parliament to make discretionary housing payments – Scotland Act 2016 s.25
- Right to respect for private and family life – ECHR 8
- Right to housing – CERD 5(e)(iii)
- Non-discrimination against women in economic and social spheres – CEDAW 13
- Right to an adequate standard of living, including housing – CRC 27
- Right to adequate standard of living; right to live independently and be included in the community – CRPD 19
- Right to adequate food, clothing and housing – ICESCR 11
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>Britain</p> 	Help to buy schemes		HM Treasury Public Expenditure; PESA; Budget announcements; Office for Budget Responsibility; Cumulative impact assessment of welfare reforms
<p>England</p> 		Homes and Communities Agency	
<p>Scotland</p> 	Additional funding of discretionary housing payments; Housing Options	Scottish Housing Regulator	As above; Draft budget and final budget (Scotland)
<p>Wales</p> 	Additional funding of discretionary housing payments; Supporting People	Regulatory Framework for Housing Associations Registered in Wales	As above; Final budget and first and second supplementary budgets (Wales)



Social care (Core indicator)

Note: This indicator sits across the Living standards and Health domains.

Rationale

Access to, and control over, effective and high-quality care and support when needed, including the impact of funding levels, experience of services and the impact on carers, is a strong indicator to assess how the rights to live independently and to be free from abuse are respected, protected and fulfilled.

Topics

- Access to social care
- Quality of social care
- Dignity and respect in social care
- Choice and control over support to enable independent living and independent advocacy
- Social care funding
- Impact of caring on carers

What people experience: The 'Outcome'

Statistical outcome measures

LST.SCR.1: Percentage of social care service users treated with dignity and respect in social care (self-reported) (adults)



England: Personal social services adult social care survey, NHS Digital

Age, Ethnicity, Gender, Religion



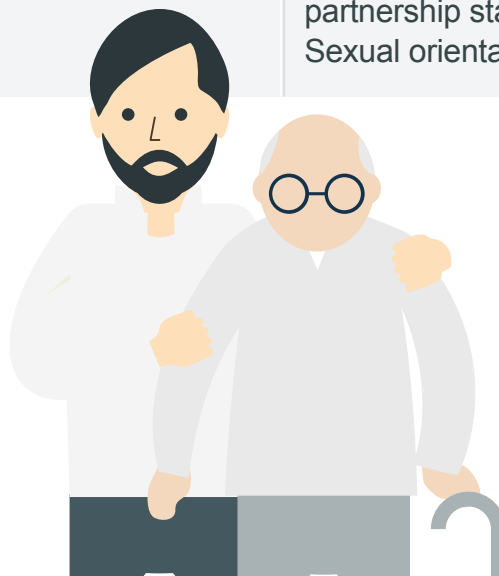
Scotland: Health and care experience survey, Scottish Government

Age, Disability (including Impairment type), Ethnicity, Gender, Religion, Sexual orientation



Wales: National Survey for Wales, Welsh Government

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation





Further topics

Topic	Sources
Impact of social care funding on the provision of services	Adult social care data from NHS Personal Social Services and Scottish and Welsh Governments; Association of Directors of Adult Social Services annual survey; Association of Directors for Social Services Cymru; Public Accounts Committee; Communities and Local Government Committee; Nuffield Trust; King's Fund; Age UK; Ready for Ageing Alliance; Disability Rights UK; Mencap
Experience of those in receipt of care services	As above, plus CQC; Healthwatch England and Local Healthwatch organisations; Public Health England; Local Government Ombudsman, National Institute for Health and Care Excellence (NICE); Leonard Cheshire Disability
Availability of support for children and young people, including young people in care	As above, plus National Audit Office; Who Cares Scotland; Life Changes Trust
Impact of caring on carers	As above, plus Carers Trust
Quality of social care	Personal Social Services Adult Social Care Survey, England; Health and Care Experience Survey Scotland; National Survey for Wales; CQC; Care Inspectorate; Healthcare Improvement Scotland; Social Work Scotland; Nuffield Trust; King's Fund; Age UK; Ready for Ageing Alliance; Disability Rights UK; Mencap
Abuse and neglect	NHS Digital safeguarding referrals; serious case reviews and convictions; Action on Elder Abuse



What the standards say: The 'Structure'




- Social care not explicitly covered – but can engage HRA 1998 Articles 2, 3, 8, 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2), 57(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Right of disabled child to special care – CRC 23
- Right to freedom from exploitation, violence and abuse – CRPD 16
- Right to live independently and be included in the community – CRPD 19
- Personal mobility with the greatest possible independence ensured for persons with disabilities – CRPD 20
- Social welfare duty on local authorities to make arrangements to provide or secure the provision of facilities and assistance including residential care or cash payments for people in need of assistance. Duties to assess need. Duties regarding direct payments in respect of community care services – Social Work (Scotland) Act 1968 Part 2
- Framework for safeguarding the welfare and financial affairs of adults who lack capacity – Adults with Incapacity (Scotland) Act 2000 s.1, part 2, 6
- Legislative backing for implementing free personal care provided in Scotland – Community Care and Health (Scotland) Act 2002
- Detention, care and treatment of people with a mental disorder; procedures and safeguards for detention; community based compulsory treatment; and the right to request an assessment of needs from the local authority – Mental Health (Care and Treatment) (Scotland) Act 2003 s. 1, s. 227, part 7
- Individuals who may lack the mental capacity to make their own decisions about their care and treatment protected and empowered in England and Wales – Mental Capacity Act 2005
- Deprivation of Liberty Safeguards – 2009 amendment to Mental Capacity Act 2005
- Powers and functions of independent regulator of social care and social work services in Scotland – Public Services Reform (Scotland) Act 2010
- Health care principles include patients treated with dignity and respect, patient participation – Patient Rights (Scotland) Act 2011 Schedule 1
- Choices for individuals as to how they are provided with support and a duty placed on local authorities to offer choice relating to the arrangement of care and support services – Social Care (self-directed support) Scotland Act 2013
- Framework for integrating adult health and social care in Scotland – Public Bodies (Joint Working) Scotland Act 2014

Living standards domain






- Well-being of people who need care and support, and carers who need support to be improved in Wales – Social Services and Well-being (Wales) Act 2014
- Local authorities’ duties in relation to assessing people’s needs and eligibility for publicly funded care and support in England; duties of local authorities to provide independent advocacy to enable involvement of disabled people in care assessment, planning and review; requirement on local authorities to provide direct payments for disabled people to purchase their care and support when requested – Care Act 2014
- Safety and quality of care to be improved – Health and Social Care (Safety and Quality) Act 2015
- Quality of care services in Wales and the impact on people receiving them – Regulation and Inspection of Social Care (Wales) Act 2016
- Duty on local authorities to support carers’ health and well-being and to provide an information and advice service for carers – Carers (Scotland) Act 2016
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
England 	Adult Social Care Outcomes Framework; Putting children first (DfE); Valuing people now: Fundamental standards for health and social care; NICE service standards	CQC; NICE; Health and Social Care Professions Council	HM Treasury Public Expenditure; PESA; Budget announcements; Office for Budget Responsibility; Cumulative impact assessment of welfare reforms
Scotland 	Health and Social Care Integration policy; Getting it right for every child	Care Inspectorate; Mental Welfare Commission for Scotland; Scottish Social Services Council	As above; Draft budget and final budget (Scotland)
Wales 	Intermediate Care Fund Wales; Supporting People programme	Care and Social Services Inspectorate for Wales; Care Council for Wales	As above; Final budget and first and second supplementary budgets (Wales)

Statistical process measures

LST.SCR.2: Rate per 1,000 receiving social care either in the community or in a care home (adults)

 <p>England: Social services activity statistics, NHS Digital</p>	Age, Ethnicity, Gender
 <p>Scotland: Scottish care homes census, ISD Scotland; Social care services – Scotland, Scottish Government</p>	Age, Disability (including Impairment type), Gender
 <p>Wales: Performance management of adult’s social services (PM2) data collection, Welsh Government</p>	Age



5.4 Health

Indicators

Health outcomes (Core)

Access to healthcare (Core)

Mental health (Core)

Reproductive and sexual health (Supplementary)

Palliative and end of life care (Supplementary)



Table 5.4: Health domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹⁷ – the future we want	Indicators ¹⁸ – how we measure progress	Topics
<ul style="list-style-type: none"> • Being free to make their own choices in matters of sexual relationships and reproduction • Being supported and cared for with dignity and respect in the final stage of their life, and having the autonomy to choose how and where to die 	<ul style="list-style-type: none"> • Autonomy in healthcare decision making, including for sexual and reproductive health, is enjoyed by all 	Mental health	<ul style="list-style-type: none"> • Population reporting poor mental health and well-being • Access to mental health services • Treatment and quality of mental health services • Mental health provisions for people in immigration detention and looked after children • Suicides, use of restraint and medication of mental health service users • Use of mental health acts and community treatment orders
		Reproductive and sexual health	<ul style="list-style-type: none"> • Low birth weight births • Access to sexual and reproductive health care, services and information • Access to relationships and sex education • Female genital mutilation (FGM)
		Palliative and end of life care	<ul style="list-style-type: none"> • Place of death • Access to and quality of end of life care for people with serious mental health conditions, prisoners, and people with a non-cancer diagnosis • Essential drugs used in palliative care and their provision

¹⁷ Section 12(1)(b), Equality Act 2006

¹⁸ Section 12(1)(c), Equality Act 2006



Health outcomes (Core indicator)

Rationale

Assessing inequality in health outcomes, including people’s current health status, infant mortality, suicide, and differences in life expectancy, is a good indicator to assess the health of the overall population and examine how the rights to life and enjoyment of the highest attainable standard of physical and mental health are respected, protected and fulfilled. This includes looking at inequalities in health outcomes experienced by those at higher risk of harm, abuse, discrimination or disadvantage, for example migrants, refugees and asylum seekers and people who are homeless.

Topics

- People’s current health status
- Suicide
- Infant mortality
- Life expectancy
- Malnutrition
- Health outcomes for migrants, refugees and asylum seekers, people who are homeless, transgender people, and Gypsies, Roma and Travellers

What people experience: The ‘Outcome’

Statistical outcome measures

HLT.OCM.1.A and HLT.OCM.1.C: Percentage who report good or very good current health status (adults and children)



England: Health Survey for England, NHS Digital

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group



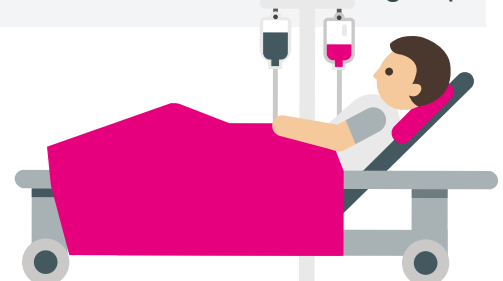
Scotland: Scottish Health Survey, Scottish Government

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group





Wales: Welsh Health Survey / National Survey for Wales, Welsh Government



Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group



HLT.OCM.2: Suicide rate per 1,000 (adults)

 Great Britain: Suicides in the United Kingdom, ONS	Age, Gender
 Scotland: Probable Suicides: Deaths which are the Result of Intentional Self-harm or Events of Undetermined Intent, National Records of Scotland	Age, Gender

HLT.OCM.3: Mortality rate from diseases of the circulatory system (adults)

 England and Wales: Death registrations in England and Wales, ONS	Age, Gender
 Scotland: Vital events reference tables, National Records of Scotland	Age, Gender

Further topics

Topic	Sources
Life expectancy and healthy life expectancy	King's Fund; DoH; National Records of Scotland; Scottish Government
Health outcomes for people who are homeless, transgender people, Gypsies, Roma and Travellers, migrants, refugees and asylum seekers	National LGBT Partnership; Scottish Government; Scottish Refugee Council, third-sector organisations
Attempts of suicide or self-harm by lesbian, gay and bisexual and transgender people	Stonewall; Rethink; Pinknews; Pace; CQC; MIND; Health and Social Care Information Centre; ISD Scotland; Commission on Acute Adult Psychiatric Care; National Confidential Inquiry into Suicide and Homicide, University of Manchester
Deaths where malnutrition was the underlying cause of death	ONS; Age UK






What the standards say: The 'Structure'

- Right to life (and investigation of death); freedom from torture and inhuman or degrading treatment; respect for private and family life, home and correspondence; freedom of thought, belief and religion; protection from discrimination in respect of these rights and freedoms – HRA 1998 2, 3, 8, 9 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics; requires organisations providing a public service to meet the requirements of the public sector equality duty – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Right to respect for private and family life, home and correspondence – ECHR 8
- Right to highest attainable standard of health and health services – CRPD 25
- Healthcare services and family planning, healthcare for rural women – CERD 5
- Healthcare of children, children's access to information, health of disabled children, children's access to healthcare services, children in care and mental health – CRC 3, 17, 23, 24, 25
- Highest attainable standard of physical and mental health – ICESCR 12
- Inherent right to life – ICCPR 6
- Prohibition of torture (mental or physical); treatment in custody – UN Committee Against Torture 6, 10, 11
- Provision for the detention, care and treatment of people with a mental disorder – Mental Health (Care and Treatment) (Scotland) Act 2003
- Health and social care in England and Wales – Health and Social Care Act 2012
- Health and social care in Scotland – Public Bodies (Joint Working) (Scotland) Act 2014
- Well-being of people who need care and support in Wales to be improved – Well-being of Future Generations (Wales) Act 2015
- Well-being of people who need care and support in Wales – Social Services and Well-being (Wales) Act 2014
- Amendments to the Mental Health (Care and Treatment) (Scotland) Act 2003 – Mental Health (Scotland) Act 2015
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>England</p> 	NHS Outcomes Framework; Public Health Outcomes Framework	DoH; NHS England; CQC; Health and Social Care Information Centre	PESA; ONS; Budget announcements; Office for Budget Responsibility; DoH; NHS England; King's Fund; Institute for Fiscal Studies
<p>Scotland</p> 	National Performance Framework; Health Inequalities Action Framework	NHS Scotland; Mental Welfare Commission for Scotland; Healthcare Improvement Scotland; Care Inspectorate	As above; Audit Scotland
<p>Wales</p> 	Public Health Outcomes Framework Wales; Welsh Government's Primary Care Plan	NHS Wales; Public Health Wales; Healthcare Inspectorate Wales	As above; NHS Wales; Public Health Wales



Access to healthcare (Core indicator)

Rationale

Access to healthcare, including waiting and referral times, and discrimination in access to healthcare, is a good indicator to assess how the right to the highest attainable standard of physical and mental health is respected, protected and fulfilled. harm, abuse, discrimination or disadvantage, for example migrants, refugees and asylum seekers and people who are homeless.

Topics

- Waiting and referral times
- Access issues specific to transgender people; Gypsy, Roma, Travellers; people with learning disabilities; people who are homeless; migrants, refugees, asylum seekers; prisoners; people in immigration detention
- Discrimination in access to healthcare

What people experience: The 'Outcome'

Further topics

Topic	Sources
Waiting and referral times for access to different types of health service	NHS Digital; ISD Scotland
Access to psychological therapies	CQC; NHS Digital; Commission on Acute Adult Psychiatric Care, Improving Access to Psychological Therapies Programme, ISD Scotland
Access issues specific to: transgender people; Gypsy, Roma, Travellers; people with learning disabilities; people who are homeless; migrants, refugees, asylum seekers; prisoners; people in immigration detention	CQC; NHS Digital; Homeless Link; DCLG, Her Majesty's Inspectorate of Prisons (HMIP); DoH; Children's Commissioner for England; Scottish Parliament (Equality and Human Rights Committee, and Health and Sport Committee); Scottish Public Health Network; Scottish Prison Service; Scottish Refugee Council; Stonewall
Discrimination in access to healthcare	Disability Rights UK; DCLG; FRA; Scottish Refugee Council; Homeless Link; Royal College of General Practitioners; National Inclusion Health Board








What the standards say: The 'Structure'

- Right to life (and investigation of death); freedom from torture and inhuman or degrading treatment; respect for private and family life, home and correspondence; freedom of thought, belief and religion; protection from discrimination in respect of these rights and freedoms – HRA 1998 2, 3, 8, 9 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics; requires organisations providing a public service to meet the requirements of the public sector equality duty – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Right to respect for private and family life, home and correspondence – ECHR 8
- Equal recognition before the law, access to justice, liberty and security of the person – CRPD 12, 13, 14
- Healthcare services and family planning, healthcare for rural women – CEDAW 12, 14
- Right to public care and medical care – CERD 5
- Healthcare of children, children's access to information, health of disabled children, children's access to healthcare services, children in care and mental health – CRC 3, 17, 23, 24, 25
- Highest attainable standard of physical and mental health – ICESCR 12
- Freedom of conscience, thought and religion – ICCPR 18
- Prohibition of torture (mental or physical); treatment in custody – UN Committee Against Torture 6, 10, 11
- Access to services – UK Immigration Act 2014 Part 3
- NHS services in England and Wales – National Health Service Act 1946
- Care services in England and Wales – Health and Social Care Act 2012
- Health and social care services Scotland – Public Bodies (Joint Working) (Scotland) Act
- Health and social care services for children in Scotland – Children and Young People (Scotland) Act 2014
- Health and social care services Wales – Well-being of Future Generations (Wales) Act 2015
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
<p>England</p> 	National Inclusion Health Board; Public Health Outcomes Framework	DoH; NHS England; CQC; NHS Digital; National Inclusion Health Board	PESA; ONS; Budget announcements; Office for Budget Responsibility; DoH; NHS England; King's Fund; Institute for Fiscal Studies
<p>Scotland</p> 	National Performance Framework (NPF); Healthcare Quality Strategy for NHS Scotland	Care Inspectorate; Healthcare Improvement Scotland; Mental Welfare Commission for Scotland	As above; Audit Scotland
<p>Wales</p> 	Welsh Government's Primary Care Plan; Public Health Outcomes Framework; Welsh Framework for action and delivery plan		As above; NHS Wales; Public Health Wales

Statistical process measures

HLT.ACH.1: Percentage starting treatment who have waited for more than 18 weeks (adults)

 <p>England: Consultant-led referral to treatments waiting times, NHS England</p>	None
 <p>Scotland: NHS Waiting Times – 18 Weeks Referral to Treatment, ISD Scotland</p>	None
 <p>Wales: NHS hospital waiting times – referral to treatment, Welsh Government</p>	None

Mental health (Core indicator)

Rationale

Mental health, including assessing inequalities in those reporting poor mental health, access to mental health services, and treatment and quality of services received, is a good indicator to assess the State's duty to progressively realise the right to the enjoyment of the highest attainable standard of mental health. The indicator also looks at suicides, use of restraint and medication of mental health service users and people detained under the Mental Health Act.




