

**Definition of equality and framework for
measurement: Final Recommendations of the
Equalities Review Steering Group on Measurement**

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CASE/120
April 2007

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Editorial Note

Tania Burchardt is a Senior Research Fellow in the Centre for Analysis of Social Exclusion, and Polly Vizard is a CASE Associate. This report was commissioned by the Equalities Review. The views expressed in this report are those of the authors, not necessarily those of the Equalities Review.

Abstract

In October 2007, a unified Commission on Equality and Human Rights (CEHR) will begin operation in Britain. The Commission will have responsibility for monitoring and promoting human rights and equality on the grounds of gender, ethnicity, disability, age, sexual orientation, transgender status, and religion/belief. As a precursor to the Commission, the Prime Minister established the Equalities Review, an independent, high-level, investigation of the causes of persistent inequality and disadvantage in British society. Its final report, *Fairness and Freedom*, in February 2007 adopted the capability approach as its measurement framework and recommended that all public bodies use the framework to “agree priorities, set targets, and evaluate progress towards equality” (p.110). In particular, the Review recommended that the framework be used by the CEHR to inform its regular ‘state of the nation’ report.

This paper, and its companion, *Developing a Capability List: Final Recommendations of the Equalities Review Steering Group on Measurement* (CASEpaper 121), were prepared as background papers to assist in the development of the measurement framework for the Equalities Review. It discusses the challenges in translating capability theory into a practical measurement tool in the context of measuring inequality in Britain in the 21st century. This includes the definition of equality, a procedure for generating and revising a list of central and valuable capabilities (this is considered in more detail in CASE/121), a measurement framework for monitoring trends in inequality, exploring the causes of inequality, and identifying possible policy interventions, and, finally, the types of information and analysis which are required.

JEL classification: I31, I32

Keywords: Capability approach; equality; measurement

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Preface

Following consultation on its Interim Report, the Equalities Review commissioned the authors of this report, Tania Burchardt and Polly Vizard (both at the Centre for Analysis of Social Exclusion, London School of Economics), to take forward the development of a framework for monitoring equality in Britain based on the capability approach. A Steering Group was established to advise this work, consisting of Sandra Fredman (Professor of Law, University of Oxford), Ian Gough (Professor of Social Policy, University of Bath), Julie Litchfield (Senior Lecturer in Economics, University of Sussex), Uma Moorthy (Equalities Review team), Katherine Rake (Director, the Fawcett Society), and Giovanni Razzu (Equalities Review team). The authors are very grateful for the considerable time and effort which members of the Steering Group have so generously contributed to this project.

At the same time, and in consultation with the Steering Group, the Equalities Review commissioned Ipsos-MORI to carry out intensive deliberative research with members of the general public, and with individuals and small groups of people at particular risk of experiencing discrimination or disadvantage. The purpose of this deliberative consultation was to supplement and refine a list of central and valuable capabilities, an essential step in the application of the capability approach to the contemporary British context. The deliberative consultation is reported in detail in Ipsos-MORI (2007), and the main findings are incorporated into this report.

This paper (hereafter referred to as 'paper 1') summarises the recommendations of the Steering Group on Measurement, and outlines the measurement framework, proposed techniques for analysis, and data needs. A companion paper ('paper 2') focuses on a key aspect of the framework: the specification and justification of a list of the central and valuable freedoms in terms of which inequality between individuals and groups in Britain is to be conceptualised and measured. It is intended that the papers be read in conjunction with one another.

This work was funded jointly by the Equalities Review and the Economic and Social Research Council. Responsibility for the views expressed, and for any errors of judgement or fact, rests with the authors alone.

1 Summary of recommendations

R1 Capability-based definition of equality

The definition of equality adopted by the Equalities Review should be based on the capability approach. Two parallel definitions are proposed, one technical and one in plain English:

Technical:

An equal society protects and promotes equality of valuable capabilities – the central and important things that people are able to do and to be – so that everyone has the substantive freedom to live in ways that they value and choose (and have reason to value and choose).

An equal society recognises the diverse needs, situations and goals of individuals, and seeks to expand their capabilities by removing discrimination and prejudice and tackling the economic, political, legal, social and physical conditions that constrain people's achievements and limit their substantive freedom.

Plain English:

A society which protects and promotes equality is one in which everyone can flourish. It seeks equality in the valuable things that people can do or be, so that everyone has the real freedom to live in ways that they value.