Topics

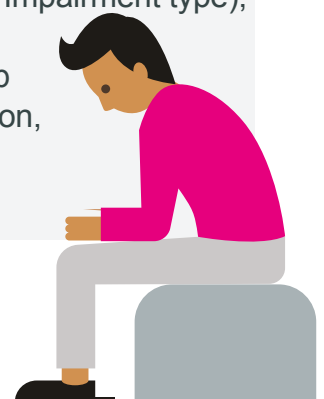
- Population reporting poor mental health and well-being
- Access to mental health services
- Treatment and quality of mental health services
- Mental health provisions for people in immigration detention and looked after children
- Suicides, use of restraint and medication of mental health service users
- Use of mental health acts and community treatment orders

What people experience: The 'Outcome'

Statistical outcome measures

HLT.MTL.1.A and HLT.MTL.1.C: Percentage with poor mental health and well-being (adults and children)

 <p>England: Health Survey for England, NHS Digital</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group</p>
 <p>Scotland: Scottish Health Survey, Scottish Government</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group</p>
 <p>Wales: Welsh Health Survey / National Survey for Wales, Welsh Government</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group</p>





Further topics

Topic	Sources
Suicides of mental health service users	CQC; MIND; NHS Digital; Commission on Acute Adult Psychiatric Care; National Confidential Inquiry into Suicide and Homicide, University of Manchester; ISD Scotland
Use of restraint and medication	CQC; MIND; NHS Digital; Commission on Acute Adult Psychiatric Care
Community treatment orders / Compulsory treatment orders (Scotland)	CQC; MIND; NHS Digital; Mental Welfare Commission for Scotland
Immigration detention and access to mental health – People in custody reporting poor access to health services	HMIP; NHS Digital; HM Inspectorate of Prisons in Scotland; Scottish Parliament (Health and Sport Committee)
The use of section 135 and 136 of The Mental Health Act 1983 / Mental Health (Care and Treatment) (Scotland) Act Part 9 sections 292 to 300	CQC; NHS Digital; DoH; Mental Welfare Commission for Scotland
Discrimination in access to mental healthcare	MIND, Mental Health Foundation, Rethink
Suicides of mental health service users	CQC; MIND; NHS Digital; Commission on Acute Adult Psychiatric Care; National Confidential Inquiry into Suicide and Homicide, University of Manchester; ISD Scotland
Use of restraint and medication	CQC; MIND; NHS Digital; Commission on Acute Adult Psychiatric Care







What the standards say: The 'Structure'

- Right to life (and investigation of death); freedom from torture and inhuman or degrading treatment; respect for private and family life, home and correspondence; freedom of thought, belief and religion; protection from discrimination in respect of these rights and freedoms – HRA 1998 2, 3, 8, 9 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics; requires organisations providing a public service to meet the requirements of the public sector equality duty – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998 29(1), 29(2); Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Right to respect for private and family life, home and correspondence – ECHR 8
- Equal recognition before the law, access to justice, liberty and security of the person – CRPD 12, 13, 14
- Healthcare services and family planning, healthcare for rural women – CEDAW 12, 14
- Right to public care and medical care – CERD 5
- Healthcare of children, children's access to information, health of disabled children, children's access to healthcare services, children in care and mental health – CRC 3, 17, 23, 24, 25
- Highest attainable standard of physical and mental health – ICESCR 12
- Prohibition of torture (mental or physical); treatment in custody – UN Committee Against Torture 6, 10, 11
- Protection and empowerment of individuals who may lack the mental capacity to make their own decisions about their care and treatment – Mental Health Act 1983
- Framework for safeguarding the welfare and financial affairs of adults who lack capacity – Adults with Incapacity (Scotland) Act 2000
- When and how people can be treated if they have a mental disorder; When people can be treated or taken into hospital against their will; What people's rights are, and the safeguards which ensure that these rights are protected – Mental Health (Care and Treatment) (Scotland) Act) 2003
- Support that should be available for people with mental health problems in Wales – Mental Health (Wales) Measure 2010
- Health and social care in England and Wales; parity of esteem of mental and physical health services – Health and Social Care Act 2012






- Sets out the functions of local authorities and health boards, shared services and health service functions – Public Bodies (Joint Working) (Scotland) Act 2014
- Social, economic, environmental and cultural well-being of Wales – Well-being of Future Generations (Wales) Act 2015
- Amendments to the Mental Health (Care and Treatment) (Scotland) Act 2003 in relation to issues such as: compulsory treatment orders; the right to choose a named person; the registration of advance statements in which a person can set out how they do and do not wish to be treated for mental disorder; and so on – Mental Health (Scotland) Act 2015
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
Britain 	National Confidential Inquiry into Suicide and Homicide by People with Mental Illness	DoH; National Preventive Mechanism; CQC	PESA; ONS; Budget announcements; Office for Budget Responsibility; DoH; King’s Fund; Institute for Fiscal Studies
England 	National Inclusion Health Board; Five Year Forward View; Public Health Outcomes Framework	DoH; NHS England; CQC; NHS Digital	As above; NHS England
Scotland 	Mental Health Strategy for 2016-2026; National Performance Framework; Healthcare Quality Strategy for NHS Scotland	Mental Welfare Commission for Scotland; Healthcare Improvement Scotland; Care Inspectorate	As above; Audit Scotland
Wales 	Welsh Government’s Primary Care Plan; Public Health Outcomes Framework	NHS Wales; Public Health Wales; Healthcare Inspectorate Wales	As above; NHS Wales; Public Health Wales

Statistical process measures

HLT.MTL.2.A and HLT.MTL.2.C: Percentage starting or receiving treatment for mental health conditions (adults and children)

	<p>England: Improving access to psychological therapies (IAPT), NHS Digital</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Religion, Sexual orientation</p>
	<p>Scotland: Psychological therapies waiting times and child and adolescent mental health services waiting times, ISD Scotland</p>	<p>None</p>
	<p>Wales: Welsh Health Survey, Welsh Government</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Pregnancy, Socio-economic group</p>

Reproductive and sexual health (Supplementary indicator)

Rationale

Reproductive and sexual health is an essential component of the highest attainable standard of physical and mental health and the right to privacy and family life. This includes access to sexual and reproductive healthcare, services and information and to relationships and sex education. It also includes female genital mutilation.

Topics

- Low birth weight births
- Access to sexual and reproductive healthcare, services and information
- Access to relationships and sex education
- FGM

What people experience: The 'Outcome'

Statistical outcome measures

HLT.RSH.1: Percentage of low birth weight births (women)



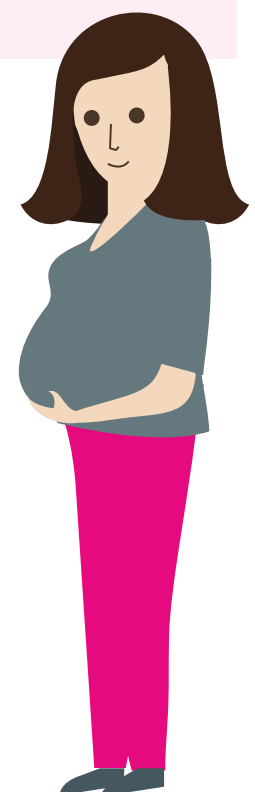
England and Wales: Birth characteristics in England and Wales and births by parents' characteristics in England and Wales, ONS

Age, Ethnicity, Socio-economic group



Scotland: Scottish Health Survey, Scottish Government

Age, Socio-economic group





Further topics




Topic	Sources
Access to sexual and reproductive healthcare, services and information, including sexually transmitted infections, abortion, contraception	NHS Digital; NHS England; NHS Wales; Family Planning Association; All-Party Parliamentary Group on Sexual and Reproductive Health in the UK; Scottish Government; Faculty of Sexual and Reproductive Healthcare (FSRH); Save the Children; Public Health England
Access to assisted reproduction therapies	Marie Stopes International; NHS England; Family Planning Association, All-Party Parliamentary Group on Sexual and Reproductive Health in the UK; Faculty of Sexual and Reproductive Healthcare; Human Fertilisation and Embryology Authority
Access to relationships and sex education	Relate; NSPCC; Children’s Commissioner, DfE; Ofsted
Female genital mutilation	Ministry of Justice; Home Office; DfE; DoH; NHS Digital; Royal College of General Practitioners; Scottish Government; Police Scotland






What the standards say: The 'Structure'

- Right to life (and investigation of death); freedom from torture and inhuman or degrading treatment; respect for private and family life, home and correspondence; freedom of thought, belief and religion; protection from discrimination in respect of these rights and freedoms – HRA 1998 2, 3, 8, 9 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Highest attainable standard of physical and mental health – ICESCR 12
- Access to appropriate healthcare services, including those related to family planning, right to decide on the number and spacing of children – CEDAW 12, 16
- Right of persons with disabilities to sexual and reproductive health; reproductive rights – CRPD 23(1)(b) and 23(1)(c)
- Children's right to access sexual and reproductive health services – CRC 24
- Right to life, prohibition of torture and right to privacy, freedom of thought, conscience, and religion – ICCPR 6, 7, 17, 18
- Sexual and reproductive healthcare in England – Health and Social Care Act 2012
- Embryo research, monitoring and licensing fertility clinics in the United Kingdom – Human Fertilisation and Embryology Act 1990
- The law relating to termination of pregnancy by abortion in England and Wales – Abortion Act 1967, as amended by the Human Fertilisation and Embryology Act 1990
- Contraception and family planning advice – The NHS (Family Planning) Act 1967
- FGM protection order (England and Wales) – Female Genital Mutilation Act 2003 as amended by the Serious Crime Act 2015 S4
- Mandatory reporting of FGM for health and social care professionals and teachers in England – Serious Crime Act 2015 S73
- FGM in Scotland – Prohibition of Female Genital Mutilation (Scotland) Act 2005
- Arrangements to promote awareness of, and prevent, protect and support victims of gender-based violence (including FGM) to be improved – Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Latest principles established in case law.

How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
England 	Sexual and reproductive health and HIV: strategic action plan; Ending violence against women and girls (VAWG) Strategy 2016-2020; Mandatory reporting (Home Office)	DoH; NHS England; Public Health England	PESA; ONS; DoH; NHS England; Family Planning Association
Scotland 	Respect and Responsibility: A strategy and action plan for improving sexual health; Pregnancy and parenthood in Young People Strategy (2015); Scotland's National Action Plan to Prevent and Eradicate FGM; Equally Safe	DoH; Care Inspectorate; Healthcare Improvement Scotland	As above; Audit Scotland
Wales 	Sexual Health and Well-being for Wales Action Plan 2010-2015; Strategic framework for promoting sexual health in Wales; National strategy on violence against women, domestic abuse and sexual violence 2016–2021	DoH; NHS Wales; Public Health Wales	As above; NHS Wales; Public Health Wales

Statistical process measures

HLT.RSH.2: Percentage screened for cervical cancer within the specified period (women)		
	England: Cervical Screening Programme, England, NHS Digital	Age
	Scotland: Scottish Cervical Screening Programme Statistics, ISD Scotland	Age
	Wales: Cervical Screening Wales Annual Statistical Report, Cervical Screening Wales	Age



Palliative and end of life care (Supplementary indicator)

Rationale

Palliative and end of life care, including equality in access to care, and use of essential drugs (such as pain relief) is a useful indicator to assess how the right to freedom from torture or inhuman or degrading treatment and the right to the highest attainable standard of health are respected, protected and fulfilled.

Topics

- Access to and quality of end of life care
- Essential drugs used in palliative care and their provision



What people experience: The 'Outcome'

Further topics

Topic	Sources
Palliative and end of life care for people of different sexual orientation and religion/belief	NHS; Royal College of Midwives; Together for Short Lives; CLIC Sargent; Teenage Cancer Trust; Hospice UK; Cicely Saunders Institute; Marie Curie Cancer Care; Bevan Foundation; National Council for Palliative Care; All-Party Parliamentary Group on Hospice and Palliative Care; Scottish Government; Scottish Partnership for Palliative Care
Access to and quality of end of life care for people with serious mental health conditions; prisoners; and people with a non-cancer diagnosis (a range of other chronic and life-limiting conditions)	NHS; Royal College of Midwives; Together for Short Lives; CLIC Sargent; Teenage Cancer Trust; Hospice UK; Cicely Saunders Institute; Marie Curie Cancer Care; Bevan Foundation; National Council for Palliative Care; All-Party Parliamentary Group on Hospice and Palliative Care; Scottish Government; Scottish Partnership for Palliative Care
Essential drugs used in palliative care (such as pain relief) and their provision	Marie Curie Cancer Care; Age UK; All Party Parliamentary Group on Hospice and Palliative Care
Do Not Resuscitate orders	Age Concern; Action on Elder Abuse; Mencap







What the standards say: The 'Structure'

- Right to life (and investigation of death); freedom from torture and inhuman or degrading treatment; respect for private and family life, home and correspondence; freedom of thought, belief and religion; protection from discrimination in respect of these rights and freedoms – HRA 1998 2, 3, 8, 9 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.
- Right to life, prohibition of torture and right to privacy, freedom of thought, conscience, and religion – ICCPR 6, 7, 17, 18
- Highest attainable standard of physical and mental health – ICESCR 12
- Freedom of thought, conscience, and religion – ICCPR 18 UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Right to freedom from torture or inhuman or degrading treatment - HRA 1998, 3
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- NHS responsibilities – National Health Service Act 1946; National Health Service (Scotland) Act 1947
- End of life care services in England and Wales – Health and Social Care Act 2012; Well-being of Future Generations (Wales) Act 2015
- Assisted suicide in England and Wales – Suicide Act 1961 S2
- Latest principles established in case law.






How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators	Resource allocation and expenditure
Britain 	Ambitions for Palliative and End of Life Care 2015	DoH; Association for Palliative Medicine of Great Britain and Ireland	PESA; ONS; DoH; Marie Curie
England 	The National End of Life Care Strategy 2008; NHS Five Year Forward View; NHS outcomes framework	NHS England; Public Health England; National Council for Palliative Care; Health Education England	As above; NHS England
Scotland 	Palliative and End of Life Care Strategic Framework for Action; Framework for Delivery of Palliative and End of Life Care for Children and Young People; Scottish Partnership for Palliative Care	Care Inspectorate; Healthcare Improvement Scotland	As above; Audit Scotland; Scottish Public Health Network (ScotPHN)
Wales 	Wales Palliative Care Planning Group; The Welsh Government's Primary Care Plan; Declaration of the Rights of Older People; Public Health Outcomes Framework	NHS Wales; Public Health Wales	As above; NHS Wales; Public Health Wales

Statistical process measures

HLT.PEL.1: Percentage of patients spending end of life at home (all ages)

	England: End of life care profiles, Public Health England	Age, Gender
	Scotland: Percentage of end of life spent at home or in a community setting, ISD Scotland	Age, Gender
	Wales: End of life care annual report, NHS Wales	None



5.5 Justice and personal security

Indicators

Conditions of detention (Core)

Hate crime, homicides, sexual and domestic abuse (Core)

Criminal and civil justice (Core)

Restorative justice (Supplementary)

Rehabilitation, resettlement and reintegration (Supplementary)



Table 5.5 Justice and personal security domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹⁹ – the future we want	Indicators ²⁰ – how we measure progress	Topics
<p>To avoid premature mortality, live in security, and know you will be protected and treated fairly by the law.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Being free from cruel, inhuman or degrading treatment or punishment • Avoiding premature mortality through injury or suicide in detention • Being protected from being killed or murdered • Living without fear of humiliation or harassment, and being free from violence or abuse based on who they are • Being free from sexual and domestic violence and abuse • Knowing they will be treated fairly before the law 	<ul style="list-style-type: none"> • The rights to life, to freedom from torture and inhuman or degrading treatment, to liberty and security, and to a fair trial are respected, protected and fulfilled • Everyone can live without fear of humiliation, harassment or abuse based on who they are • Every person can live their life free from violence including sexual and domestic violence • Everyone is treated fairly before the law • Nobody is arbitrarily detained or arrested • Accessible, affordable and impartial legal information and advocacy is available to all 	<p>Conditions of detention</p> <p>Hate crime, homicides, sexual and domestic abuse</p> <p>Criminal and civil justice</p>	<ul style="list-style-type: none"> • Detained population, non-natural deaths, conditions of detention, safety, mental health, use of force and restraint in specific settings: <ul style="list-style-type: none"> - Prisons - Police custody - Health and social care detention - Immigration detention - Young Offender Institutions and other detention settings for children and young people - Military detention abroad • Hate crime and identity-based harassment • Homicide • Sexual violence and rape • Domestic violence and abuse • Access to courts and tribunals • Liaison and diversion services • Legal aid • Public confidence in the justice system

¹⁹ Section 12(1)(b), Equality Act 2006

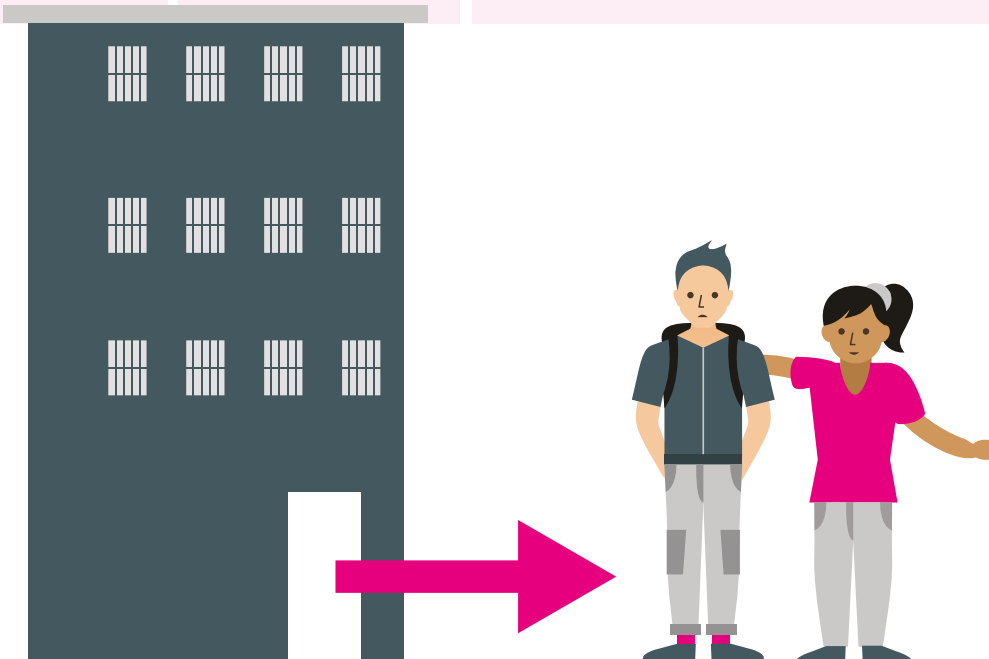
²⁰ Section 12(1)(c), Equality Act 2006



Table 5.5 Justice and personal security domain



Capabilities – the central and valuable freedoms and opportunities	Outcomes ¹⁹ - the future we want	Indicators ²⁰ – how we measure progress	Topics
<ul style="list-style-type: none"> • Being free from arbitrary arrest and detention • Accessing affordable and impartial, legal information and advocacy • Being supported when resettling and reintegrating into society after being in prison 	<ul style="list-style-type: none"> • People in detention do not suffer from violence or abuse and are not subjected to unnecessary restraint and isolation 	<ul style="list-style-type: none"> Restorative justice Rehabilitation, resettlement and reintegration 	<ul style="list-style-type: none"> • Restorative justice in the criminal justice system • Safety and effectiveness • Alternative dispute resolution and mediation • Rehabilitation • Resettlement • Reintegration



¹⁹ Section 12(1)(b), Equality Act 2006

²⁰ Section 12(1)(c), Equality Act 2006

Conditions of detention (Core indicator)

Rationale

Assessing the conditions under which people are detained by the State (including non-natural deaths, use of restraint and force) is an essential aspect of ensuring people’s rights to life, to liberty and security of person, and to freedom from torture and inhuman or degrading treatment are respected, protected and fulfilled in Britain and in specific detention settings abroad.