An equal society recognises the diverse needs, situations and goals of individuals, removes discrimination and prejudice, and tackles the economic, political, legal, social and physical barriers that limit what people can do and be.

See section 2 below for more detail.

R2 List of valuable capabilities derived from the international human rights framework and deliberative consultation

A list of valuable capabilities should be derived in a way that is open to scrutiny.

The core list should be derived from the international human rights framework, supplemented and refined by democratic consultation and debate.

Beyond the core, the list is open to revision through a range of methodologies.

See Paper 2 and section 3 below for more detail.

R3 Ten domains of central and valuable capabilities

A summary of the list of 10 domains of central and valuable capabilities derived following R2 is as follows:

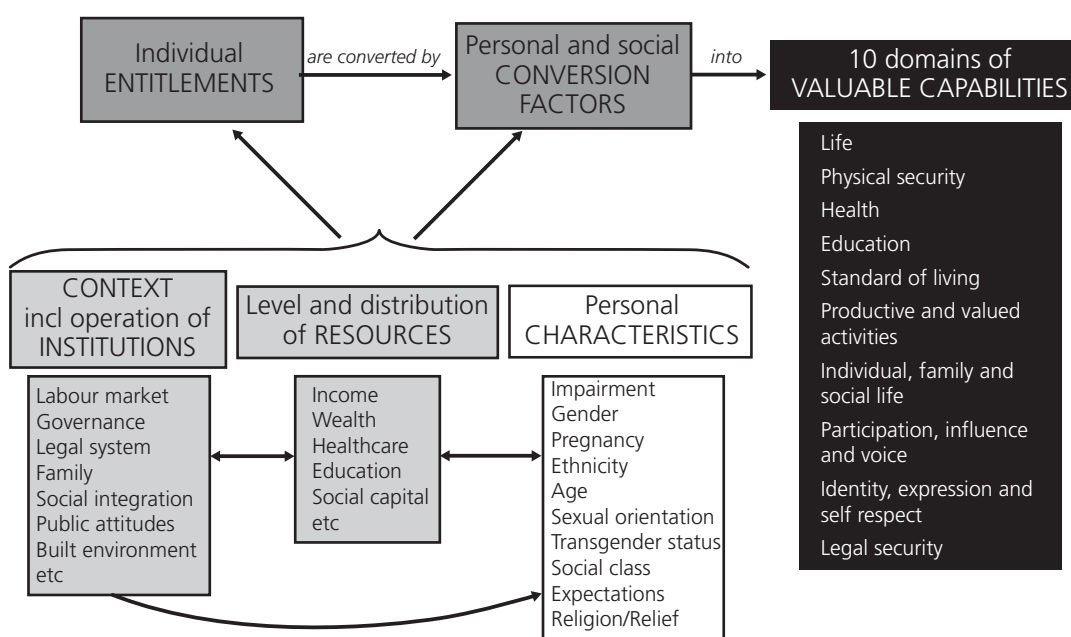
- Life
- Physical security
- Health
- Education
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Participation, influence and voice
- Identity, expression and self-respect
- Legal security

See Paper 2 and section 3 below for more detail.

R4 Monitoring of inequality by focusing on the 10 domains of central and valuable capabilities; exploring causes of inequality through analysis of the interaction between context, resources and personal characteristics

The recommended measurement framework is summarised in Figure 1 below.

Figure 1: Capability measurement framework



Monitoring of inequality should focus on the 10 domains of central and valuable capabilities listed in R3 (right-hand box in Figure 1).

The causes of inequality can be explored by analysing the context (including the operation of institutions and structures), level and distribution of resources, and their interaction with personal characteristics (pale grey and white boxes in Figure 1).

Policy interventions can be targeted at structural problems and the operation of institutions, and at the level and distribution of resources (pale grey boxes in Figure 1).

See section 4 below for more detail.

R5 Spotlight and roving spotlight indicators

To monitor progress in reducing inequality over time, one or more salient indicators should be selected within each domain ('spotlights'). These indicators *do not* represent a summary of inequality within the domain as a whole; rather, they highlight one important aspect.

Fixed spotlights should be supplemented with 'roving spotlights' which illuminate other indicators within each domain.

See section 5 below for more detail.

R6 Monitoring of substantive inequality, non-discrimination and autonomy by group and domain, and across groups and domains

Substantive inequality, non-discrimination and autonomy should be measured:

- within each domain by each social identity characteristic (gender, ethnicity, disability, age, sexual orientation, transgender status, and religion/belief)
- within each domain by combinations of social identity characteristic, and with social class (for example, by gender and ethnicity, or by gender and social class)
- across domains by each social identity characteristic (for example, inequality between men and women in life expectancy, and physical security, and standard of living)

Substantive inequality is measured by information on *outcomes*. This needs to be supplemented in two ways: (i) by information on *processes*, because not all aspects of discrimination will be captured by information on outcomes, and (ii) by information on *degree of choice and control* individuals have in obtaining the outcome, in order to reflect the importance of autonomy.

See section 5 below for more detail.

R7 New data collection

Constraints on current data availability should not be used as an excuse to limit the scope or definition of equality. Many aspects of inequality can be measured using existing data, but collection of new data will be required to monitor inequality fully, especially:

- (i) in relation to inequality between people of different sexual orientations and transgender status,
- (ii) for the non-household population altogether,
- (iii) in order to measure autonomy, and
- (iv) for periodic revision of the list of central and valuable capabilities.

See section 6 below for more detail.

2 Capability definition of equality

2.1 Outline of the capability approach and reasons for adopting it

The Equalities Review needs a clear concept and definition of inequality, and a framework within which to understand its causes and monitor progress towards diminishing it. The capability approach provides an overarching structure for understanding and measuring equality which is attractive for this purpose in a number of respects:¹

- (i) **Focus on what matters to people.** The capability approach focuses on the central and important things in life that people can actually do and be, such as being healthy, participating in public life and enjoying self-respect.
- (ii) **Recognition of diversity in needs.** The capability approach recognises that people have different needs, and that some people may need more or different resources to gain access to the same outcomes or real freedoms as others. This is in contrast to other ideas about equality which regard identical treatment as the objective.
- (iii) **Emphasis on barriers, constraints, structures and processes.** The capability approach departs from standard individualistic models by highlighting the importance of a person's situation: the constraints they are operating under, and the institutions, structures and processes which shape their world. The approach recognises that these kinds of constraint limit what a person can do or be – their real freedoms. Conversely, the expansion of real freedoms requires action on the part of the government and other bodies to remove barriers and tackle discrimination. This is in contrast to a narrower interpretation of freedom or opportunity which is concerned only with non-interference, according to which you are free if no-one actively and intentionally stops you from doing something.
- (iv) **Recognition of diversity in goals.** The capability approach recognises that people have diverse goals in life, and that being able to shape your own life is valuable in itself. This is in contrast to some other ideas about inequality which assume that the only thing people want to achieve is wealth or their own happiness (also sometimes called subjective well-being or utility). This means that the objective of equality must incorporate the exercise of choice and control, so that individuals have the real freedom to formulate and pursue their own objectives.

¹ For a fuller discussion, see Paper 2.

The capability approach has been gaining support in academic circles for some time and there is a growing body of empirical research using the framework. Policy applications in international development are well established, and the approach has recently begun to be used in policy settings in European countries. The German government's national action plan on poverty and social inclusion adopted a capabilities framework (European Commission, 2003), and it is being followed by regular official capability-based poverty and wealth reports (Arndt and Volkert, 2006). The Netherlands are also considering using the capability approach in formulating and monitoring domestic social and environmental sustainability. The 2005 Human Development Report included in-depth analysis of inequality in Western countries as well as in poorer nations (UNDP, 2005).

Unfortunately the term 'capabilities' can be easily misunderstood. It is used throughout this report in the sense of substantive freedoms or real opportunities. Central and valuable capabilities are the important things people can do or be in life, which make their lives go well. They include being healthy, keeping safe, enjoying self-respect, knowing you will be treated fairly by the law, and so on.

Capabilities do **not** mean internal skills or capacities. The lack of a capability indicates a failure on the part of society to provide real freedom for people; it does not indicate anything deficient about the individuals themselves. For example, if disabled people are found to participate less in public life than non-disabled people, we might say they lack the capability to participate. This means that they have been denied the real opportunity to, for example, express their views through the media or stand for political office. It does not indicate that there is anything intrinsic about having an impairment that prevents people from participating.

2.2 Consultation responses to the use of the capability approach in the Interim Report

A total of 46 of the written responses to the Equalities Review Interim Report referred specifically to the use of the capability approach. Of these, 23 were broadly supportive of the approach and 23 were broadly critical. The breakdown of the main interest of the respondents (in so far as this could be ascertained) is given in Table 1 below.