Topics

- Detained population, non-natural deaths, conditions of detention, safety, mental health, use of force and restraint in specific settings:
 - Prisons
 - Police custody
 - Health and social care detention
 - Immigration detention
 - Young Offender Institutions and other detention settings for children and young people
 - Military detention abroad

What people experience: The ‘Outcome’

Statistical outcome measures

JPS.DTN.1: Rate per 1,000 prisoners of non-natural deaths in prisons (adults)

	<p>England and Wales: Safety in custody statistics, Ministry of Justice and National Offender Management Service (NOMS)</p>	<p>Age, Ethnicity, Gender</p>
	<p>Scotland: Deaths in prison custody, Scottish Prison Service</p>	<p>Age, Ethnicity, Gender</p>





Further topics

Topic	Sources
Prison detention	Reports from HM Inspectorate of Prisons, HM Inspectorate of Prisons for Scotland, Ministry of Justice, data from UK NPM's Data Mapping Project, House of Commons Library briefings, Select Committee evidence (particularly Justice Committee and Joint Committee on Human Rights), Scottish Prison Service, Scottish Parliament (Equality and Human Rights Committee), Independent Custody Visiting Scotland; reports from organisations such as the Howard League for Penal Reform, the Prison Reform Trust, and Barnardo's
Police custody	Reports from HM Inspectorate of Constabulary, HM Inspectorate of Constabulary in Scotland, Home Office, House of Commons Library briefings, Independent Police Complaints Commission, reports from organisations such as Inquest, and College of Policing (including Authorised Professional Practice content), Mental Welfare Commission for Scotland; Police Investigations and Review Commissioner
Health and social care detention	Reports from Care Quality Commission/Care Inspectorate (Scotland), NHS/NHS Scotland, DoH; House of Commons Library briefings, Mental Welfare Commission for Scotland, information from organisations such as Rethink, Mind, Age UK (deprivation of liberty safeguards)
Immigration detention, including duration of stay	Home Office Immigration Statistics, reports from HM Inspectorate of Prisons, HM Inspectorate of Prisons for Scotland, Home Office Immigration Enforcement, data from UK NPM's Data Mapping Project, House of Commons Library briefings, reports from organisations such as Liberty, The Migration Observatory at the University of Oxford, the Refugee Council, Scottish Refugee Council, Freedom from Torture, the Women's Refugee Commission, Asylum Aid



Further topics cont.

Topic	Sources
Young Offender Institutions and other detention settings relating to children and young people	Reports from HM Inspectorate of Prisons, HM Inspectorate of Prisons for Scotland, Ministry of Justice, Youth Justice Board for England and Wales, Ofsted (inspections of Secure Training Centres and Secure Children’s Homes), House of Commons Library briefings, Scottish Prison Service, reports from organisations such as the Prison Reform Trust
Military detention abroad	Case law, ICCPR follow-up report, submissions to the UN Committee against Torture on the United Kingdom by organisations such as Human Rights Watch, EHRC
Use of restraint and force	Reports from National Preventive Mechanism, UN Committee against Torture, House of Commons Justice Committee, APPGs on Refugees and Migration, reports from regulators including HM Inspectorate of Prisons, HM Inspectorate of Constabulary, Care Quality Commission/Care Inspectorate (Scotland)
Mental health in detention (prisons and immigration detention)	Tavistock Institute; Home Office/ DoH; Prison and Probation Ombudsman; Lord Cullen Review; Mental Welfare Commission for Scotland
Safety of those detained (suicide, self-harm, assault and violence, identity-based violence and harassment)	House of Commons Library briefings; HM Inspectorate of Prisons; HM Inspectorate of Prisons for Scotland; Scottish Prison Service; National Offender Management Service statistics; Howard League for Penal Reform
Overcrowding in prisons	UN Committee against Torture; HM Inspectorate of Prisons annual report; HM Inspectorate of Prisons for Scotland; Howard League for Penal Reform; Prison Reform Trust





What the standards say: The 'Structure'

- Right to liberty and security of person – HRA 1998 5; also 2, 3, 9, 14
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Deprivation of Liberty Safeguards (England and Wales) – Mental Health Act 2007
- Detention, treatment and questioning by police officers under the Terrorism Act 2000, Code H – Police and Criminal Evidence Act 1984
- Provision for the detention, care and treatment of people with a mental disorder – Mental Health (Care and Treatment) (Scotland) Act 2003
- Criminal procedure and evidence, including the remand and committal of children and young people – Criminal Justice (Scotland) Act 2003
- Remand and committal of children and young persons – Criminal Justice and Licensing (Scotland) Act 2010 s.64
- Rights of suspects in custody, custody of under 18 year olds and support for vulnerable people – Criminal Justice (Scotland) Act 2016
- Right to freedom from torture and inhuman and degrading treatment; education and training regarding prohibition of torture for those who may be involved in custody, interrogation or treatment of those subject to arrest, detention or imprisonment; review arrangements for custody and treatment, with view to preventing torture; right to complaint – CAT 1, 10, 11, 13
- Establishes a system of monitoring to all places where persons are deprived of their liberty by independent monitoring bodies in line with OPCAT and SPT guidance – Optional Protocol to the Convention Against Torture
- Widest possible protection and assistance should be afforded to the family unit – ICESCR 10
- Everyone has the right to liberty and security of person; deprivation of liberty (by third parties empowered by the State); freedom of thought, conscience and religion – ICCPR 9, 10, 18
- The right to security of person and protection by the State against violence or bodily harm – CERD 5(b)
- Liberty and security of the person; freedom from torture, cruel inhuman treatment – CRPD 14, 15
- Contact with parents, deprivation of liberty, freedom from torture, treatment with dignity and respect – CRC 9(3), 37, 40
- Latest principles established in case law.





How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators
<p>Britain</p> 	Common principles of restraint (National Preventive Mechanism, 2014); The Detention Centre Rules (2001); Minimising and Managing Physical Restraint (MoJ)	Care Quality Commission; National Preventive Mechanism
<p>England</p> 	National Framework for Reporting and Learning from Serious Incidents Requiring Investigation (National Patient Safety Agency, 2010)	Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary
<p>Scotland</p> 	Youth Justice strategy for Scotland, 2015–2020 (Scottish Government, 2015)	HM Inspectorate of Prisons for Scotland; HM Inspectorate of Constabulary in Scotland; Care Inspectorate (Scotland); Police Investigations and Review Commissioner; Mental Welfare Commission for Scotland
<p>Wales</p> 		Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary; Welsh Language Commissioner; Healthcare Inspectorate Wales; Care and Social Services Inspectorate Wales

Statistical process measures

JPS.DTN.2: Rate per 1,000 population in prison (adults)

	<p>England and Wales: Offender management statistics quarterly, Ministry of Justice</p>	<p>Age, Ethnicity, Gender</p>
	<p>Scotland: Prison Statistics Scotland, Scottish Government</p>	<p>Age, Ethnicity, Gender</p>



JPS.DTN.3: Rate per 10,000 population held in the youth secure estate (children)



England and Wales: Youth justice statistics, Youth Justice Board / Ministry of Justice

Age, Ethnicity, Gender



Scotland: Children's social work statistics, Scottish Government

Age, Ethnicity, Gender

JPS.DTN.4: Rate per 100,000 population in detention under Mental Health Acts (adults)



England: Mental health bulletin, NHS Digital

Age, Ethnicity, Gender



Scotland: Mental Health Act Monitoring, Mental Welfare Commission for Scotland

Age, Gender



Wales: Mental health facility admissions, Welsh Government

Gender



Hate crime, homicides, sexual and domestic abuse (Core indicator)

Rationale

Assessing the prevalence of violent, intimate or identity-based crime experienced by adults and children and young people (specifically homicide, sexual violence and rape, domestic violence and abuse, and hate crime and identity-based harassment) and the response of the criminal justice system to these (protection and redress for victims of crime) is an essential aspect of ensuring people’s rights to life, security of person, respect for private and family life, and freedom from torture and inhuman or degrading treatment are respected, protected and fulfilled.

Topics

- Hate crime and identity-based harassment
- Homicide
- Sexual violence and rape
- Domestic violence and abuse

What people experience: The ‘Outcome’

Statistical outcome measures

JPS.VNT.1: Percentage who experienced one or more hate incidents (self-reported) in the previous 12 months (adults)



England and Wales: Crime Survey for England and Wales, ONS



Scotland: Scottish Crime and Justice Survey, Scottish Government

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group











JPS.VNT.3A and JPS.VNT.3C: Homicide rate per million population (adults and children)

 	<p>England and Wales: Homicide Index, Home Office; Focus on violent crime and sexual offences, England and Wales, ONS</p>	<p>Age, Ethnicity, Gender</p>
	<p>Scotland: Homicide in Scotland, Scottish Government</p>	<p>Age, Gender</p>

JPS.VNT.4: Percentage who experienced rape and assault by penetration, including attempts (self-reported) in the previous 12 months (adults)

 	<p>England and Wales: Crime Survey for England and Wales, ONS</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>
	<p>Scotland: Scottish Crime and Justice Survey, Scottish Government</p>	<p>Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>

JPS.VNT.5: Percentage who experienced domestic violence and abuse (self-reported) in the previous 12 months (adults)

 	<p>England and Wales: Crime Survey for England and Wales, ONS</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>
	<p>Scotland: Scottish Crime and Justice Survey, Scottish Government</p>	<p>Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>



Further topics

Topic	Sources
Hate crime, identity-based violence and harassment	Administrative data on number of convictions and prosecutions for hate crime from Crown Prosecution Service (CPS), Crown Office and Procurator Fiscal Service; House of Commons Library; Home Office; DCLG; Welsh Government; Scottish Government; EHRC; All-Party Parliamentary Group against Antisemitism; Law Commission; Stonewall; Stonewall Scotland; Tell MAMA; Community Security Trust; Stop Hate UK; Galop
Identity-based harassment and violence including based on other strands not recognised by current hate crime legislation (including gender and older age)	CPS; Older People's Commissioner for Wales; reports from organisations such as the Fawcett Society (misogyny recognised by some police forces as a hate crime); Age UK (crimes against older people)
Homicide	Home Office; Scottish Government; CPS; Women's Aid
Sexual violence, rape	Police-recorded data and other administrative data on number of incidents (ONS crime statistics, CPS; Scottish Government: domestic abuse recorded by the police in Scotland; criminal proceedings in Scotland); Stern Review; Report of the Independent Review into The Investigation and Prosecution of Rape (CPS); House of Commons Library; Home Office; DoH; CPS; police; Director of Public Prosecutions; Amnesty International; Rape Crisis; Mind; Victim Support
Children and young people's experiences of domestic violence and abuse, hate crime and sexual violence, child sexual exploitation	Ongoing Independent Inquiry into Child Sexual Abuse; scoping of Public Inquiry into Historical Child Abuse in Scotland; reports from the Independent Police Complaints Commission and other key regulators; National Crime Agency; NHS; reports from organisations such as National Society for the Prevention of Cruelty to Children and Barnardo's



What the standards say: The 'Structure'

- Right to life – HRA 1998 2; also 3, 5, 8, 9, 10, 14
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Substantive hate crime offences for some strands under stirring up hatred offences (Part III, Part IIIA) – Public Order Act 1986
- Substantive hate crime offences for some strands under assault, criminal damage, harassment, stalking, threatening or abusive behaviour offences and creates a racial aggravation for offences – Crime and Disorder Act 1998 s.96
- Offence of 'controlling or coercive behaviour in an intimate or family relationship' created – Serious Crime Act 2015
- Older sexual offences legislation replaced in England and Wales – Sexual Offences Act 2003
- Sentencing provisions for some hate crime strands ('aggravated' offences and penalty uplifts) (England and Wales) – Criminal Justice Act 2003
- Statutory aggravations for crimes motivated by malice and ill will towards an individual based on their sexual orientation, transgender identity or disability – Offences (Aggravation by Prejudice) (Scotland) Act 2009
- Existing law on sexual offences reformed and a range of new statutory offences created – Sexual Offences (Scotland) Act 2009
- Non-harassment order; new offence of threatening and abusive behaviour created, includes aggressive behaviour and spoken threats; new offence of stalking created; right to view statement before trial – Criminal Justice and Licensing (Scotland) Act 2010 S. 15; 38, 39, 54
- Provision for offences aggravated by religious prejudice – Criminal Justice (Scotland) Act 2003 s74
- Behaviour that is threatening, hateful or otherwise offensive at a regulated football match criminalised, and communication of certain threats – Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012
- Domestic abuse to constitute harassment – Domestic Abuse (Scotland) Act 2011
- Experience victims and witnesses have within Scotland's justice system modified, including improving support for at-risk witnesses in court – Victim and Witnesses (Scotland) Act 2014



Justice and personal security domain



- Public sector response in Wales to abuse and violence to be improved – Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Freedom from torture – CAT 1
- The right to security of person and protection by the State against violence or bodily harm. Can also engage article 1 – CERD 5(b)
- Liberty and security of the person, freedom from torture, cruel inhuman treatment – CRPD 14, 15
- Protection from all forms of child maltreatment; protection from all forms of sexual exploitation and sexual abuse; freedom from torture – CRC 19, 34, 37
- Right to life; freedom from torture and cruel inhuman or degrading punishment; freedom of thought, conscience and religion; freedom of expression – ICCPR 6, 7, 18, 19, 27
- Definition of discrimination includes gender-based violence – CEDAW 1–6, GR 19
- Widest possible protection and assistance should be accorded to the family – ICESCR 10
- Position of the Victim in the Framework of Criminal Law and Procedure – European Convention on the Compensation of Victims of Violent Crimes Recommendation No. (85) 11
- Obligation of the State to fully address it in all its forms and to take measures to prevent violence against women, protect its victims and prosecute the perpetrators – Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), signed but not yet ratified
- Latest principles established in case law.





How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators
<p>Britain</p> 	Action against hate: the UK Government's plan for tackling hate crime; Violence against Women and Girls policy (including 2014 Action Plan)	
<p>England</p> 	Crown Prosecution Service Rape Action Plan 2015	Independent Police Complaints Commission; HM Inspectorate of Constabulary
<p>Scotland</p> 	Strategy for Justice in Scotland (Scottish Government, 2012); Report of the independent advisory group on hate crime, prejudice and community cohesion; Equally Safe Strategy	Police Complaints Commissioner for Scotland; Police Investigations and Review Commissioner; HM Inspectorate of Constabulary in Scotland
<p>Wales</p> 	National Strategy on Violence against Women, Domestic Abuse and Sexual Violence (2016 – 2021); Tackling hate crimes and incidents: A framework for action; Crown Prosecution Service Rape Action Plan 2015	Independent Police Complaints Commission; HM Inspectorate of Constabulary

Statistical process measures

JPS.VNT.2: Number of police recorded hate crimes / charges relating to hate crime, by motivation

 <p>England and Wales Hate crime, England and Wales, Home Office</p>	None
 <p>Scotland: Hate crime in Scotland, Crown Office and Procurator Fiscal Service</p>	None



Criminal and civil justice (Core indicator)

Rationale

Assessing the effectiveness of the civil and criminal justice systems, specifically access to courts and tribunals, provision of particular liaison and diversion services, provision of legal aid, and public confidence in the criminal justice system, is an essential aspect of ensuring people’s rights to liberty and security of person and right to a fair trial are respected, protected and fulfilled in Britain.

Topics

- Access to courts and tribunals
- Liaison and diversion services
- Legal aid
- Public confidence in the justice system

What people experience: The ‘Outcome’

Statistical outcome measures

JPS.EFF.1: Percentage agreeing that the criminal justice system treats those who have been accused of a crime as ‘innocent until proven guilty’ (adults)



England and Wales: Crime Survey for England and Wales, ONS

Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group



Scotland: Scottish Crime and Justice Survey, Scottish Government

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group





Further topics

Topic	Sources
Provision of legal aid since the introduction of the LASPO Act 2012 (including implications of the areas of civil law now outside the scope of legal aid funding, incidence of litigants in person, and the use of exceptional cases funding)	Joint Committee on Human Rights; House of Commons Justice Committee; Public Accounts Committee; Ministry of Justice; Legal Aid Agency; Civil Justice Council; Scottish Legal Aid Board; Law Centres Network; Citizens Advice; Liberty; National Audit Office; Law Society of Scotland
Access to justice (the courts and tribunals system, including fees, provision of interpretation services, and physical access/distance travelled. Also includes the use of Closed Material Procedures)	As above, plus House of Commons Justice Committee; Community Law Partnership; Ministry of Justice tribunal statistics; data from Equality Advisory and Support Service and Ministry of Justice on court and tribunal closures; JUSTICE; Law Society; Law Society for Scotland, Shelter and Victim Support
Provision of liaison and diversion services (for people with mental health conditions and learning disabilities)	Ministry of Justice; NHS England; Welsh Government; Scottish Association for Mental Health



What the standards say: The 'Structure'

- Right to liberty and security of person, right to a fair trial – HRA 1998 5, 6; also 7, 14
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Welsh ministers can impose specific duties on certain Welsh public bodies through secondary legislation – Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Public authorities listed in the Act are subject to specific duties that are relevant to accessing the courts and tribunal system – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended)
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Sentencing disposal for the youth court and special measures for giving evidence in criminal courts – Youth Justice and Criminal Evidence Act 1999
- Terrorism prevention and investigation measures – Terrorism Prevention and Investigation Measures Act 2011
- Provision for the establishment of Closed Material Procedures – Justice and Security Act 2013
- Reforms to the justice system, including changes to the scope of legal aid – Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) (England and Wales)
- A number of changes made to the criminal justice system, including changes to judicial review – Criminal Justice and Courts Act 2015 (England and Wales)
- Welsh speakers given the right to speak Welsh in court proceedings and all public sector organisations in Wales obliged to treat Welsh and English on an equal basis – Welsh Language Act 1993
- Scottish Legal Aid Board established – Legal Aid (Scotland) Act 1986
- Legal aid regulations for Scotland – Advice and Assistance (Scotland) Regulations 1996
- Scottish Courts and Tribunal Service replaced the Scottish Court Service and the Scottish Tribunals Service – Courts Reform (Scotland) Act 2015
- Formal recognition given to the Scottish Gaelic language – Gaelic Language (Scotland) Act 2005
- Rights of individuals who are granted asylum and the legal obligations of nations that grant asylum to access to the courts and tribunal system – Convention Relating to the Status of Refugees



Justice and personal security domain



- Individuals who may lack the mental capacity to make their own decisions about their care and treatment protected and empowered – Mental Capacity Act 2005
- Rights of suspects in custody, custody of under 18 year olds and support for vulnerable people – Criminal Justice (Scotland) Act 2016
- Criminal procedure and evidence, including victims' rights – Criminal Justice (Scotland) Act 2003
- Procedure in relation to children and young people, including detention of children, right of access to legal advice, mental disorders and appeals – Criminal Procedure (Scotland) Act 1995
- Various criminal justice provisions – Police, Public Order and Criminal Justice (Scotland) Act 2006 (part 3)
- Welfare and finances of adults who lack capacity safeguarded – Adults with Incapacity Act (Scotland) 2000
- Provision for the detention, care and treatment of people with a mental disorder – Mental Health (Care and Treatment) (Scotland) Act 2003
- Position of the victim – European Convention on the Compensation of Victims of Violent Crimes Recommendation No. 85(11)
- Right to complaint – CAT 13
- Effective protection of women against any act of discrimination ensured through competent national tribunals and other public institutions; women equal with men before the law – CEDAW 2(c), 15
- Respect for the views of the child – CRC12
- Equal recognition before the law; access to justice – CRPD 12,13
- Any person whose rights or freedoms are recognised as violated shall have an effective remedy; right to liberty and security; equality before courts and tribunals; equality before the law – ICCPR 2, 9, 14, 26
- Latest principles established in case law.