Table 1: Responses to the consultation on the Interim Report on the capability approach

Main interest	Broadly supportive	Broadly critical
Gender	II	III
Ethnic minority	I	IIII III
Disability	IIII	
Sexual orientation and trans-gender status	III	I
Age	IIII	II
Religion and belief	I	III
Trades unions	I	III
Academic	I	I
Other voluntary	I	I
Other statutory	II	I
Other private sector	III	I
Total	23	23

Organisations representing ethnic minority groups were the most critical of the capability approach (CA), followed by religious and humanist groups. This was for two main reasons: they perceived the CA to downplay discrimination, particularly institutional discrimination, and they disliked the idea of a minimum threshold of capability which they believed could lead to the stigmatisation of people who did not reach the threshold.

Women’s organisations, and children’s and older people’s organisations, were fairly evenly split between support and criticism of the CA. Criticisms included the observation that without a specific list of the capabilities that would be considered important, the approach lacked substance. Several respondents suggested that human rights frameworks provided a useful foundation. Other respondents sought clarification over the relationship between the CA and human rights.

Disability groups and groups representing lesbian, gay, bisexual or transgender people were broadly supportive of the CA. This was principally because the approach was perceived to give importance to questions of choice and control, and to recognise differences in need. Some concern was expressed however that ‘capability’ could be misinterpreted or misused politically as being about individual (innate) capacity.

A number of responses across a range of groups raised the concern that the CA was overly individualistic.

These consultation responses have a number of implications for the definition and measurement of equality, and its presentation:

- discrimination, including institutional discrimination, and the operation of structures such as the labour market, the family, the legal system, and so on, is a significant cause of inequality. This is central to a capability-based conception of inequality, which is concerned with the constraints on what people are able to be or do in their lives. This needs to be brought out clearly in the definition and measurement framework.

- 'equality' implies an interest in the overall distribution (eg of educational qualifications), not simply what proportions of people with different characteristics reach a minimum threshold. This was unclear in the Interim Report.
- where inequality results in one group or another (eg Bangladeshi women) being very low down a given distribution, this is likely to be of particular concern. It signals a failure of society to achieve equality rather than indicating a failing on the part of individuals. It points to the likelihood that the combination of the operation of institutions, the allocation of resources, and their interaction with individuals' needs and characteristics has failed to provide some individuals with the real opportunities they need to participate in society or lead the kind of life they want to lead. The measurement framework should indicate what kinds of levers can be pulled to remedy this inequality – in most cases, the levers will relate to the operation of institutions and the allocation of resources, rather than to changing the characteristics of individuals. The implication that any *intrinsic* characteristics are pre-requisites for participation in society should be avoided.
- a list of central and valuable capabilities has been developed since the Interim Report, based on the international human rights framework and deliberative consultation with the general public and individuals at high risk of experiencing discrimination and disadvantage. The companion paper to this one (paper 2, Vizard and Burchardt, 2007) provides a full discussion of the derivation of the list and of the relationship between the capability approach and human rights.
- the term 'capabilities' is easily misunderstood. 'Real freedom', 'substantive freedom', or 'substantive equality' may be better, but are also open to misinterpretation unless clearly explained. In particular, 'freedom' can be interpreted as negative freedom (non-interference) unless it is made clear that positive/substantive/real freedom (being able to be and do) is intended. Since there are many different audiences for the Equalities Review (equality 'lobby' groups, policymakers, academics and lawyers), it may be necessary to have a technical version of the definition of equality which demonstrates its theoretical grounding in the capability approach, and a plain English version which is more readily understood by non-technical readers.
- the capability approach is individualistic in the sense that it prioritises the interests of individuals over those of groups or communities where they conflict. For example, it prioritises the freedom of an individual to leave a community or group, should he or she so wish, or to choose not to participate in a particular cultural practice, even if his or her departure or non-participation is damaging to the group. However the capability approach is not individualistic in the sense of ignoring the potential value of community or group identity, membership and support to individuals. This is recognised explicitly in the list of central and valuable capabilities (see section 3 below). Nor is it individualistic in the sense of downplaying the significance of structural factors in explaining inequality.

2.3 Evidence from the deliberative consultation

The Equalities Review commissioned Ipsos-MORI to carry out deliberative consultation with the general public and with individuals and groups at high risk of discrimination and disadvantage. The consultation focused on the selection of a list of central and valuable capabilities (domains of equality) and was not designed primarily to elicit views on the definition of equality or the capability approach itself; however, some views on these more general issues were obtained as a by-product.²

One important advantage of deliberative consultation as opposed to other methods is that it is designed to access participants' considered values and beliefs, based on discussion with others and impartial information provided by the facilitators. This contrasts with the outputs from focus groups or survey data on public attitudes, which represent the immediate reactions of the public to an idea or viewpoint. The results of a deliberative consultation are therefore not a good guide to public opinion as expressed in polls, but are a better indication than can be gleaned from other methods of the underlying values of the public, given relevant information, and time and encouragement to reflect and discuss.

- The term 'flourishing' was introduced spontaneously by a participant in the pilot exercise to describe a fulfilling life, and it was used in subsequent workshops by both facilitators and participants;
- 'Fulfilling one's potential' was also identified as a phrase which was easily understood. (However this phrase must be used carefully to avoid the implication that people's potential is fixed. In fact, potential is itself enhanced or inhibited by the conditions of inequality and discrimination which prevail in society).
- Participants in the lesbian, gay and bisexual group, and in one of the general public workshops, believed that some over-arching conditions must be met – firstly, that there was opportunity for choice in general, and secondly, that there was equality of capability, 'it only works if everyone in society gets the same thing' (quoted in Ipsos MORI, 2007). Both of these ideas connect closely to the emphasis in the capability framework on freedom and equality.

2 The rationale and methodology are described fully elsewhere (Ipsos MORI, 2007).

Recommendation R1: Capability-based definition of equality

The definition of equality adopted by the Equalities Review should be based on the capability approach. Two parallel definitions are proposed, one technical and one in plain English:

Technical:

An equal society protects and promotes equality of valuable capabilities – the central and important things that people are able to do and to be – so that everyone has the substantive freedom to live in ways that they value and choose (and have reason to value and choose).

An equal society recognises the diverse needs, situations and goals of individuals, and seeks to expand their capabilities by removing discrimination and prejudice and tackling the economic, political, legal, social and physical conditions that constrain people's achievements and limit their substantive freedom.

Plain English:

A society which protects and promotes equality is one in which everyone can flourish. It seeks equality in the valuable things that people can do or be, so that everyone has the real freedom to live in ways that they value.

An equal society recognises the diverse needs, situations and goals of individuals, removes discrimination and prejudice, and tackles the economic, political, legal, social and physical barriers that limit what people can do and be.

3 List of central and valuable capabilities

The methods for deriving the list of central and valuable capabilities, their rationale, and the detailed justification of the items on the list are discussed in a companion paper (paper 2; Vizard and Burchardt, 2007). Only a summary of the conclusions is given here.

3.1 Method for deriving the list

Not all activities and states of being are equally important: the Equalities Review Interim Report, for example, contrasted the ability to lead a long and healthy life with the ability to play golf. In order to measure equality on the basis of capabilities there is therefore a need to decide which capabilities are the most central and valuable for life in 21st century Britain. There is no pre-defined list for this purpose, although there are a number of routes available to deriving a list – for example, through philosophical reasoning from first principles, through participatory processes, or drawing on existing agreements about central and valuable aspects of human life. Whichever route is chosen, it is important that the method of deriving the list is transparent and open to scrutiny, so that its merits (or otherwise) can be freely debated.

The Steering Group on Measurement proposed a two-stage procedure:

Stage 1: Derive a core list from the international human rights framework

Stage 2: Supplement and refine the core list through democratic deliberation and debate.

Using the international human rights framework as a starting point has a number of advantages. Firstly, it builds on processes of international consensus-building on the central and basic freedoms which are of value in human life, and that are at least in part deliberative and democratic (as opposed to reflecting the view of a single expert or experts). Secondly, it responds to the concerns raised by some respondents to the consultation on the Equalities Review Interim Report that the capabilities approach should be linked more clearly to human rights. Thirdly, it demonstrates the way in which human rights and the capabilities framework can be mutually reinforcing and has the potential to draw together the equality and human rights aspects of the remit of the Commission on Equality and Human Rights.

Stage 2 enhances the *legitimacy* of the process of developing a capability list, because it is important that the population in which the assessment of inequality is to be made have a role in identifying the domains of life to be considered. This suggests that both the general public and particularly those at high risk of discrimination and disadvantage should be able to participate in formulating the list. Democratic deliberation of this kind will also enhance the *substantive content* of the list, ensuring that it reflects the conditions of 21st century Britain, and the experience of those at ‘the sharp end’ of inequality.