How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators
<p>Britain</p> 	National agreement on the arrangement for the use of interpreters, translators, and language service professionals in investigations and proceedings within the Criminal Justice System (2007)	House of Commons Public Accounts Committee; National Audit Office
<p>England</p> 	Civil Legal Advice telephone gateway service; Introduction of Police and Crime Commissioners; Court Estate Reform Programme, and Tribunals Service's (HMCTS) Estates Reform Project	Legal Services Board; HM Courts and Tribunal Service; HM CPS Inspectorate; Legal Services Board
<p>Scotland</p> 	Scottish Government's Collaborative Framework for Interpreting, Translation and Transcription services	Scottish Legal Aid Board; Crown and Procurator Fiscal Service; Scottish Police Authority
<p>Wales</p> 	Civil Legal Advice telephone gateway service; Introduction of Police and Crime Commissioners; Court Estate Reform Programme, and Tribunals Service's (HMCTS) Estates Reform Project	Legal Services Board; HM Courts and Tribunal Service; HM CPS Inspectorate; Legal Services Board

Statistical process measures

JPS.EFF.2: Percentage of legal aid applications granted (all ages)

	<p>England and Wales: Legal Aid Statistics in England and Wales, Legal Aid Agency / Ministry of Justice</p>	Gender
	<p>Scotland: Annual Report, Scottish Legal Aid Board</p>	None



Restorative justice (Supplementary indicator)

Rationale

Assessing how the State facilitates the use of restorative justice in the criminal justice system and during civil justice procedures, including its safe use and effectiveness, is an essential aspect of ensuring people’s right to a fair trial and right to liberty and security of person are respected, protected and fulfilled in Britain.

Topics

- Restorative justice in the criminal justice system
- Safety and effectiveness
- Alternative dispute resolution and mediation

What people experience: The ‘Outcome’

Further topics

Topic	Sources
Restorative justice – criminal justice (adults) by key offences, for example hate crime, and protected characteristics	Departmental and agency reports and research papers, including from the Justice Select Committee, House of Commons Justice Committee, HM Inspectorate of Constabulary, Home Office and Ministry of Justice; Restorative Justice Council; research including 2011 ICM/ PRT Poll of public support for restorative justice; Restorative Justice Scotland; Safeguarding Communities – Reducing Offending (SACRO)
Restorative justice – criminal justice (children and young people)	Departmental and agency reports and research papers; police crime statistics for Scotland; Youth Justice Board; Standing Committee for Youth Justice, Scottish Children’s Reporter Administration



Justice and personal security domain



Topic	Sources
Community justice	Home Office guidance (on Anti-Social Behaviour, Crime and Policing Act 2014); anti-social behaviour recorded by the police; Crime Survey for England and Wales data on anti-social behaviour; reports by HM Inspectorate of Constabulary and Ministry of Justice, evaluation of Neighbourhood Justice Panels and Community Justice Scotland; Restorative Justice Council; Scottish Mediation Service
Other alternative dispute resolution including mediation	National Audit Office on the use of Mediation Information and Assessment Meetings, Ministry of Justice (including the Family Mediation Task Force); Legal Aid Agency; Scottish Government; Scottish Legal Aid Board; Family Justice Young People’s Board

What the standards say: The ‘Structure’





- Right to a fair trial, right to liberty and security of person, and protection from discrimination – HRA 1998 5, 6, 14
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Restorative justice and criminal justice (adults), other out of courts measures – Police and Criminal Evidence Act 1984 (PACE)
- ‘Conditional Caution’ introduced for adults and Restorative Justice included as part of the process – Criminal Justice Act 2003
- Courts can use their existing powers to allow for a Restorative Justice activity to take place – Crime and Courts Act 2013
- Restorative Justice can be used at the pre-sentence and post-sentence stages. A new rehabilitative activity requirement created for community orders and suspended sentence orders – Offender Rehabilitation Act 2014
- Local policing bodies required to prepare a community remedy document for a person who has committed Anti-social Behaviour or an offence which will not be dealt with in court, and to consult with the victim on this – Crime and Policing Act 2014
- A new national body established to oversee community justice in Scotland – Community Justice (Scotland) Act 2016

Justice and personal security domain



- Guidance may be issued by Scottish ministers about the referral of a person who is, or appears to be, a victim in relation to an offence to Restorative Justice services – Victims and Witnesses (Scotland) Act 2014
- Minimum standards established on the rights, support and protection of victims of crime – European Directive 2012/29/EU
- Attitudes to the retributive juvenile justice required to change to approaches that support Restorative Justice – CRC
- Respect for rights to due process and a fair trial – ICCPR
- Protection and equality for women at all stages of the justice system, including in the use of Restorative Justice (see General Recommendation 33) – CEDAW
- Protection and equality on the basis of race and ethnicity at all stages of the justice system, including in the use of Restorative Justice – CERD
- Restorative Justice should be carried out fairly with respect to disabled people – CRPD
- Latest principles established in case law.


How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
<p>Britain</p> 	National Standards for Youth Justice 2009	National Preventative Mechanism
<p>England</p> 	England and Wales Code of Practice for the Victims of Crime (2015); Ministry of Justice Restorative Justice Action Plan; Ministry of Justice code of Practice for Victims of Crime; Neighbourhood Justice Panels	Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary; Youth Justice Board
<p>Scotland</p> 	Establishment of a national body, Community Justice Scotland; Scottish Executive guidance on the use of Restorative Justice; Scotland’s Children’s Hearing System; Scottish Government’s National Strategy for Community Justice	HM Inspectorate of Prisons for Scotland; HM Inspectorate of Constabulary in Scotland; Police Investigations and Review Commissioner
<p>Wales</p> 	England and Wales Code of Practice for the Victims of Crime (2015); Ministry of Justice Restorative Justice Action Plan; Ministry of Justice code of Practice for Victims of Crime; Neighbourhood Justice Panels	Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary; Youth Justice Board




Statistical process measures

JPS.RTJ.1: Percentage of victims offered the chance to meet the offender (adults)

	<p>England and Wales: Crime Survey for England and Wales, ONS</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>
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JPS.RTJ.2: Number of Legal aid-supported mediation outcomes (adults)

	<p>England and Wales: Legal Aid Statistics in England and Wales, Legal Aid Agency / Ministry of Justice</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender</p>
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Rehabilitation, resettlement and reintegration (Supplementary indicator)

Rationale

Assessing how far the State meets its duties to facilitate rehabilitation, resettlement and reintegration of offenders is an essential aspect of ensuring that people’s rights to liberty and security of person, to freedom from torture and inhuman or degrading treatment, and to a private and family life are safeguarded in Britain.




Topics

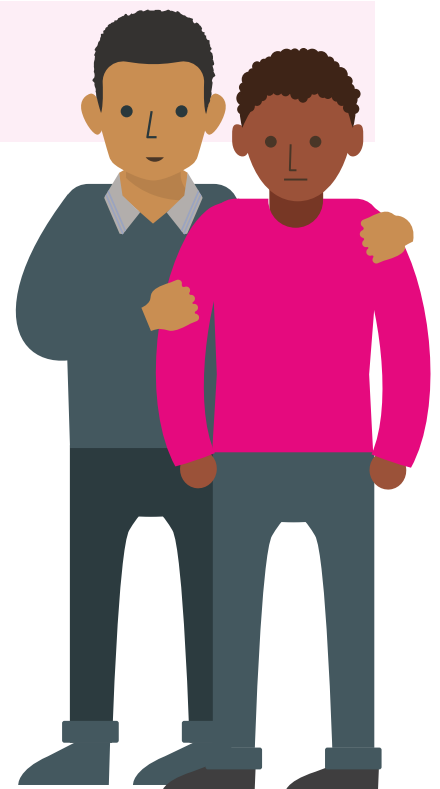
- Rehabilitation
- Resettlement
- Reintegration

What people experience: The ‘Outcome’

Statistical outcome measures

JPS.RRR.1: Rates of proven reoffending or reconviction (all ages)

 	<p>England and Wales: Proven reoffending statistics quarterly, Ministry of Justice</p>	<p>Age, Gender</p>
	<p>Scotland: Reconviction rates in Scotland, Scottish Government</p>	<p>Age, Gender</p>





Further topics

Topic	Sources
Resettlement and reintegration, including Community Rehabilitation Companies (CRCs), Through the Gate resettlement services (England and Wales only), and women's and secure children's estate	HM Inspectorate of Probation Reports; Ministry of Justice reports; DWP data on those referred to the Work Programme; HM Inspectorate of Prisons; Howard League for Penal Reform; Prison Reform Trust; Prisoners' Education Trust; Target Well-being and the University of Lancashire; Scottish Government; Criminal Justice Social Work Statistics
Access to rehabilitation practices in prisons (including education and vocational skills and family contact)	HM Inspectorate of Probation Reports; Ministry of Justice Statistics; Charlie Taylor review of the youth justice system; Scottish Government; Switchback; The Robertson Trust
Family involvement and impact on family life	Reports from HM Inspectorate of Probation, HM Inspectorate of Prisons, HM Chief Inspector of Prisons for Scotland; House of Commons Welsh Affairs Committee; Prison Reform Trust; Howard League for Penal Reform; data from the Scotland Prison Service
Reoffending	House of Commons Library, Ministry of Justice statistics and reports on the Surveying Prisoner Crime Reduction survey; reports from organisations such as the Prison Reform Trust, Wilberforce Society, Centre for Crime and Justice Studies; Scottish Government reports on reoffending; reports from Audit Scotland and organisations such as Scottish Centre for Crime and Justice Research, SACRO, Shelter Scotland



What the standards say: The 'Structure'





- Right to liberty and security, right to freedom from torture and inhuman or degrading treatment, and right to a private and family life. Can also engage articles 4, 6 and 14 – HRA 1998 5, 3, 8
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- All public sector organisations in Wales obliged to treat Welsh and English on an equal basis. This would include materials used for rehabilitation – Welsh Language Act 1993
- Offenders must as far as possible be both willing and able to lead a law-abiding and self-supporting life upon their return to society – Standard Minimum Rules for the Treatment of Prisoners 58, 65
- A person is reintegrated into society following rehabilitation in prison – Rehabilitation of Offenders Act 1974; 2014
- Amendments to the Rehabilitation of Offenders Act 1974, relating to changes to Scotland's disclosure and rehabilitation of offenders regime – Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2013
- New filtering mechanism introduced to restrict the disclosure of old and minor convictions – Protection of Freedoms Act 2012
- New systems created to support children and young people and to help identify any problems at an early stage – Children and Young People (Scotland) Act 2014
- Part of the legislative framework, which governs the management of prisons in Scotland, including the Prisons (Scotland) Act 1989, and Directions made under 'the Rules' – The Prisons and Young Offenders Institutions (Scotland) Rules 2011
- Community justice to be transformed by bringing a local perspective to community justice – Community Justice (Scotland) Act 2016
- Prison authorities required to design and implement comprehensive pre- and post-release reintegration programmes that take into account the gender-specific needs of women – UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) 46
- Crime prevention and prevention of recidivism – Guidelines for the Prevention of Crime (Economic and Social Council resolution 2002/13) 6(d)
- Treatment of prisoners should include the essential aim of reformation and social rehabilitation. This includes the ability to be resettled in the community – ICCPR 7, 8, 17; CRC 40(1), 37
- The right to security of person and protection by the State against violence or bodily harm – CERD 5(b)

Justice and personal security domain



- Prisoners with disabilities should be able to access rehabilitation and resettlement services without discrimination – CRPD 14
- Women are not to be discriminated against in the provision of housing and employment on release – CEDAW
- Housing and employment support services should protect the right to equal treatment on the basis of race and ethnicity, including access to rehabilitation services – CERD
- Requisite facilities, services and other necessary assistance to be provided as may further the best interests of the juvenile throughout the rehabilitation process – UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) 24.1, 26.1
- Socialisation and integration of all children and young persons – UN Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) 10
- Not legally binding – guidelines for international and domestic law for citizens held in prisons and other forms of custody; framework for inspection and monitoring of prisoner treatment. Particular rules apply to rehabilitation and the resettlement needs of prisoners – UN Standard Minimum Rules for the Treatment of Prisoners 58, 80, 77, 81
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
Britain 	UK Government policy: reoffending and rehabilitation; Transforming rehabilitation: a strategy for reform (2013); Drug strategy 2010	National Preventive Mechanism
England 	Offender Learning and Skills Service (OLASS); Transforming Rehabilitation programme	Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary; Youth Justice Board
Scotland 	Strategy for Justice in Scotland; New Model for Community Justice (2017); Reducing Reoffending Programme; Scottish Advisory Panel on Offender Rehabilitation	HM Inspectorate of Prisons for Scotland; HM Inspectorate of Constabulary in Scotland; Police Investigations and Review Commissioner
Wales 	Offender Learning and Skills Service (OLASS); Transforming Rehabilitation programme; Wales Reducing Reoffending Strategy 2014–2016	Prisons and Probation Ombudsman for England and Wales; HM Inspectorate of Prisons; HM Inspectorate of Constabulary; Youth Justice Board



5.6 Participation

Indicators

- Political and civic participation and representation (Core)
- Access to services (Core)
- Privacy and surveillance (Core)
- Social and community cohesion (Supplementary)
- Family life (Supplementary)



Table 5.6 Participation domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ²¹ – the future we want	Indicators ²² – how we measure progress	Topics
<p>To participate in decision-making and in communities, access services, know your privacy will be respected, and express yourself.</p> <p>Every person should be capable of:</p> <ul style="list-style-type: none"> • Participating in democratic, free and fair elections, and in the formulation of government policy, locally and nationally • Participating in making decisions affecting their own life independently • Participating in the local area • Getting together with others, peacefully • Forming and joining civil organisations and solidarity groups, including trade unions 	<ul style="list-style-type: none"> • The rights to democratic, free and fair elections, and freedom of expression, assembly and association are respected, protected and fulfilled • People can influence decisions that affect them • People trust their neighbours • People are free to form and join civil organisations and solidarity groups, including trade unions • Transport, digital and financial services, culture, leisure and sport and public places are available and accessible to all • Privacy is respected 	<p>Political and civic participation and representation</p> <p>Access to services</p>	<ul style="list-style-type: none"> • Voting • Political participation and freedoms of expression, assembly and association • Ability to influence decisions in local area • Civic participation, including public appointments and volunteering • Trades unions, legislation and membership • Access to transport • Access to digital services • Barriers to financial access and vulnerability to fraud • Access to culture, leisure and sport

²¹ Section 12(1)(b), Equality Act 2006

²² Section 12(1)(c), Equality Act 2006



Table 5.6 Participation domain

Capabilities – the central and valuable freedoms and opportunities	Outcomes ²¹ – the future we want	Indicators ²² – how we measure progress	Topics
<ul style="list-style-type: none"> • Accessing and using transport, digital and financial services, culture, leisure, sport and public places • Knowing their privacy will be respected • Engaging in religious and cultural practices • Forming and enjoying friendships and relationships, including marriage 	<ul style="list-style-type: none"> • People are free to form, maintain and end relationships of their choosing 	<p>Privacy and surveillance</p> <p>Social and community cohesion</p> <p>Family life</p>	<ul style="list-style-type: none"> • Internet use and awareness of privacy settings • Treatment of personal data • Adequacy of the legislative and regulatory framework • Trust and sense of belonging in the local neighbourhood • Social and community cohesion, building relationships to counter radicalisation and extremism • Community interaction and use of ‘shared spaces’ • Freedom to form relationships • Immigration and the right to family life • Children and adults in social care settings

²¹ Section 12(1)(b), Equality Act 2006

²² Section 12(1)(c), Equality Act 2006

Political and civic participation and representation (Core indicator)

Rationale

Voting and involvement in formal public life are the fundamental tenet of democratic life and feature in many international treaties. This indicator provides a general overview of empowerment and involvement in helping to shape politics locally or nationally. It also looks at civic participation and trade unions.

Topics

- Voting
- Political participation and freedoms of expression, assembly and association
- Ability to influence decisions in local area
- Civic participation, including public appointments and volunteering
- Trade unions, legislation and membership

What people experience: The 'Outcome'

Statistical outcome measures

PPN.PCP.1: Percentage voting in general elections (adults)



Great Britain: Post-election survey, British Election Study

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Socio-economic group

PPN.PCP.2: Percentage undertaking one or more of a number of political activities (adults)



England: Community Life Survey, Cabinet Office

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group



Scotland: Scottish Social Attitudes Survey, ScotCen

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group



Wales: British Social Attitudes Survey, NatCen

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Socio-economic group

Participation domain



Further topics

Topic	Sources
Elected representatives, for example Members of Parliament, Members of the Scottish Parliament, Members of the National Assembly for Wales	UK Parliament; House of Commons Library; Scottish Government; Commissioner for Ethical Standards; Engender; Scottish Parliament; Inclusion Scotland
Voting age and exclusion of prisoners from voting	Electoral Commission reports; country reports on local councils
People who are disenfranchised, voter registration and voting accessibility; access to the election process; feeling able to influence decisions affecting the local area	As above, plus specialised NGO reports, and measures on feeling able to influence decisions affecting the local area from published reports from Community Life Survey (England), Scottish Household Survey and National Survey of Wales
Issues relating to freedoms of expression, and of assembly and association, for example the right to protest including demonstrations, surveillance, crowd control	Legal cases; Joint Committee on Human Rights
Barriers to civic participation, including public appointments and volunteering	Legal cases; House of Commons Committees; International Labour Organisation; Commissioner for Public Appointments; ONS; Children's Commissioners; JRF
Trade unions, legislation and membership	Legal cases; House of Commons committees; International Labour Organisation; Trade union statistics from DBEIS and TUC



What the standards say: The 'Structure'





- Freedom of expression; freedom of assembly and association; right to free elections; prohibition of discrimination – HRA 1998 10; 11; 14; Protocol 1, art. 2, 3
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Regulations placing specific duties on listed public authorities to enable them to better perform their public sector equality duty – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended in 2015 and 2016)
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Rules on public processions in Scotland – The Civil Government (Scotland) Act 1982
- Trade union rights – International Labour Organisations Conventions
- British labour law regulated, including defining trade union – Trade Union and Labour Regulations (Consolidation) Act 1992
- Trade Union Membership and related charges records – Trade Union and Labour Regulations (Consolidation) Act 1992
- Scottish Parliament can legislate on equal opportunities as long as it does not modify the Equality Act 2010 itself – Scotland Act 1998, S. L2, Part II Sch 5 (as amended by Scotland Act 2016)
- Industrial action will be lawful only when there has been a ballot turnout of at least 50% – Trade Union Act 2016
- Changes to the British electoral process – Representation of the People Act 1983; 2000
- UK electoral process altered – Electoral Administration Act 2006
- Functions and procedures of local authorities changed (England and Wales) Local Government Act 1971; 2000
- Created new rights for community bodies and placed new duties on public authorities (Scotland) – Community Empowerment (Scotland) Act 2015
- States parties permitted to take 'temporary special measures'; right to vote, be elected; participation in non-governmental organisations in public and political life; the opportunity to represent their governments – CEDAW 4, 7(a), (c), 8
- Political rights, voting, standing for election; taking part in public affairs; peaceful assembly and association; right to form and join trade unions – CERD 5(c), d(ix), e(ii)

Participation domain



- Freedom to exercise trade union rights; participation in political and public life – CRPD 27, 29
- Freedom of expression; right of peaceful assembly; freedom of association including trade unions; right to take part in public affairs, to vote and be elected and to take part in public service – ICCPR 19, 21, 22, 25(a), 25(b)
- Right to join trade unions and to strike – ICESCR 8
- Latest principles established in case law

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
Britain 	Construction Workers Compensation Scheme	Charity Commission; Parliamentary Parties Panel
England 	Together in Service; Youth United	Electoral Commission
Scotland 	Access to Elected Office Fund	Electoral Commission; Scottish Charity Regulator; Scottish Parliament Political Parties Panel; Commissioner for Ethical Standards in Public Life in Scotland; Scottish Public Services Ombudsman
Wales 	Procurement Advice Note on blacklisting; Welsh Government's 'Diversity in Democracy' programme (2014-17)	Electoral Commission

Access to services (Core indicator)

Rationale

Access to services such as transport, internet, leisure, culture and sport, finance, banking and insurance allows people to participate in everyday life. Lack of access can impact on many other capabilities such as standard of living, education, employment and health and can lead to social isolation.