Stage 2 supplements and refines the core list provided by Stage 1, but does not replace it. A deliberative exercise, which is inevitably constrained both in time and representativeness, should not displace any elements of human freedom which have previously been identified as significant by the international community.

The deliberative exercise, or other research approaches to identify valuable capabilities, will need to be repeated periodically to ensure that the list retains its relevance.

Recommendation R2: List of valuable capabilities derived from the international human rights framework and deliberative consultation

A list of valuable capabilities should be derived in a way that is open to scrutiny.

The core list should be derived from the international human rights framework, supplemented and refined by democratic consultation and debate.

Beyond the core, the list is open to revision through a range of methodologies.

3.2 The list

Two key covenants, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights were used to derive an initial list of central and valuable capabilities (see Paper 2 for a full account). This list was supplemented by looking at other international human rights instruments (such as the Convention on the Elimination of All Forms of Discrimination Against Women), and was subject to intensive scrutiny by human rights experts, practitioners, equality campaigners, academics and others.

This process produced a list of 10 domains of central and valuable capabilities, with a more detailed list under each heading. In addition, it became clear that although the list could be treated as universal for adults (in other words, the same list could be used for thinking about inequality between men and women, as between different ethnic groups, and so on), some modifications were required when thinking about an appropriate list for children. Accordingly, a modified list for children was developed, and is given in Appendix 1.

In addition, a deliberative consultation was commissioned by the Equalities Review with the aim of eliciting the public's ideas about what should be on a list of central and valuable capabilities. The consultation, described fully in Ipsos-MORI (2007) included a total of nearly 100 participants, including two full-day workshops with members of the general public, four shorter workshops with groups of people at particular risk of discrimination and disadvantage (lesbian, gay and bisexual people; people with a physical impairment; teenagers; and people from a range of minority ethnic groups), in-depth interviews with individuals from different faiths, and in-depth interviews with people with sensory impairments and mild learning difficulties.

Participants carried out two exercises. In the first, they were asked to reflect on what was needed for someone to flourish and to lead a life that they value in today's society. This generated a 'spontaneous' list of capabilities. In the second exercise, a plain English version of the list of capabilities derived from the international human rights framework was used as a stimulus for further discussion and comparison with the spontaneously generated list.

Many elements on the lists of capabilities spontaneously generated by the general public overlapped with the human-rights-based list, including, for example, safety, health (including mental health), education (including lifelong learning, and compulsory schooling), independent living, having a good work environment, the importance of family, and privacy, participation and being able to change things, self respect, being yourself, freedom of religion and belief, and protection from the law. When shown the list derived from the international human rights framework, participants broadly agreed with the items which were included. One exception was the capability to form and join a trade union.³ The overlap between the spontaneously generated list and the human rights based list, and the broad agreement with the items on the human rights list when presented with it, were taken to indicate general support and endorsement of the list.

The participants in the deliberative consultation also suggested a number of modifications to capabilities already listed and several additional capabilities. These are included in the detailed list at Appendix 1. Full details of the changes to the list arising from the deliberative consultation are given in Paper 2. Some of the most significant changes were supplementing the education domain to reflect creativity and intellectual fulfilment (as well as the more instrumental aspects of education), recognising the importance of the opportunity to do things with others (whether family, friends or community), and incorporating personal development, self-esteem and the ability to hope for the future. The importance of access to information and technology across a number of different domains was also clarified.

Recommendation R3: Ten domains of central and valuable capabilities

A summary of the list of 10 domains of valuable capabilities derived following Recommendation R2 is as follows:

- Life
- Physical security
- Health
- Education
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Participation, influence and voice
- Identity, expression and self-respect
- Legal security

These are summary headings. More detailed lists, including one specifically for children, is given at Appendix 1.

³ Following Recommendation R2, the lack of support for this item was not regarded as sufficient reason to exclude it. It therefore remains on the detailed list of capabilities at Appendix 1.