- Topics**
- Access to transport
 - Access to digital services
 - Barriers to financial access and vulnerability to fraud
 - Access to culture, leisure and sport




What people experience: The 'Outcome'

Statistical outcome measures

PPN.ACS.1: Percentage who have used the internet (adults)

	<p>Great Britain: Opinions and Lifestyle Survey Internet access module, ONS</p>	<p>Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Socio-economic group</p>
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PPN.ACS.2: Percentage doing sport or exercise in last four weeks (adults)

	<p>England: Taking Part Survey, Department for Digital, Culture, Media and Sport</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group</p>
	<p>Scotland: Scottish Household Survey, Scottish Government</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group</p>
	<p>Wales: Active Adult Survey / National Survey for Wales, Welsh Government</p>	<p>Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group</p>





Further topics

Topic	Sources
Barriers to financial access; vulnerability to fraud	Reports by Financial Inclusion Commission; other NGO and research publications; British Banking Association Vulnerability Task Force
Access to transport	Parliamentary inquiries and reports; government reports; CRPD general comments; EHRC submission to CRPD; other research by NGOs (for example Campaign for Better Transport); National travel survey; Citizens Advice Scotland
Digital accessibility	Parliamentary reports; Extra Costs Commission; Deafblind Scotland; Citizens Advice Scotland
Access to culture, leisure, sport	Parliamentary reports; Leonard Cheshire/ ComRes; Department for Digital, Culture, Media and Sport: CASE Programme; Carnegie Trust
Isolation as a result of inaccessible services	Campaign for Better Transport; Transport Scotland; UK Independent Mechanism

What the standards say: The 'Structure'





- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics including disability in a wide variety of fields, including the provision of services and associations – Equality Act 2010
- Regulations placing specific duties on listed public authorities to enable them to better perform their public sector equality duty – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended in 2015 and 2016)
- Proposal for EU Directive on laws, regulation and administrative provisions of Member States as regards the accessibility requirements for products and services – European Accessibility Act
- Local transport authorities should provide information about bus services including information about facilities for disabled people – Transport (Scotland) Act 2001
- Statutory access rights to most land and inland water if exercise them responsibly by respecting privacy, safety, livelihood and environment – Land Reform (Scotland) Act 2003 Part 1
- Scottish Parliament can legislate on equal opportunities as long as it does not modify the Equality Act 2010 itself – Scotland Act 1998, 29 (1, 2); 57 (2); s. 12 Part II Sch 5 (as amended by Scotland Act 2016)

Participation domain



- Accessibility in relation to the built environment, public transport, services and information; freedom of expression and opinion, and access to information; adequate standard of living and social protection; participation in cultural life, recreation, leisure and sport – CRPD 9, 21, 28, 30
- Right of everyone to social security, including social insurance; adequate food, clothing and housing; highest attainable standard of physical and mental health – ICESCR 9, 11, 12
- Right to health and health services; right to social security – CRC 24, 26
- Equality before the law – CERD 5
- Economic and social rights (including benefits, bank loans, finances and participation in recreational activities, sports and all aspects of cultural life); rights of women in rural areas (including access to community activities, transport and communications) – CEDAW 4; 12
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
<p>Britain</p> 	Digital inclusion strategy (2014); UK Access for All Programme (transport)	Financial Conduct Authority
<p>England</p> 	Department of Transport Accessibility Action Plan; The Public Service Accessibility Regulations (amended 2004); Sporting Future: A New Strategy for an Active Nation (2015)	
<p>Scotland</p> 	Scotland’s Digital Future; Social Inclusion and Poverty Reduction Strategic Intervention: Reaching Higher national strategy for sport; Accessible Transport Strategy and Action Plan for Scotland 2015-2020	Scottish Public Sector Ombudsman; Mobility and Access Committee for Scotland
<p>Wales</p> 	Digital Inclusion Charter; Welsh National Transport Finance Plan (2015)	



Privacy and surveillance (Core indicator)

Rationale

Privacy and surveillance, including the collection, use, tracking, retention and disclosure of personal data, is a key human rights concern.

Topics

- Internet use and awareness of privacy settings
- Treatment of personal data
- Adequacy of the legislative and regulatory framework

What people experience: The 'Outcome'

Statistical outcome measures

PPN.PRV.1: Percentage who limit access to their profile or content on social networking sites (adults)



Great Britain: Opinions and Lifestyle Survey Internet access module, ONS

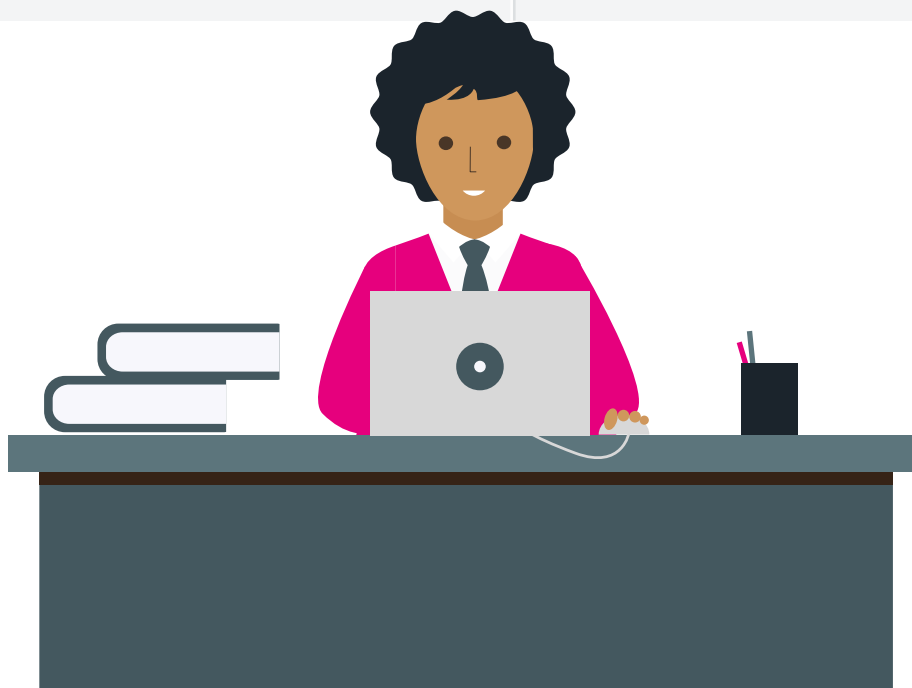
Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Socio-economic group

PPN.PRV.2: Percentage who have experienced abuse of personal information (adults)



Great Britain: Opinions and Lifestyle Survey Internet access module, ONS

Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Socio-economic group



Participation domain



Further topics




Topic	Sources
Internet use and public awareness of privacy settings	We Are Social figures on internet use; Deloitte’s Data Nation Survey and ICO’s Annual Track survey for public opinion on how secure they think their personal information is
Treatment of personal data collected and used by the State	House of Commons reports on role of UK government protecting information; ICO records of enforcement activity; Investigatory Powers Commissioner; Open Rights Group
Adequacy of the legislative and regulatory framework	Various official documents, including from Intelligence Security Committee investigations, EU Parliament, Commission’s own reviews of legislation; Investigatory Powers Review; key legal cases

What the standards say: The ‘Structure’

- Right to respect for private and family life; protection from discrimination – HRA 1998 8; 14; ECHR 8
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Legal sanction for a range of surveillance and data collection powers, and new penalties introduced for the wrongful examination of data – Investigatory Powers Act 2016
- Law on the processing of data on identifiable living people defined; data protection governed – Data Protection Act 1998
- Right to privacy – ICCPR 17
- No arbitrary interference in privacy, family, home or correspondence – CRC 16
- Respect for privacy – CRPD 22
- Latest principles established in case law.



How the standards are implemented: The 'Process'

	Implementation and evaluation of public policy	Regulators
Britain 	'Privacy by design' guidance (Information Commissioner's Office); General Data Protection Regulation; Covert surveillance and covert human intelligence codes of practice	Investigatory Powers Commissioner; Information Commissioner's Office; Intelligence Services Commissioner
England 		
Scotland 		Scottish Information Commissioner



Social and community cohesion (Supplementary indicator)

Rationale

Levels of social and community cohesion, including the quality of people’s social networks, neighbourhood trust and how people interact in shared spaces, help to assess the quality of social relations in Britain, an important element of societal well-being.

Topics

- Trust and sense of belonging in the local neighbourhood
- Social and community cohesion, building relationships to counter radicalisation and extremism
- Community interaction and use of ‘shared spaces’

What people experience: The ‘Outcome’

Statistical outcome measures

PPN.CSN.1: Percentage who agree most people / most people in their neighbourhood can be trusted (adults)




	England: Community Life Survey, Cabinet Office	Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group
	Scotland: Scottish Health Survey, Scottish Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group
	Wales: National Survey for Wales, Welsh Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group



Participation domain



PPN.CSN.2: Percentage who agree they belong in their immediate neighbourhood / local area (adults)

	England: Community Life Survey, Cabinet Office	Age, Disability, Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group
	Scotland: Scottish Household Survey, Scottish Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Religion, Sexual orientation, Socio-economic group
	Wales: National Survey for Wales, Welsh Government	Age, Disability (including Impairment type), Ethnicity, Gender, Marital or civil partnership status, Pregnancy, Religion, Sexual orientation, Socio-economic group

Further topics

Topic	Sources
Availability of support for and barriers to engaging with the local community	Mencap; Parliamentary reports such as Joint Committee on Human Rights; House of Commons Transport Committee
Feeling safe in the local area (when walking alone during the day or at night)	Crime Survey for England and Wales; Scottish Crime and Justice Survey
Barriers to social and community cohesion, building relationships to counter radicalisation and extremism	UK Government; Scottish Government; local authority and parliamentary reports; Casey Review; Welsh Government guidance on developing community cohesion; British Academy; Economic and Social Research Council; Migration Observatory; JRF; Equality and Diversity Forum; European Commission against Racism and Intolerance report on the UK (2016)

What the standards say: The ‘Structure’

- Right to respect for private and family life; freedom of thought, conscience and religion; prohibition of discrimination – HRA 1998 8; 9; 14; ECHR 8
- Duty on public authorities to have due regard to the need to foster good relations – Equality Act 2010

Participation domain



- Regulations placing specific duties on listed public authorities to enable them to better perform their public sector equality duty – The Equality Act 2010 (Specific Duties) Regulations 2011; Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended in 2015 and 2016)
- Scottish Parliament can legislate on equal opportunities as long as it does not modify the Equality Act 2010 itself – Scotland Act 1998, 29 (1, 2); 57 (2); s. 12 Part II Sch 5 (as amended by Scotland Act 2016)
- Building standards – The Building (Scotland) Act 2003
- Range of measures to deal with anti-social behaviour – Anti-Social Behaviour Act 2004
- Community bodies empowered through the ownership of land and buildings and their voices in the decisions and services that matter to them strengthened – Community Empowerment (Scotland) Act
- Public services boards established for each local authority area in Wales. Each public service board must improve the economic, social, environmental and cultural well-being of its area by working to achieve the well-being goals – Well-being of Future Generations (Wales) Act
- Accessibility; facilitation of relationships with people in the community; participation in cultural life, recreation, leisure and sport – CPRD 9, 19(b), 30
- Freedom of thought, conscience and religion – ICCPR 18
- Equality and non-discrimination – CERD 1, 2, 3, 4, 5(f)
- All appropriate measures to eliminate discrimination against women – CEDAW 13, 14
- Right to special care and support for disabled children – CRC 23
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
Britain 	UK-wide Prevent strategy (and wider counter-terrorism strategy CONTEST)	Equality and Human Rights Commission
England 	Communities fund; Controlling migration fund (DCLG)	
Scotland 	Community Empowerment Action Plan	Scottish Public Services Ombudsman
Wales 		Future Generations Commissioner for Wales



Family life (Supplementary indicator)

Rationale

Freedom to enjoy a family life is recognised in domestic human rights legislation and international treaties. Assessing the degree to which people have the freedom to choose and form their own relationships, marry and start a family, and maintain a family life, are essential aspects of ensuring people’s right to respect for private and family life is respected, protected and fulfilled in Britain.

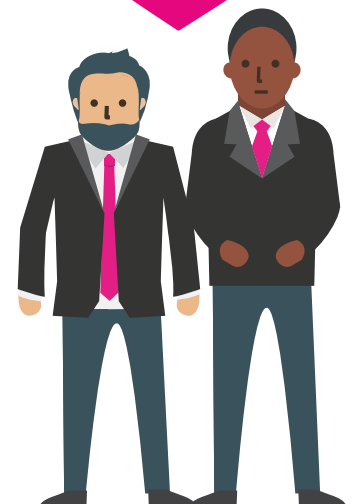
Topics

- Freedom to form relationships
- Immigration and the right to family life
- Children and adults in social care settings

What people experience: The ‘Outcome’

Further topics

Topic	Sources
Looked after children	UK Government and Parliamentary reports; organisations such as NSPCC
Adults with long-term care needs who receive personal care at home	Reports from the NHS, Scottish Government and NICE
Freedom to form relationships, including issues such as same-sex marriage and forced marriage, and where the person lacks mental capacity to make certain decisions for themselves.	British Institute of Human Rights advocacy cases; Forced Marriage Unit; Home Office action plan on tackling violence against women and girls; ONS Opinions and Lifestyle Survey 2009; Mencap





What the standards say: The 'Structure'




- Right to respect for private and family life, home and correspondence; right to marry and found a family; freedom of thought, belief and religion: Protection from discrimination – HRA 1998 8; 9; 12; 14; ECHR 8; 12
- Prohibits unlawful discrimination, harassment and victimisation on the basis of protected characteristics – Equality Act 2010
- Regulations placing specific duties on listed public authorities to enable them to better perform their public sector equality duty – Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended in 2015 and 2016)
- Compatibility with Convention rights – Scotland Act 1998; Government of Wales Act 2006 108(6)(c), 81(1)
- Legislative framework for children's protection – Children (Scotland) Act 1995
- Framework for safeguarding the welfare and financial affairs of adults who lack capacity – Adults with Incapacity (Scotland) Act 2000
- Law about adoption – Adoption and Children (Scotland) Act 2007
- Measures to prevent unsuitable adults from working with children and vulnerable adults – Protection of Vulnerable Groups (Scotland) Act 2007
- Duty on Ministers to consider CRC requirements – Children and Young People (Scotland) Act 2014; Rights of Children and Young Persons (Wales) Measure 2011
- Duty for councils to assess a person's community care needs and decide whether to arrange any services – Social Work (Scotland) Act 1968
- Free personal care for older people and rights for informal or unpaid carers – Community Care and Health (Scotland) Act 2002
- Civil partnerships for same-sex couples introduced – Civil Partnership Act 2004
- Rights in relation to property, responsibility for children, damages for marriage, civil partnership, divorce and changes to the jurisdiction of the courts – Family Law (Scotland) Act 2006
- Forced Marriage Protection Orders – Forced Marriage (Civil Protection) Act 2007
- A legal framework for acting and making decisions on behalf of adults who lack the capacity to make particular decisions for themselves (England and Wales) – Mental Capacity Act 2005
- Children's hearing – Children's Hearings (Scotland) Act 2011
- Provision relating to arranging of care and support, like community care services and children's services – Social Care (Self-Directed Support) (Scotland) Act 2013
- Legalised same-sex marriage – Marriage (Same Sex Couples) Act 2013; Marriage and Civil Partnership (Scotland) Act 2014
- Right to respect for private and family life – ECHR 8
- Marriage and family life – CEDAW 16

Participation domain



- Extend protection to children’s relationships with their parents; no arbitrary interference in privacy, family, home or correspondence; provision of special protection and assistance to children deprived of family environment, ensuring alternative care; system of adoption – CRC 9, 10, 16, 20, 21
- Living independently and being included in the community; respect for home and the family – CRPD 19, 23
- Freedom to marry, and necessary protection of children – ICCPR 23
- Latest principles established in case law.

How the standards are implemented: The ‘Process’

	Implementation and evaluation of public policy	Regulators
England 		CQC
Scotland 	Getting it right for looked after children and young people	Care Inspectorate; Children and Young People’s Commissioner Scotland
Wales 		Care Inspectorate

Statistical process measures

PPN.FAM.1: Percentage of looked after children in placements close to their home (children)

	England: Children looked after placements, Ofsted; Children looked after in England including adoption, Department for Education	Age, Ethnicity, Gender
	Scotland: Children’s Social Work Statistics Scotland, Scottish Government	Age, Disability, Ethnicity, Gender
	Wales: Children looked after, Welsh Government	Age, Ethnicity, Gender



Other frameworks

Human rights standards

Scottish Government's National Performance Framework

National indicators for Wales

ONS measures of national well-being

Sustainable Development Goals



6. Other frameworks

There are various other national and international frameworks that are relevant for equality and human rights monitoring. In this chapter, we present five specific frameworks and show why they are relevant to our own framework and how they overlap:

- Human rights standards
- The Scottish Government's National Performance Framework
- The national indicators for Wales
- ONS's measures of national well-being
- The Sustainable Development Goals.

Ensuring that frameworks support each other and link closely will help to provide a coherent picture of progress, and will enable public bodies to work together to advance on equality and human rights. Alignment will enable opportunities for integrated monitoring and reporting mechanisms to contribute to a joined-up approach across different sectors.

6.1 Human rights standards

As we described above, especially in section 3.3, our understanding of human rights is very much shaped by the human rights standards as set out in UK law and international treaties.

In particular, the human rights standards set out in the HRA and the UN treaties are among the most important building blocks of our Measurement Framework,

and therefore there is a clear link between these standards and each indicator included in our framework (see Table 6.1).

The Human Rights Act 1998

The HRA sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It has three main effects:

It incorporates the rights set out in the ECHR into domestic UK law. This means that if an individual's human rights have been breached, they can take their case to a UK court rather than having to seek justice from the European Court of Human Rights in Strasbourg.

It requires all public bodies (such as courts, police, local authorities, hospitals and publicly funded schools) and other bodies carrying out public functions to respect and protect an individual's human rights.

In practice it means that Parliament will nearly always seek to ensure that new laws are compatible with the rights set out in the ECHR (although ultimately Parliament is sovereign and can pass laws that are incompatible). The courts will also, where possible, interpret laws in a way that is compatible with Convention rights.

The Convention Rights are included in Schedule 1 of the Act²³: Article 2 Right to life; Article 3 Freedom from torture and inhuman or degrading treatment; Article 4 Freedom from slavery and forced labour; Article 5 Right to liberty and security; Article

²³Articles 1 and 13 of the ECHR do not feature in the Act. This is because the HRA in itself fulfils these rights. For example, Article 1 says that states must secure the rights of the Convention in their own jurisdiction. The HRA is the main way of doing this for the UK. Equally, Article 13 ensures that if people's rights are violated they are able to access effective remedy – this means they can take their case to court to seek a judgment. The HRA is designed to ensure that this happens.



6 Right to a fair trial; Article 7 No punishment without law; Article 8 Respect for an individual's private and family life, home and correspondence; Article 9 Freedom of thought, belief and religion; Article 10 Freedom of expression; Article 11 Freedom of assembly and association; Article 12 Right to marry and start a family; Article 14 Protection from discrimination in respect of these rights and freedoms; Protocol 1, Article 1 Right to peaceful enjoyment of property; Protocol 1, Article 2 Right to education; Protocol 1, Article 3 Right to participate in free elections; and Protocol 13, Article 1 Abolition of the death penalty.

UN treaties

One of the Commission's core tasks as a National Human Rights Institution is to monitor the UK's compliance with the following seven UN human rights treaties that it has signed and ratified:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT)
- Convention on the Rights of the Child (CRC)
- Convention on the Rights of Persons with Disabilities and its Optional Protocol (CRPD)

Although the rights contained in these treaties are not directly legally enforceable in UK courts, they do constitute binding obligations in international law. By ratifying the treaties, the UK has pledged to make sure that its domestic laws and policies comply with them. This means that the Commission, Parliament and civil society can hold the UK, Scottish and Welsh Governments accountable against the terms of the treaties.

Wales and Scotland

The Scotland Act 1998 stipulates that:

- a provision of an Act of the Scottish Parliament is not law so far as it is incompatible with ECHR rights, and
- a member of the Scottish Government has no power to make any subordinate legislation or to carry out any other Act, so far as the legislation or Act is incompatible with ECHR rights.



The Children and Young People (Scotland) Act (2014) also places a duty on Scottish Ministers to keep under consideration the requirements of the CRC.

The Government of Wales Act 2006 stipulates that:

- a provision of an Act of the Assembly is outside the Assembly's legislative competence if it is incompatible with ECHR rights, and
- Welsh Ministers cannot act incompatibly with these rights.

The Rights of Children and Young Persons (Wales) Measure (2011) provides a statutory duty for Welsh Ministers to have due regard to Part 1 of the CRC.

Table 6.1: Relevance of human rights standards for our Measurement Framework

 Education	
Measurement Framework	Human rights standards
<p>Indicators:</p> <p>Educational attainment of children and young people</p> <p>School exclusions, bullying and NEET</p> <p>Higher education and lifelong learning</p>	<p>Human Rights Act: Protocol 1, Article 2 Right to education, Article 14 Protection from discrimination</p> <p>UN treaty, article, issue:</p> <ul style="list-style-type: none"> • CEDAW 10 Elimination of discrimination against women and girls in education • CERD 5ev Right to education and training • CRC 28 Right to education, 29 The purpose of education • CRPD 24 Right to education • ICESCR 13 Right to education
 Work	
Measurement Framework	Human rights standards
<p>Indicators:</p> <p>Employment</p>	<p>Human Rights Act: Not explicitly covered in Act; no right to work directly enforceable in UK courts</p> <p>UN treaty, article, issue:</p> <ul style="list-style-type: none"> • CEDAW 11b, 11c, 11 (2) Right to same employment opportunities and right to free choice of profession and employment; prevention of discrimination against women on grounds of marriage and pregnancy • CERD 5e (i) Right to work and free choice of employment • CRPD 27 Right of persons with disabilities to work on equal basis with others • ICESCR 6, 7a (11), 7b Right to work of free choice and being able to earn a living; right of all workers to have decent work; right for all workers to have safe and healthy working conditions
<p>Earnings</p>	<ul style="list-style-type: none"> • CEDAW 11d Right to equal remuneration in respect of work of equal pay • CERD 5e (i) Right to equal pay for equal work and to just and favourable remuneration • CRPD 27 Right of persons with disabilities to work on an equal basis with others • ICESCR 7a (i) Right to fair wages and remuneration for work of equal value, 3 Equal right of men and women to enjoy ESCR

Measurement Framework	Human rights standards
<p>Indicators:</p> <p>Occupational segregation</p>	<p>Human Rights Act: Not explicitly covered in Act; no right to work directly enforceable in UK courts</p> <p>UN treaty, article, issue:</p> <ul style="list-style-type: none"> • CEDAW 11c Right to free choice of profession and employment • CRPD 27 Right of persons with disabilities to work on an equal basis with others • ICESCR 7c Right of everyone to be promoted in his employment to an appropriate higher level
<p>Forced labour and trafficking</p>	<p>Human Rights Act: Article 4 Freedom from slavery and forced labour, Article 14 Protection from discrimination</p> <p>UN treaty, article, issue:</p> <ul style="list-style-type: none"> • ICCPR 8 Prohibition of slavery and enforced servitude • CEDAW 6 Suppression of trafficking of women • CRPD 16 Freedom from exploitation, violence and abuse • CRC 8 The right to identity, 9 Separation of children from their parents, 11 The obligation to combat the illicit transfer of children; Optional Protocol to the CRC on the sale of children, child prostitution and child pornography

Living standards

Measurement Framework	Human rights standards
<p>Indicators:</p> <p>Poverty</p>	<p>Human Rights Act: Not explicitly covered in Act though can engage Articles 2, 3, 8 and 14, plus Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.</p> <p>UN treaty, article, issue:</p> <ul style="list-style-type: none"> • CEDAW 11e Social security • CERD 5eiv Right to social security and social services • CRC 26 Right to social security • CRC 27 Adequate standard of living • ICESCR 9 Right to social security • ICESCR 11 Adequate food, clothing and housing
<p>Housing</p>	<ul style="list-style-type: none"> • CERD 5eiii Right to housing • CRC 27 Right to an adequate standard of living, including housing • CRPD 19 Adequate standard of living; Live independently and be included in the community • ICESCR 11 Adequate food, clothing and housing • CEDAW 13 Discrimination against women in economic and social spheres

Measurement Framework	Human rights standards
Indicators: Social care	UN treaty, article, issue: <ul style="list-style-type: none"> • CRC 23 Right of disabled child to special care • CRPD16 Freedom from exploitation, violence and abuse • CRPD 19 Live independently and be included in the community • CRPD 20 Personal mobility

 **Health**

Measurement Framework	Human rights standards
Indicators: Social care	Human Rights Act: HRA does not include a standalone article that codifies the right to health. However, issues can engage Articles 2, 3, 8, 9, and 14. Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. UN treaty, article, issue: <ul style="list-style-type: none"> • CRC 23 Right of disabled child to special care • CRPD 16 Freedom from exploitation, violence and abuse • CRPD 19 Live independently and be included in the community • CRPD 20 Personal mobility
Health outcomes	<ul style="list-style-type: none"> • CRPD 25 Right to highest attainable standard of health and health services • CEDAW 12, 14 Healthcare services and family planning, healthcare for rural women • CERD 5 Right to public care and medical care • CRC 3, 17, 23, 24, 25 Healthcare of children, children’s access to information and material aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health, health of disabled children, children’s access to healthcare services, children in care and mental health • ICESCR 12 Highest attainable standard of physical and mental health • ICCPR 6 Inherent right to life
Access to healthcare	<ul style="list-style-type: none"> • CRPD 12, 13, 14 Equal recognition before the law, Access to justice, Liberty and security of the person • CEDAW 12, 14 Healthcare services and family planning, healthcare for rural women • CERD 5 Right to public care and medical care • CRC 3,17,23, 24,25 Healthcare of children, children’s access to information and material aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health, health of disabled children, children’s access to healthcare services, children in care and mental health. • ICESCR 12 Highest attainable standard of physical and mental health • ICCPR 18 Freedom of conscience, thought and religion



Measurement Framework

Human rights standards

Indicators:

Mental health

UN treaty, article, issue:

- CRPD 12, 13, 14 Equal recognition before the law, Access to justice, Liberty and security of the person
- CEDAW 12, 14 Healthcare services and family planning, healthcare for rural women
- CERD 5 Right to public care and medical care
- CRC 3, 17, 23, 24, 25 Healthcare of children, children's access to information and material aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health, health of disabled children, children's access to healthcare services, children in care and mental health
- ICESCR 12 Highest attainable standard of physical and mental health
- The UN Committee Against Torture 6, 10, 11 Articles cover information about torture and treatment in custody

Reproductive and sexual health

Human Rights Act: Article 12 (right to start a family). Articles 2 (right to life), 8 (right to respect for family life), Article 3 (torture) and potentially relevant Articles 6 (right to a fair trial) and 14, which provides for non-discrimination in the enjoyment of these rights. Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.

UN treaty, article, issue:

- ICESCR 12 Highest attainable standard of physical and mental health
- CEDAW 12 and 16 Access to appropriate health care services, including those related to family planning, right to decide on the number and spacing of children
- CRPD 23(1)(b) and (c) Right of persons with disabilities to sexual and reproductive health; reproductive rights
- ICCPR 6 Right to life, 7 prohibition of torture, 18 freedom of thought, conscience, and religion, and 17 right to privacy

Palliative and end of life care

Human Rights Act: Article 2, 3, 8, 9, 14, Right to life; prohibition of torture, inhuman or degrading treatment or punishment; right to family and social life; freedom of thought, belief, religion; freedom from discrimination. Section 6 makes it unlawful for a public authority to act in a way that is incompatible with a Convention right.

UN treaty, article, issue:

- CCPR Article 7 and 10, Article 6 right to life
- UN CAT Right to freedom from torture or inhuman or degrading treatment



Measurement Framework

Human rights standards

Indicators:

Palliative and end of life care

UN treaty, article, issue:

- ICESCR 12 Highest attainable standard of physical and mental health
- ICCPR 18 Freedom of thought, conscience, and religion



Justice and personal security

Measurement Framework

Human rights standards

Indicators:

Conditions of detention

Human Rights Act: Article 5 Right to liberty and security of person. Can also engage Articles 2, 3, 9, and 14

UN treaty, article, issue:

- CAT 1 Freedom from torture
- CAT 10 Education and training regarding prohibition of torture for those who may be involved in custody, interrogation or treatment of those subject to arrest, detention or imprisonment
- CAT 11 Review arrangements for custody and treatment, with view to preventing torture
- CAT 13 Right to complaint
- OPCAT Optional Protocol to the Convention Against Torture. Establishes a system of monitoring to all places where persons are deprived of their liberty by independent monitoring bodies in line with OPCAT and SPT guidance
- ICCPR 9, 10, 18 Everyone has the right to liberty and security of person; deprivation of liberty (by third parties empowered by the State); freedom of thought, conscience and religion
- CERD 5(b) The right to security of person and protection by the State against violence or bodily harm
- CRPD 14/15 Liberty and security of the person/Freedom from torture, cruel inhuman treatment
- CRC 9(3), 37, 40 Contact with parents, deprivation of liberty, freedom from torture, treatment with dignity and respect

Hate crime, homicides, sexual and domestic abuse

Human Rights Act: Article 2, Right to life. Can also engage Articles 3, 5, 8, 9, 10 and 14

UN treaty, article, issue:

- CAT 1 Freedom from torture
- CERD 5(b) The right to security of person and protection by the State against violence or bodily harm. Can also engage Article 1.



Measurement Framework

Human rights standards

Indicators:

Hate crime, homicides, sexual and domestic abuse

UN treaty, article, issue:

CRPD 14, 15 Liberty and security of the person, freedom from torture, cruel inhuman treatment

CRC 19, 34, 37 Freedom from torture

ICCPR 6, 7, 18, 19, 27 Right to life, Freedom from torture and cruel inhuman or degrading punishment; Freedom of thought, conscience and religion, Freedom of expression

CEDAW 1-6, GR 19 Definition of discrimination includes gender-based violence

ICESCR 10 Family life

Criminal and civil justice

Human Rights Act: Articles 5 and 6 Right to liberty and security of person, right to a fair trial. Can also engage Articles 7, and 14

UN treaty, article, issue:

- CAT 13 Right to complaint
- CEDAW 2c, 15 To ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; Women equal with men before the law
- CERD 5a, 6 The right to equal treatment before the tribunals and all other organs administering justice; effective protection and remedies, through the competent national tribunals and other State institutions
- CRC 12 Respect for the views of the child
- CRPD 12, 13 Equal recognition before the law; access to justice
- ICCPR 2, 9, 14, 26 That any person whose rights or freedoms as herein recognised are violated shall have an effective remedy; right to liberty and security; equality before courts and tribunals; equality before the law

Restorative justice

Human Rights Act: Article 6, Right to a fair trial. Can also engage Article 5, right to liberty and security of person, and Article 14, protection from discrimination

UN treaty, article, issue:

- The CRC requires changing attitudes to retributive juvenile justice to approaches that support restorative justice.
- The ICCPR commits its parties to respect the civil and political rights of individuals, including rights to due process and a fair trial.



Measurement Framework

Human rights standards

Indicators:

Restorative justice

UN treaty, article, issue:

- CEDAW requires protection and equality for women at all stages of the justice system, including in the use of restorative justice (see general recommendation 33).
- CERD requires protection and equality on the basis of race and ethnicity at all stages of the justice system, including in the use of restorative justice.
- CRPD requires restorative justice to be carried out fairly with respect to disabled people.

Rehabilitation, resettlement and reintegration

Human Rights Act: Articles 5,3,8, Right to liberty and security, right to freedom from torture and inhuman or degrading treatment, and right to a private and family life. Can also engage Articles 4, 6 and 14

UN treaty, article, issue:

- CCAT 1 Freedom from torture
- ICCPR 7, 8, 17 Treatment of prisoners should include the essential aim of reformation and social rehabilitation. This includes the ability to be resettled in the community.
- CERD 5(b) The right to security of person and protection by the State against violence or bodily harm
- CRPD 14 Liberty and security of the person. Prisoners with disabilities should be able to access rehabilitation and resettlement services without discrimination.
- CRC 40(1), 37 The Covenant states that the treatment of prisoners should include the essential aim of reformation and social rehabilitation; this would include the ability to be resettled in the community.
- CEDAW Detention facilities should adopt gender sensitive approaches to ensure equality for women; this would include ensuring that women are not discriminated against in the provision of housing and employment on release.
- CERD Prison services should protect the right to equal treatment on the basis of race and ethnicity, including access to rehabilitation services. Housing and employment support services should protect the right to equal treatment on the basis of race and ethnicity, including access to rehabilitation services.



Participation

Measurement Framework

Human rights standards

Indicators:

Political and civic participation and representation

Human Rights Act: Articles 10, 11 Freedom of expression; Freedom of association; Protocol 1, Article 3 Right to participate in free elections, Article 14 Protection from discrimination

UN treaty, article, issue:

- CEDAW 4, 7a, c, 8 Permits states parties to take 'temporary special measures'; Right to vote, be elected; participation in non-governmental organisations in public and political life; the opportunity to represent their governments
- CERD 5; 5c; 5dix; 5eii Political rights, voting, standing for election; taking part in public affairs; peaceful assembly and association; right to form and join trade unions
- CRPD 27; 29 Freedom to exercise trade union rights; Participation in political and public life
- ICCPR 19; 21; 22; 25 a & b; Freedom of expression; Right of peaceful assembly; Freedom of association including trade unions; right to take part in public affairs, to vote and be elected and to take part in public service
- ICESCR 8 Right to join trade unions and to strike

Access to services

- CRPD 9 and 21, 28, 30 Accessibility in relation to the built environment, public transport, services and information; Freedom of expression and opinion, and access to information; Adequate standard of living and social protection; Participation in cultural life, recreation, leisure and sport
- ICESCR 9, 11, 12 Right of everyone to social security, including social insurance; adequate food, clothing and housing; highest attainable standard of physical and mental health
- CRC 24, 26 Right to health and health services; Right to social security
- CERD 5 Equality before the law
- CEDAW 12, 4 Economic and social rights (including benefits, bank loans, finances and participation in recreational activities, sports and all aspects of cultural life); Rights of women in rural areas (including access to community activities, transport and communications)

Privacy and surveillance

Human Rights Act: Article 8, Right to respect for private and family life, Article 14 Protection from discrimination

UN treaty, article, issue:

- ICCPR 17 Right to privacy
- CRC 16 No arbitrary interference in privacy, family, home or correspondence
- CRPD 22 Respect for privacy



Measurement Framework

Human rights standards

Indicators:

Social and community cohesion

Human Rights Act: Article 8 Right to private and family life, home and correspondence; Article 14 Protection from discrimination, can also engage Article 9

UN treaty, article, issue:

- ICCPR 18 Freedom of thought, conscience and religion
- CRPD 9, 19b, 30 Accessibility; Facilitation of relationships with people in the community; Participation in cultural life, recreation, leisure and sport
- CERD 1, 2, 3, 4, 5(f) Equality and non-discrimination
- CEDAW 13, 14 All appropriate measures to eliminate discrimination against women; appropriate measures to eliminate discrimination against women in rural areas
- CRC 23 Right to special care and support for disabled children

Family life

Human Rights Act: Article 8, 12 Respect for your private and family life, home and correspondence, Right to marry and start a family; Article 14 Protection from discrimination

UN treaty, article, issue:

- CRC 9 (1, 3, 4) No separation unless in best interests of child, right to maintain personal relations and direct contact with parents if separated, right to request information where separation results from action initiated by State (that is death, detention, deportation)
- CRC 10 Family reunification dealt with in humane manner, right to contact with parents in different States
- CRC 16 No arbitrary interference in privacy, family, home or correspondence
- CRC 20 Provision of special protection and assistance to children deprived of family environment, ensuring alternative care
- CRC 21 System of adoption must ensure that best interests are paramount consideration
- CRPD 19, 23 Specific protections for disabled people in all matters relating to marriage, parenthood and relationships
- ICCPR 23 Freedom to marry, and necessary protection of children
- CEDAW Marriage and family life



6.2 Scottish Government's National Performance Framework

The National Performance Framework provides a vision for Scotland with broad measures of national well-being covering a range of economic, health, social and environmental indicators and targets. This is measured in five parts that support and reinforce each other:

- The Scottish Government's purpose sets out the direction and ambition for Scotland, which is 'to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable growth'
- Purpose targets are high-level targets around growth, productivity, participation, population, solidarity, cohesion and sustainability
- Strategic objectives describe where the Scottish Government will focus its actions – wealthier and fairer; smarter; healthier; safer and stronger; greener
- 16 national outcomes describe what the Scottish Government wants to achieve and the kind of Scotland it wants to see, for example 'We live our lives safe from crime, disorder and danger'
- 55 national indicators enable the Scottish Government to track progress towards the purpose and national outcomes.

Overlap with our Measurement Framework

There is considerable overlap between our Measurement Framework and the Scottish Government's National Performance Framework. There are 20 national indicators in the Scottish Government's National Performance Framework that are the same or similar to the statistical measures in our Measurement Framework (see Table 6.2). There is also a fair degree of overlap in terms of the general vision of the kind of Scotland/Britain that we want to see. The Scottish Government's National Performance Framework also includes some equalities analysis, although not to the extent we do in our own framework.

Our Measurement Framework has some indicators that are not reflected in the National Performance Framework for Scotland, including on reproductive and sexual health, conditions of detention, criminal and civil justice, restorative justice, privacy and surveillance, and family life. There are also a number of national outcomes in the National Performance Framework for Scotland that are not covered in our Measurement Framework, such as Scotland being an attractive place for doing business and reducing the environmental impact of Scotland's consumption and production.

The two frameworks complement each other, which will help to provide a coherent picture of progress, and will enable public bodies in Scotland and Great Britain to work together to advance progress on equality and human rights. Alignment will enable opportunities for integrated monitoring and reporting mechanisms to contribute to a joined-up approach across different sectors.