4 Capability measurement framework

4.1 Measurement framework

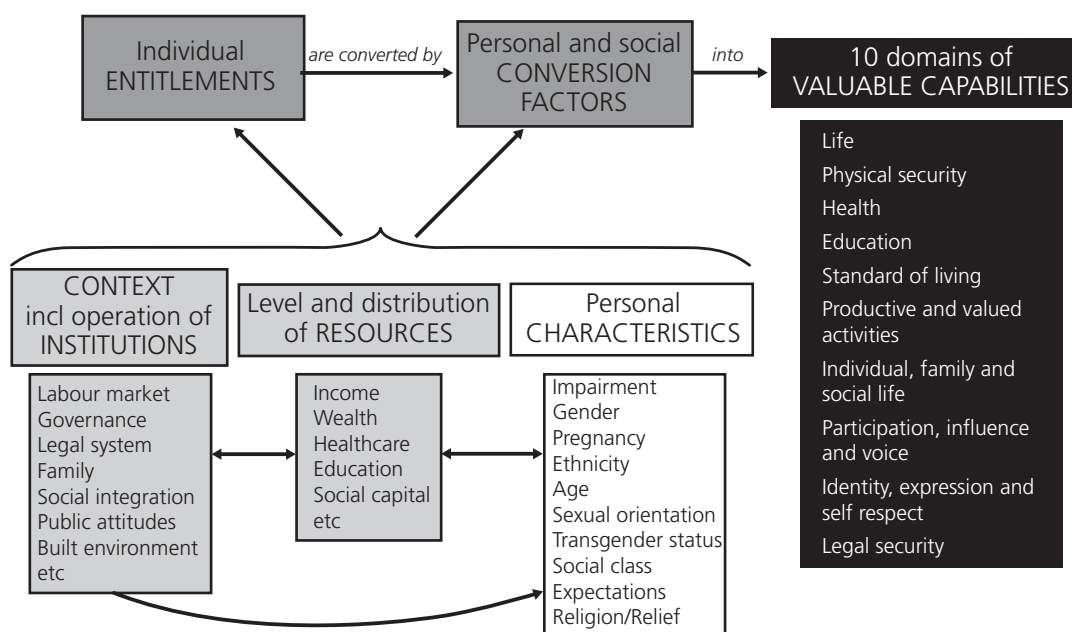
For the purposes of the Equalities Review and the future Commission on Equality and Human Rights, the measurement framework needs to enable:

- progress in achieving equality to be monitored,
- the causes of inequality to be explored, and
- possible policy interventions to be identified.

It must fit closely with the theoretical and normative framework, as summarised in Recommendation R1. The overall goal is substantive freedom to achieve valuable outcomes (that is, positive freedom, not just non-interference). Valuable outcomes are multi-dimensional and people's own objectives are diverse. Constraints on substantive freedom include structures and the operation of institutions, discrimination and the distribution of resources, and some people need more or different resources than others to achieve the same valuable outcomes.

The capability approach can be used to develop a measurement framework which meets these criteria, as shown in Figure 1. The component parts of the figure are explained in the text which follows.

Figure 1: Capability measurement framework



4.2 Exploring the causes of inequality and identifying possible policy interventions

The pale grey and white boxes along the bottom of the figure represent the fundamental causes of inequality. The first of these is the economic, political, legal, social and physical context. Discrimination may occur directly or indirectly in the operation of institutions and structures in any of these aspects of the context. For example, the legal system may indirectly discriminate against people on a low income if access to justice depends on being able to pay for legal advice. Conversely, these institutions and structures have the potential to protect and promote the substantive freedom individuals need to achieve valuable outcomes. For example, a legal system which codifies human rights entitlements may provide the basis for challenges to inequality in the provision of public services.

The middle pale grey box represents the level and distribution of public and private resources available to individuals. These include income and wealth (generated through the labour market, social security entitlements, or other means), healthcare, educational resources, and so on.

The third, white, box represents individual characteristics, including the social identity characteristics with which the Equalities Review is especially concerned (gender, ethnicity and so on).

The arrows between these three boxes represent the causal connections between them. The wider context and operation of institutions affects and, is affected by, the level and distribution of resources. The level and distribution of resources are to a certain extent affected by individual characteristics, and *some* individual characteristics – such as a person's expectations – may be influenced by both the resources, and the wider context and operation of institutions.

Policy interventions to protect and promote equality can usefully be targeted at either of the two pale grey boxes – the context, and the level and distribution of resources. Policy influence on personal characteristics is impossible in some cases (intrinsic characteristics such as someone's age), undesirable in other cases (someone's religion), and indirect in other cases, through altering the operation of institutions or the level and distribution of resources (for example, widening opportunities for disabled school leavers, to help raise expectations).