Table 6.2: Overlap between our Measurement Framework and Scottish Government's National Performance Framework

Measurement Framework		Scottish Government's National Performance Framework	
Indicators:	Statistical measure	National indicator	Strategic objective
Educational attainment of children and young people	EDU.EAT.1: Percentage of children achieving a good level of development at the end of Foundation Stage (age 2-5 in England, age 3-7 in Wales).		
	EDU.EAT.2: Attainment at school-leaving age (GCSEs in England and Wales; SCQF level 5 in Scotland)	The gap in performance in the Programme for International Student Assessment (PISA) between Scotland and the OECD average	Smarter Wealthier and fairer
School exclusions, bullying and NEET	EDU.EBN.1: Percentage of children who have been excluded from school (either for a fixed period or permanently)		
	EDU.EBN.2: Percentage of 16-18 year olds who are not in education, employment or training (NEET)	Proportion of school leavers who are in a positive destination approximately nine months after leaving school	Smarter Healthier Wealthier and fairer
Higher education and lifelong learning	EDU.EBN.1: Percentage of children who have been excluded from school (either for a fixed period or permanently)		
	EDU.EBN.2: Percentage of 16-18 year olds who are not in education, employment or training (NEET)	Proportion of school leavers who are in a positive destination approximately nine months after leaving school	Smarter Healthier Wealthier and fairer



Work

Measurement Framework		Scottish Government's National Performance Framework	
Indicators:	Statistical measure	National indicator	Strategic objective
Employment	WRK.EMP.1: Employment rate of those aged 16-64	The proportion of workers who are underemployed	Wealthier and fairer Safer and stronger
	WRK.EMP.2: Unemployment rate of those aged 16-64		
	WRK.EMP.3: Percentage of employment in insecure employment (that is agency, including permanent agency, casual, seasonal, and other temp employees; employees on zero-hours contracts or on-call working; self-employed in SOC 6, 8 or 9)		
Earnings	WRK.ERN.1: Pay gaps in median hourly earnings of employees, including overtime	Pay gap in median hourly earning (excluding overtime) between men and women working full-time in Scotland	Wealthier and fairer Safer and stronger
Occupational segregation	WRK.OCS.1: Percentage of employment in high-paid occupations (that is managerial and professional occupations, SOC 1 and 2)		
	WRK.OCS.2: Percentage of employment in low-paid occupations (that is caring, leisure and other service occupations; sales and customer service occupations; and elementary occupations, SOC 6, 8 & 9)		
Forced labour and trafficking	None		



Living standards

Measurement Framework

Scottish Government's National Performance Framework

Indicators:	Statistical measure	National indicator	Strategic objective
Poverty	LST.PVT.1: Percentage of adults and children living in households below 60% contemporary median income after housing costs	Proportion of individuals living in private households with an equivalised income of less than 60% of the UK median before housing costs	Healthier Safer and stronger Smarter Wealthier and fairer Greener
	LST.PVT.2: Percentage of adults experiencing severe material deprivation	Percentage of children in combined material deprivations (based on a suite of questions in the Family Resources Survey) and low income (below 70% of UK median income)	
Housing	LST.HSG.1: Percentage of adults and children living in overcrowded accommodation	Percentage of homeless households that are entitled to settled accommodation	Wealthier and fairer Healthier Safer and stronger
	LST.HSG.2: Percentage satisfied with their accommodation	Total additions to the supply of housing	Wealthier and fairer Safer and stronger
Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)	The number of adults receiving personal care at home or direct payments for personal care, as a percentage of the total number of adults needing care	Wealthier and fairer Healthier Safer and stronger
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		



Health

Measurement Framework

Scottish Government's National Performance Framework

Indicators:	Statistical measure	National indicator	Strategic objective
Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)	The number of adults receiving personal care at home or direct payments for personal care, as a percentage of the total number of adults needing care	Wealthier and fairer Healthier Safer and stronger
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		
Health outcomes	HLT.OCM.1: Percentage who report good or very good current health status	Percentage of adults who assess their health as good or very good	Healthier Wealthier and fairer
	HLT.OCM.2: Suicide rate per 1,000		
	HLT.OCM.3: Mortality rate from diseases of the circulatory system		
Access to healthcare	HLT.ACH.1: Percentage of people waiting for health services who have waited for more than 18 weeks	Average scores for inpatient survey questions relating to the quality of their healthcare	Healthier Safer and stronger Wealthier and fairer
Mental health	HLT.MTL.1: Percentage with poor mental health and well-being	Mental well-being derived from average score in the Warwick-Edinburgh Mental Well-being Scale (WEMWBS) of adults aged 16+ years	Healthier Safer and stronger Smarter Wealthier and fairer
	HLT.MTL.2: Access to mental health services		



Reproductive and sexual health	HLT.RSH.1: Mortality rate per 100,000 maternities from causes related to pregnancy		
Palliative and end of life care	HLT.PEL.1: Percentage of patients receiving end of life care that allows them to die at home	Percentage of the last six months of life that are spent at home or in a community	Healthier



Justice and personal security

Measurement Framework

Scottish Government's National Performance Framework

Indicators:	Statistical measure	National indicator	Strategic objective
Conditions of detention	JPS.DTN.1: Rate of non-natural deaths in prisons		
	JPS.DTN.2: Population in prisons		
	JPS.DTN.3: Population in the children and young people custody estate		
	JPS.DTN.4: Detention under Mental Health Acts		
Hate crime, homicides and sexual/domestic abuse	JPS.VNT.1: Hate crime (self-reported)	Proportion of people who have been the victim of one or more crimes in the past year	Wealthier and fairer Safer and stronger
	JPS.VNT.2: Hate crime (police recorded)		
	JPS.VNT.3: Homicide rate		
	JPS.VNT.4: Rape (self-reported)		
	JPS.VNT.5: Domestic violence and abuse (self-reported)		



Measurement Framework		Scottish Government's National Performance Framework	
Indicators:	Statistical measure	National indicator	Strategic objective
Criminal and civil justice	JPS.EFF.1: Confidence in the criminal justice system (E, W, S: treating those accused as innocent until proven guilty)		
	JPS.EFF.2: Number of people applying for and receiving legal aid		
Restorative justice	JPS.RTJ.1: Proportion of incidents where victims were given opportunity to meet the offender		
	JPS.RTJ.2: Number of mediation starts		
Rehabilitation, resettlement and reintegration	JPS.RRR.1: Proven reoffending statistics in England and Wales/Reconviction rates in Scotland	Average number of reconvictions per offender	Wealthier and fairer Safer and stronger



Participation

Measurement Framework		Scottish Government's National Performance Framework	
Indicators:	Statistical measure	National indicator	Strategic objective
Political and civic participation and representation	PPN.PCP.1: Percentage voting in the most recent general elections	Percentage of respondents who agreed with the statement 'I can influence decisions affecting my local area'	Wealthier and fairer Smarter Healthier Safer and stronger Greener



Measurement Framework		Scottish Government's National Performance Framework	
Indicators:	Statistical measure	National indicator	Strategic objective
Political and civic participation and representation	PPN.PCP.2: Percentage of adults undertaking one of a number of political activities		
Access to services	PPN.ACS.1: Percentage of people aged over 16 who have used the internet	Percentage of adults using the internet for personal use	Wealthier and fairer Smarter
	PPN.ACS.2: Percentage doing sport or exercise	The proportion of adults meeting physical activity recommendations	Healthier
Privacy and surveillance	PPN.PRV.1: Percentage who limit access to their profile or content on social networking sites		
	PPN.PRV.2: Percentage who have experienced abuse of personal information		
Social and community cohesion	PPN.CSN.1: Percentage who agree most people can be trusted (UK, W, S)/ in their neighbourhood (E, S)	Percentage of adults who rate their neighbourhood as a very good place to live	Wealthier and fairer Safer and stronger Greener
	PPN.CSN.2: Percentage who agree they belong in their immediate neighbourhood (S, E)/ local area (W)		
Family life	PPN.FAM.1: Looked after children		



6.3 National indicators for Wales

The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. It requires listed public bodies to think more about the long term, work better with people and communities and each other, look to prevent problems and adopt a more joined-up approach.

The Act puts in place seven well-being goals: a more prosperous Wales; a resilient Wales; a healthier Wales; a more equal Wales; a Wales of cohesive communities; a Wales of vibrant culture and thriving Welsh language; and a globally responsive Wales.

To measure progress towards achieving the well-being goals, Welsh Ministers have set national indicators. Forty-six national indicators have been published and were laid before the National Assembly for Wales in March 2016. A national indicator must be expressed as a value or characteristic that can be measured qualitatively or quantitatively against a particular outcome. It may be measured over such periods as the Welsh Ministers consider appropriate and may be measured in relation to Wales.

Overlap with our Measurement Framework

There is considerable overlap between our Measurement Framework and the national indicators for Wales. There are 15 national indicators for Wales that are the same as or similar to the statistical measures in our Measurement Framework (see Table

6.3). There is also a fair degree of overlap in terms of the general vision for Wales and Britain that both frameworks set out. Both frameworks also do analysis by equality characteristics and intersectional analysis.

Our Measurement Framework has some indicators that are not reflected in the national indicators for Wales, including those relating to restorative justice, rehabilitation, resettlement and reintegration. There are also some indicators in the Welsh framework that are not reflected in our own Measurement Framework, such as those on the ecological footprint of Wales and businesses that are active in innovation.

The two frameworks complement each other, which will help to provide a coherent picture of progress, and will enable public bodies in Wales to work together to progress on equality and human rights. Alignment will enable opportunities for integrated monitoring and reporting mechanisms to contribute to a joined-up approach across different sectors.



Table 6.3: Overlap between our Measurement Framework and the national indicators for Wales

Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Well-being goal
Educational attainment of children and young people	EDU.EAT.1: Percentage of children achieving a good level of development at the end of Foundation Stage (age 2-5 in England, age 3-7 in Wales)	(6) Measurement of development of young children	A prosperous Wales A resilient Wales A healthier Wales A more equal Wales A Wales of cohesive communities A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
	EDU.EAT.2: Attainment at school-leaving age (GCSEs in England and Wales; SCQF level 5 in Scotland)	(7) Percentage of pupils who have achieved the 'Level 2 threshold' including English or Welsh first language and Mathematics, including the gap between those who are eligible or are not eligible for free school meals. (To be replaced from 2017 by the average capped points score of pupils).	
School exclusions, bullying and NEET	EDU.EBN.1: Percentage of children who have been excluded from school (either for a fixed period or permanently)		
	EDU.EBN.2: Percentage of 16-18 year olds who are not in education, employment or training (NEET)	(22) Percentage of people in education, employment or training, measured for different age groups	



Measurement Framework

National indicators for Wales

Indicators:

Statistical measure

Higher education and lifelong learning

EDU.HLL.1: People aged 25-64 with degree-level qualifications

EDU.HLL.2: Percentage of people aged 17+ that gained a qualification or participated in other formal or informal learning activities in the last 12 months

National indicator

(8) Percentage of adults with qualifications at the different levels of the National Qualifications Framework

Well-being goal



Work

Measurement Framework

National indicators for Wales

Indicators:

Statistical measure

Employment

WRK.EMP.1: Employment rate of those aged 16-64

WRK.EMP.2: Unemployment rate of those aged 16-64

WRK.EMP.3: Percentage of employment in insecure employment (that is agency, including permanent agency, casual, seasonal, and other temp employees; employees on zero-hours contracts or on-call working; self-employed in SOC 6, 8 or 9)

National indicator

(21) Percentage of people in employment

Strategic objective

A prosperous Wales
 A resilient Wales
 A healthier Wales
 A more equal Wales
 A Wales of cohesive communities
 A Wales of vibrant culture and thriving Welsh language
 Globally responsible Wales



Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Well-being goal
Earnings	WRK.ERN.1: Pay gaps in median hourly earnings of employees, including overtime	(17) Gender pay difference	A prosperous Wales A resilient Wales A healthier Wales A more equal Wales A Wales of cohesive communities A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
Occupational segregation	WRK.OCS.1: Percentage of employment in high-paid occupations (that is managerial and professional occupations, SOC 1 and 2)		
	WRK.OCS.2: Percentage of employment in low-paid occupations (that is caring, leisure and other service occupations; sales and customer service occupations; and elementary occupations, SOC 6, 8 & 9)		
Forced labour and trafficking	None		



Living standards

Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Strategic objective
Poverty	LST.PVT.1: Percentage of adults and children living in households below 60% contemporary median income after housing costs	(18) Percentage of people living in households in income poverty relative to the UK median: measured for children, working age and those of pension age.	



Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Well-being goal
Poverty	LST.PVT.2: Percentage of adults experiencing severe material deprivation	(19) Percentage of people living in households in material deprivation	A prosperous Wales A resilient Wales
Housing	LST.HSG.1: Percentage of adults and children living in overcrowded accommodation	(31) Percentage of dwellings that are free from hazards	A healthier Wales A more equal Wales A Wales of cohesive communities
	LST.HSG.2: Percentage satisfied with their accommodation		A Wales of vibrant culture and thriving Welsh language
Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		Globally responsible Wales
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		



Health

Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Strategic objective
Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		



Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Well-being goal
Health outcomes	HLT.OCM.1: Percentage who report good or very good current health status		A prosperous Wales A resilient Wales A healthier Wales A more equal Wales A Wales of cohesive communities A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
	HLT.OCM.2: Suicide rate per 1,000		
	HLT.OCM.3: Mortality rate from diseases of the circulatory system		
Access to healthcare	HLT.ACH.1: Percentage of people waiting for health services who have waited for more than 18 weeks		
Mental health	HLT.MTL.1: Percentage with poor mental health and well-being	(29) Mean mental well-being score for people	
	HLT.MTL.2: Access to mental health services		
Reproductive and sexual health	HLT.RSH.1: Mortality rate per 100,000 maternities from causes related to pregnancy		
Palliative and end of life care	HLT.PEL.1: Percentage of patients receiving end of life care that allows them to die at home		



Justice and personal security

Measurement Framework

National indicators for Wales

Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Conditions of detention 	JPS.DTN.1: Rate of non-natural deaths in prisons		A prosperous Wales A resilient Wales A healthier Wales A more equal Wales A Wales of cohesive communities A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
	JPS.DTN.2: Population in prisons		
	JPS.DTN.3: Population in the children and young people custody estate		
	JPS.DTN.4: Detention under Mental Health Acts		
<ul style="list-style-type: none"> Hate crime, homicides and sexual/domestic abuse 	JPS.VNT.1: Hate crime (self-reported)	(25) Percentage of people feeling safe at home, walking in the local area, and when travelling	
	JPS.VNT.2: Hate crime (police recorded)		
	JPS.VNT.3: Homicide rate		
	JPS.VNT.4: Rape (self-reported)		
	JPS.VNT.5: Domestic violence and abuse (self-reported)	(25) Percentage of people feeling safe at home, walking in the local area, and when travelling	
<ul style="list-style-type: none"> Criminal and civil justice 	JPS.EFF.1: Confidence in the criminal justice system (E, W, S: treating those accused as innocent until proven guilty)		



Measurement Framework

National indicators for Wales

Indicators:	Statistical measure	National indicator	Well-being goal
Criminal and civil justice	JPS.EFF.2: Percentage of legal aid applications granted		
Restorative justice	JPS.RTJ.1: Proportion of incidents where victims were given opportunity to meet the offender		
	JPS.RTJ.2: Number of mediation starts		
Rehabilitation, resettlement and reintegration	JPS.RRR.1: Proven reoffending statistics in England and Wales/Reconviction rates in Scotland		



Participation

Measurement Framework

National indicators for Wales

Indicators:	Statistical measure	National indicator	Strategic objective
• Political and civic participation and representation	PPN.PCP.1: Percentage voting in the most recent general elections		
	PPN.PCP.2: Percentage of adults undertaking one of a number of political activities	(23) Percentage who feel able to influence decisions affecting their local area	



Measurement Framework		National indicators for Wales	
Indicators:	Statistical measure	National indicator	Well-being goal
Access to services	PPN.ACS.1: Percentage of people aged over 16 who have used the internet		A prosperous Wales A resilient Wales A healthier Wales A more equal Wales A Wales of cohesive communities A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
	PPN.ACS.2: Percentage doing sport or exercise	(38) Percentage of people participating in sporting activities three or more times a week	
Privacy and surveillance	PPN.PRV.1: who limit access to their profile or content on social networking sites		A Wales of vibrant culture and thriving Welsh language Globally responsible Wales
	PPN.PRV.2: Percentage who have experienced abuse of personal information		
Social and community cohesion	PPN.CSN.1: Percentage who agree most people can be trusted (UK, W, S)/ in their neighbourhood (E, S)		Globally responsible Wales
	PPN.CSN.2: Percentage who agree they belong in their immediate neighbourhood (S, E)/ local area (W)	(27) Percentage of people agreeing that they belong to the area; that people from different backgrounds get on well together; and that people treat each other with respect	
Family life	PPN.FAM.1: Looked after children		



6.4 ONS measures of national well-being

The Office for National Statistics (ONS) established the Measuring National Well-being programme to provide accepted and trusted measures of the extent of well-being in the UK (ONS, 2012). Its stated aim is to provide a fuller picture of well-being in society, by supplementing existing economic, social and environmental measures.

The ONS collects data twice a year on 41 measures of well-being across 10 domains: personal well-being; our relationships; health; what we do; where we live; personal finance; the economy; education and skills; governance, and the natural environment. The data are drawn from a variety of sources, including surveys (for example, the Annual Population Survey and Understanding Society survey) and official data provided by government departments and other organisations (for example, the Electoral Commission).

Overlap with our Measurement Framework

Similar to our Measurement Framework, the ONS measures of national well-being are based on domains and measures. The ONS also presents the latest available data for each measure using a single assessment that applies (generally) to England, Scotland and Wales, and making comparisons with an earlier period.

There is a good degree of overlap between the two frameworks. There are 12 ONS measures that are the same as or similar to the statistical measures in our Measurement Framework (see Table 6.4).

Our Measurement Framework has 37 statistical measures that are different from the ONS measures, and there are 34 ONS measures that are different from what we have in our own Measurement Framework. These include measures such as 'UK public sector net debt as a percentage of Gross Domestic Product' (from the ONS 'economy' domain) and 'protected areas in the UK (Millions hectares)' (from the 'natural environment' domain). The data in the ONS measures are usually broken down by regions, age and gender, but not by other protected characteristics as is the case in our own framework.

Ensuring that the two frameworks support each other and link will help to provide a coherent picture of progress, and will enable public bodies in Britain to work together to advance progress on equality. Alignment will enable opportunities for integrated monitoring and reporting mechanisms to contribute to a joined-up approach across different sectors.

Table 6.4: Overlap between our Measurement Framework and the ONS measures of national well-being

Education		ONS measures of national well-being	
Indicator	Statistical measure	Measure	Domain
• Educational attainment of children and young people	EDU.EAT.1: Percentage of children achieving a good level of development at the end of Foundation Stage (age 2-5 in England, age 3-7 in Wales)		
	EDU.EAT.2: Attainment at school-leaving age (GCSEs in England and Wales; SCQF level 5 in Scotland)		
• School exclusions, bullying and NEET	EDU.EBN.1: Percentage of children who have been excluded from school (either for a fixed period or permanently)		
	EDU.EBN.2: Percentage of 16-18 year olds who are not in education, employment or training (NEET)	Those not in education, employment or training (NEET)	Education and skills
Higher education and lifelong learning	EDU.HLL.1: People aged 25-64 with degree-level qualifications	UK residents aged 16-64 with no qualifications	Education and skills
	EDU.HLL.2: Percentage of people aged 17+ that gained a qualification or participated in other formal or informal learning activities in the last 12 months	Human capital – the value of individuals’ skills, knowledge and competences in the labour market	Education and skills



Work

Measurement Framework

ONS measures of national well-being

Indicators:	Statistical measure	Measure	Domain
• Employment	WRK.EMP.1: Employment rate of those aged 16-64	Unemployment rate	What we do
	WRK.EMP.2: Unemployment rate of those aged 16-64		
	WRK.EMP.3: Percentage of employment in insecure employment (that is agency, including permanent agency, casual, seasonal, and other temp employees; employees on zero-hours contracts or on-call working; self-employed in SOC 6, 8 or 9)	Mostly or completely satisfied with their job Mostly or completely satisfied with their amount of leisure time	What we do
• Earnings	WRK.ERN.1: Pay gaps in median hourly earnings of employees, including overtime		
• Occupational segregation	WRK.OCS.1: Percentage of employment in high-paid occupations (that is managerial and professional occupations, SOC 1 and 2)		
	WRK.OCS.2: Percentage of employment in low-paid occupations (that is caring, leisure and other service occupations; sales and customer service occupations; and elementary occupations, SOC 6, 8 & 9)		
• Forced labour and trafficking	None		



Living standards

Measurement Framework		ONS measures of national well-being	
Indicator	Statistical measure	Measure	Domain
• Poverty	LST.PVT.1: Percentage of adults and children living in households below 60% contemporary median income after housing costs	Individuals in households with less than 60% of median income before housing costs Median wealth per household, including pension wealth Real mean household income Mostly or completely satisfied with the income of their household	Personal finance
	LST.PVT.2: Percentage of adults experiencing severe material deprivation	Report finding it quite or very difficult to get by financially	Personal finance
• Housing	LST.HSG.1: Percentage of adults and children living in overcrowded accommodation		
	LST.HSG.2: Percentage satisfied with their accommodation	Fairly/very satisfied with their accommodation	Where we live
• Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		




Health

Measurement Framework

ONS measures of national well-being

Indicator	Statistical measure	Measure	Domain
• Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		
• Health outcomes	HLT.OCM.1: Percentage who report good or very good current health status	Healthy life expectancy at birth (male/female) Percentage who reported a disability Mostly or completely satisfied with their health	Health
	HLT.OCM.2: Suicide rate per 1,000		
	HLT.OCM.3: Mortality rate from diseases of the circulatory system		
• Access to healthcare	HLT.ACH.1: Percentage of people waiting for health services who have waited for more than 18 weeks		



Measurement Framework		ONS measures of national well-being	
Indicator	Statistical measure	Measure	Domain
<ul style="list-style-type: none"> Mental health 	HLT.MTL.1: Percentage with poor mental health and well-being	Some evidence indicating depression or anxiety Very high rating of satisfaction with their lives overall Very high rating of how worthwhile they feel the things they do are Rated their happiness yesterday as very high Rated their anxiety yesterday as very low Population mental well-being	Health Personal well-being
	HLT.MTL.2: Access to mental health services		
<ul style="list-style-type: none"> Reproductive and sexual health 	HLT.RSH.1: Mortality rate per 100,000 maternities from causes related to pregnancy		
<ul style="list-style-type: none"> Palliative and end of life care 	HLT.PEL.1: Percentage of patients receiving end of life care that allows them to die at home		



Justice and personal security

Measurement Framework

ONS measures of national well-being

Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Conditions of detention 	JPS.DTN.1: Rate of non-natural deaths in prisons		
	JPS.DTN.2: Population in prisons		
	JPS.DTN.3: Population in the children and young people custody estate		
	JPS.DTN.4: Detention under Mental Health Acts		
<ul style="list-style-type: none"> Hate crime, homicides and sexual/domestic abuse 	JPS.VNT.1: Hate crime (self-reported)	Crimes against the person (per 1,000 adults)	Where we live
	JPS.VNT.2: Hate crime (police recorded) JPS.VNT.3: Homicide rate		
	JPS.VNT.4: Rape (self-reported)		
	JPS.VNT.5: Domestic violence and abuse (self-reported)		
<ul style="list-style-type: none"> Criminal and civil justice 	JPS.EFF.1: Confidence in the criminal justice system (E, W, S: treating those accused as innocent until proven guilty)		
	JPS.EFF.2: Percentage of legal aid applications granted		



Measurement Framework		ONS measures of national well-being	
Indicator	Statistical measure	Measure	Domain
<ul style="list-style-type: none"> Restorative justice 	JPS.RTJ.1: Proportion of incidents where victims were given opportunity to meet the offender		
	JPS.RTJ.2: Number of mediation starts		
<ul style="list-style-type: none"> Rehabilitation, resettlement and reintegration 	JPS.RRR.1: Proven reoffending statistics in England and Wales/Reconviction rates in Scotland		



Participation

Measurement Framework		ONS measures of national well-being	
Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Political and civic participation and representation 	PPN.PCP.1: Percentage voting in the most recent general elections	Voter turnout in UK general elections Those who have trust in national government	Governance
	PPN.PCP.2: Percentage of adults undertaking one of a number of political activities	Volunteered more than once in the last 12 months	What we do



Measurement Framework		ONS measures of national well-being	
Indicator	Statistical measure	Measure	Domain
• Access to services	PPN.ACS.1: Percentage of people aged over 16 who have used the internet	Accessed natural environment at least once a week in the last 12 months	Where we live
	PPN.ACS.2: Percentage doing sport or exercise	Average minimum travel time to reach the nearest key services Engaged with or participated in arts or cultural activity at least three times last year Adult participation in 30 minutes of moderate intensity sport, once per week	What we do
• Privacy and surveillance	PPN.PRV.1: Percentage who limit access to their profile or content on social networking sites		
	PPN.PRV.2: Percentage who have experienced abuse of personal information		
• Social and community cohesion	PPN.CSN.1: Percentage who agree most people can be trusted (UK, W, S)/ in their neighbourhood (E, S)	Felt fairly/very safe walking alone after dark (men/women)	Where we live
	PPN.CSN.2: Percentage who agree they belong in their immediate neighbourhood (S, E)/ local area (W)	Agreed/agreed strongly they felt they belonged to their neighbourhood	Where we live
• Family life	PPN.FAM.1: Looked after children	Proportion of those in fairly or extremely unhappy relationships Has spouse or partner, family member or friend to rely on if they have a serious problem Feelings of loneliness often/always	Our relationships



6.5 Sustainable Development Goals

At the turn of the 21st century, the United Nations held its Millennium Summit, and agreed eight objectives for international development by the year 2015. The resulting Millennium Development Goals were subsequently criticised for a lack of focus on sustainable progress. In response, a proposal for a set of sustainable goals was delivered by Colombia in 2011, and the Sustainable Development Goals (SDGs) were agreed in September 2015. These new goals built on both the Millennium Development Goals and an interim resolution known as *The Future We Want*.

The resulting SDGs are a set of 17 global goals, with 169 targets to reach by 2030, and 244 indicators to monitor progress. Between them they cover poverty, hunger, health, education, work, gender equality, a broad set of environmental and climate issues, a number of infrastructural goals, and targets for both enhanced partnership and decreased inequality between UN Member States. The SDG agenda has been criticised for its size and likely cost (*The Economist*, 2016) but nevertheless has wide support from both UN Member States and NGOs, and addresses the root causes of problems, rather than symptoms. In short, the Goals are intended to be ‘action-oriented, concise and easy to communicate, limited in number, aspirational, global in nature and universally applicable to all countries while

taking into account different national realities, capacities and levels of development and respecting national policies and priorities’ (Kimoon, 2014).

Although the Goals are global in scope, each Member State is expected to provide a national effort. An ONS report suggested that 149 of the 169 targets were already being worked towards within the UK, and only 36 of the 244 indicators were not relevant for national progress (ONS, 2016). In the UK, responsibility for a national effort sits with the Department for International Development, both in terms of foreign aid and domestic policy. Other departments are expected to ‘embed’ the Goals within their single department plans for 2015–2020 (Department for International Development, 2017). Otherwise, no centralised committee, task force, or Minister has unique responsibility for the SDGs, a fact that has come under some scrutiny both by the House of Commons International Development Committee (IDC, 2016) and UK NGOs (Bond, 2015).

Overlap with our Measurement Framework

There is substantial overlap between our own Measurement Framework and the SDGs. Where one framework supports the other, possibilities exist for generalisation of our measures to the global stage, and enhanced national relevance for the SDGs. This is especially the case in the absence of a centralised committee, task force, or Minister with unique responsibility for the Goals (see above).

The existence of the Commission fulfils one of the SDG indicators directly, namely the existence of independent National Human Rights Institutions in compliance with the Paris Principles (Indicator 16.a.1). It also has a broad remit within Goal 5 (gender equality) and Goal 10 (reduced inequality), which cut across the entirety of our Measurement Framework through inspection of protected characteristics, other forms of data disaggregation, and analytical lenses (see Chapter 5).

In addition, each of our Measurement Framework domains has further relevance to specific Goals:

Measurement Framework domain	Sustainable Development Goal
 Education	Inclusive and equitable quality education (Goal 4)
 Work	Ending poverty (Goal 1) and Sustained, inclusive, and sustainable economic growth (Goal 8)
 Living standards	Healthy lives and promoting well-being (Goal 3) and Inclusive, safe, resilient and sustainable cities and human settlements (Goal 11)
 Health	Healthy lives and promoting well-being (Goal 3)
 Justice and personal security	Peaceful and inclusive societies (Goal 16)
 Participation	Resilient, inclusive and sustainable infrastructure, industrialisation and innovation (Goal 9) and Inclusive, safe, resilient and sustainable cities and human settlements (Goal 11)

Just over half of the statistical measures in the Measurement Framework are mirrored by at least one equivalent within the SDG indicators (see Table 6.5).

Some Goals are absent from our framework, most notably 2 (zero hunger), those dealing with environmental concerns (6, 7, 12, 13, 14, 15) and the international, partnership-focused goal (17).



Table 6.5: Overlap between our Measurement Framework and the Sustainable Development Goals

Education		SDG indicators	
Indicator	Statistical measure	Measure	Domain
<ul style="list-style-type: none"> Educational attainment of children and young people 	EDU.EAT.1: Percentage of children achieving a good level of development at the end of Foundation Stage (age 2-5 in England, age 3-7 in Wales).	4.1.1 Proportion of children and young people: (a) in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least a minimum proficiency level in (i) reading and (ii) mathematics, by sex	4. Quality education
	EDU.EAT.2: Attainment at school-leaving age (GCSEs in England and Wales; SCQF level 5 in Scotland)	4.6.1 Proportion of population in a given age group achieving at least a fixed level of proficiency in functional (a) literacy and (b) numeracy skills, by sex	
<ul style="list-style-type: none"> School exclusions, bullying and NEET 	EDU.EBN.1: Percentage of children who have been excluded from school (either for a fixed period or permanently)		
	EDU.EBN.2: Percentage of 16-18 year olds who are not in education, employment or training (NEET)	8.6.1 Proportion of youth (aged 15-24 years) not in education, employment or training	



Measurement Framework

SDG indicators

Indicator	Statistical measure	Measure	Domain
<ul style="list-style-type: none"> Higher education and lifelong learning 	EDU.HLL.1: People aged 25-64 with degree-level qualifications		4. Quality education
	EDU.HLL.2: Percentage of people aged 17+ that gained a qualification or participated in other formal or informal learning activities in the last 12 months	4.3.1 Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex	



Work

Measurement Framework

SDG indicators

Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Employment 	WRK.EMP.1: Employment rate of those aged 16-64		8. Decent work and economic growth
	WRK.EMP.2: Unemployment rate of those aged 16-64	8.5.2 Unemployment rate, by sex, age and persons with disabilities	
	WRK.EMP.3: Percentage of employment in insecure employment (that is agency, including permanent agency, casual, seasonal, and other temp employees; employees on zero-hours contracts or on-call working; self-employed in SOC 6, 8 or 9)		



Measurement Framework		SDG indicators	
Indicator	Statistical measure	Measure	Domain
• Earnings	WRK.ERN.1: Pay gaps in median hourly earnings of employees, including overtime	8.5.1 Average hourly earnings of female and male employees, by occupation, age and persons with disabilities	8. Decent work and economic growth
• Occupational segregation	WRK.OCS.1: Percentage of employment in high-paid occupations (that is managerial and professional occupations, SOC 1 and 2)	5.5.2 Proportion of women in managerial positions	
	WRK.OCS.2: Percentage of employment in low-paid occupations (that is caring, leisure and other service occupations; sales and customer service occupations; and elementary occupations, SOC 6, 8 & 9)		
• Forced labour and trafficking	None	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour, by sex and age 16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation	



Living Standards

Measurement Framework		SDG indicators	
Indicator	Statistical measure	Measure	Domain
• Poverty	LST.PVT.1: Percentage of adults and children living in households below 60% contemporary median income after housing costs	10.2.1 Proportion of people living below 50% of median income, by sex, age and persons with disabilities	1. No poverty
	LST.PVT.2: Percentage of adults experiencing severe material deprivation	1.2.2 Proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions	
• Housing	LST.HSG.1: Percentage of adults and children living in overcrowded accommodation	11.1.1 Proportion of urban population living in slums, informal settlements or inadequate housing	11. Sustainable cities and communities
	LST.HSG.2: Percentage satisfied with their accommodation	11.1.1 Proportion of urban population living in slums, informal settlements or inadequate housing	
• Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		3. Good health and well-being
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		



Health

Measurement Framework		SDG indicators	
Indicator	Statistical measure	Measure	Domain
• Social care	LST.SCR.1: Access to social care (Percentage of people receiving home care, residential care or nursing care)		3. Good health and well-being
	LST.SCR.2: Dignity and respect in social care (Self-reported experience of social care services)		
• Health outcomes	HLT.OCM.1: Percentage who report good or very good current health status		3. Good health and well-being
	HLT.OCM.2: Suicide rate per 1,000	3.4.2 Suicide mortality rate	
	HLT.OCM.3: Mortality rate from diseases of the circulatory system	3.4.1 Mortality rate attributed to cardiovascular disease, cancer, diabetes or chronic respiratory disease	
• Access to healthcare	HLT.ACH.1: Percentage of people waiting for health services who have waited for more than 18 weeks		
• Mental health	HLT.MTL.1: Percentage with poor mental health and well-being		
	HLT.MTL.2: Access to mental health services		



Measurement Framework		SDG indicators	
Indicator	Statistical measure	Measure	Domain
<ul style="list-style-type: none"> Reproductive and sexual health 	HLT.RSH.1: Mortality rate per 100,000 maternities from causes related to pregnancy	3.1.1 Maternal mortality ratio	3. Good health and well-being
<ul style="list-style-type: none"> Palliative and end of life care 	HLT.PEL.1: Percentage of patients receiving end of life care that allows them to die at home		



Justice and personal security

Measurement Framework		SDG indicators	
Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Conditions of detention 	JPS.DTN.1: Rate of non-natural deaths in prisons		16. Peace, justice and strong institutions
	JPS.DTN.2: Population in prisons		
	JPS.DTN.3: Population in the children and young people custody estate		
	JPS.DTN.4: Detention under Mental Health Acts		



Measurement Framework

SDG indicators

Indicator	Statistical measure	Measure	Domain
Hate crime, homicides, sexual and domestic abuse	JPS.VNT.1: Hate crime (self-reported)		16. Peace, justice and strong institutions
	JPS.VNT.2: Hate crime (police recorded)		
	JPS.VNT.3: Homicide rate	16.1.1 Number of victims of intentional homicide per 100,000 population, by sex and age	
	JPS.VNT.4: Rape (self-reported)	5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age 5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence 16.1.3 Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months 16.2.3 Proportion of young women and men aged 18-29 years who experienced sexual violence by age 18	



Measurement Framework		SDG indicators	
Indicator	Statistical measure	Measure	Domain
Hate crime, homicides, sexual and domestic abuse	JPS.VNT.5: Domestic violence and abuse (self-reported)	5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age	16. Peace, justice and strong institutions
Criminal and civil justice	JPS.EFF.1: Confidence in the criminal justice system (E, W, S: treating those accused as innocent until proven guilty)		
	JPS.EFF.2: Percentage of legal aid applications granted		
Restorative justice	JPS.RTJ.1: Proportion of incidents where victims were given opportunity to meet the offender		
	JPS.RTJ.2: Number of mediation starts		
Rehabilitation, resettlement and reintegration	JPS.RRR.1: Proven reoffending statistics in England and Wales/Reconviction rates in Scotland		



Participation

Measurement Framework

SDG indicators

Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Political and civic participation and representation 	PPN.PCP.1: Percentage voting in the most recent general elections	16.7.2 Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group	16. Peace, justice and strong institutions
	PPN.PCP.2: Percentage of adults undertaking one of a number of political activities	5.5.1 Proportion of seats held by women in (a) national parliaments and (b) local governments 16.7.1 Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions	
<ul style="list-style-type: none"> Access to services 	PPN.ACS.1: Percentage of people aged over 16 who have used the internet	9.c.1 Proportion of population covered by a mobile network, by technology 17.6.2 Fixed Internet broadband subscriptions per 100 inhabitants, by speed 17.8.1 Proportion of individuals using the internet	9. Industry, innovation, and infrastructure
	PPN.ACS.2: Percentage doing sport or exercise		Sustainable cities and communities



Measurement Framework		SDG indicators	
Indicators:	Statistical measure	National indicator	Strategic objective
<ul style="list-style-type: none"> Privacy and surveillance 	PPN.PR.V.1: Percentage who limit access to their profile or content on social networking sites PPN.PR.V.2: Percentage who have experienced abuse of personal information		Industry, innovation, and infrastructure
<ul style="list-style-type: none"> Social and community cohesion 	PPN.CSN.1: Percentage who agree most people can be trusted (UK, W, S)/ in their neighbourhood (E, S)	16.1.4 Proportion of population that feel safe walking alone around the area they live	Sustainable cities and communities
	PPN.CSN.2: Percentage who agree they belong in their immediate neighbourhood (S, E)/ local area (W)	16.1.4 Proportion of population that feel safe walking alone around the area they live	
<ul style="list-style-type: none"> Family life 	PPN.FAM.1: Looked after children		



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Appendix:

List of people and organisations who submitted a written response to the expert consultation

Barnardo's

Centre for Analysis of Social Exclusion,
LSE

Centre for Crime and Justice Studies

Citizens Advice Cymru

College of Policing

Cytun (Churches Together in Wales)

Department of Health

Engender

ENNHRI

Equality and Diversity Forum

Equality Challenge Unit

Estyn

Family Housing Association

Friends, Families and Travellers

Future Generations Commissioner for
Wales

Government Equalities Office

Hampshire County Council

Health Inspectorate Wales

HM Inspectorate of Prisons

LGBT Youth Scotland

Lindsay Haveland

Mental Welfare Commission for Scotland

Ministry of Justice

NASUWT

National Council for Palliative Care

National LGBT&T Partnership

National Preventive Mechanism

National Union of Teachers

NHS England

NHS Greater Glasgow and Clyde

NHS Health Scotland

North East Race Equality Forum

Office for National Statistics

Office of the United Nations High
Commissioner for Human Rights

Older People's Commissioner for Wales

OSCE Office for Democratic Institution and
Human Rights

Oxfam Cymru

Paul Milton

Powys County Council

Scottish Government

Scottish Human Rights Commission

Tony Dundon

Traveller Movement

West Dunbartonshire Council

Women's Aid

Young Women's Trust



Introduction

Developing
the
framework

Theoretical
framework

Evidence
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