4.3 Monitoring inequality

The combined effect of individual characteristics, the level and distribution of resources, and the wider context, as shaped by policy interventions, produces a set of entitlements for each individual (left-hand dark grey box at the top of Figure 1). The term 'entitlements' here is used in a broad sense,⁴ including but not limited to an individual's legal entitlements. Entitlements are those things an individual has command over: the public, private and informal goods and services which he or she has or can readily obtain. They might (or might not) include earnings from a job, a house near a good school and treatment under the NHS. They are the 'inputs' which can be converted into valuable outcomes for the individual. To take the example of earnings: the level of earnings someone can command is shaped, among other things, by the structure of the labour market, the attitudes of employers, the earnings distribution as a whole, the quality of education and training the individual has experienced, the support she can access, and her own aptitudes. So her entitlement in this case is influenced by all three of the boxes underneath.

Individuals can use these entitlements to achieve their objectives in life. However, different individuals convert entitlements into valuable outcomes at different rates: some people need more, or different, resources than others to achieve the same outcomes. This is why the second dark grey box in the figure, labelled 'conversion factors', is important.⁵ Conversion factors depend not only on individual characteristics, such as impairment, but also on broader contextual factors. For example, a wheelchair user (= personal characteristic) can convert a given level of earnings (= entitlement) into a great deal more participation, influence and voice (= valuable outcome), if the buildings in which political meetings are held are accessible (= context and operation of institutions).

Individuals may choose to use their entitlements in a variety of ways. From an equality perspective, what is important is that they have the real freedom to achieve a full range of central and valuable outcomes. These are grouped into ten domains in the black box on the right-hand side of the diagram.

In principle, equality could be monitored either by looking at entitlements and conversion factors, or by looking at outcomes in terms of valuable capabilities. We are recommending that the focus should be on outcomes in the 10 domains listed in R3, because we believe this gives a clearer picture of the extent to which the overall objective of equality has been achieved. Analysis of entitlements and conversion factors is also helpful, but probably more by way of explanation for inequalities in specific areas than for monitoring the outcomes overall. Policies may be targeted at improving people's entitlements or at enhancing the way in which they are able to convert those entitlements into valuable outcomes, or both. Improvements in entitlements can themselves generate improvements in conversion factors (for example, if increased access to education creates a higher-skilled population).

4 As in Sen (1985), for example.

5 The equivalence scales standardly used in analysis of household income are an example of the recognition of conversion factors. A smaller household can 'convert' a given income into a higher standard of living than can a larger household with the same income because there are 'fewer mouths to feed'; applying an equivalence scale adjusts the income of the larger household to make the potential standard of living it represents comparable to that of the smaller household.

Recommendation R4: Monitoring of inequality by focusing on the 10 domains of central and valuable capabilities; exploring causes of inequality through analysis of the interaction between context, resources and personal characteristics

The recommended measurement framework is summarised in Figure 1 above.

Monitoring of inequality should focus on the 10 domains of central and valuable capabilities listed in R3 (black box in Figure 1).

The causes of inequality can be explored by analysing the context (including the operation of institutions and structures), level and distribution of resources, and their interaction with personal characteristics (bottom boxes in Figure 1).

Policy interventions can be targeted at structural problems and the operation of institutions, and at the level and distribution of resources (pale grey boxes in Figure 1).

5 Indicators and measurement techniques

This section concentrates on indicators and techniques relevant to the regular monitoring of inequality which will be required for the Commission on Equality and Human Rights. For other measurement purposes, for example, exploring the causes of inequality, the full range of standard social scientific techniques can be brought to bear.

5.1 Spotlight and roving spotlight indicators

Equality is an irreducibly multi-dimensional concept. We are therefore not proposing that different domains be aggregated into a single index of inequality, nor are we proposing that the wide range of detailed indicators necessary to reflect each domain be summarised into a single indicator. However, in order not to lose the message in the detail, we recommend that for each domain one or more particularly salient aspects of inequality are selected, and an indicator of that aspect reported as a 'spotlight' statistic. To stress, a spotlight is NOT a summary measure, and it cannot reflect the breadth of kinds of inequality under the domain from which it is selected.

A larger number of detailed indicators are needed to reflect aspects of the domain not illuminated by the spotlight. These will draw on the sub-headings in the list of central human freedoms, including those which are especially relevant for particular sub-groups, for example children (see Appendix 1), and could vary from year to year ('roving spotlights').

One interesting model for the annual report of the CEHR is provided by the UNDP Human Development Reports. These combine the advantages of a clear (if incomplete) monitoring tool with an in-depth look at a different theme each year – often one which is not well captured by the quantitative measures.

Example: Domain of 'Participating in decision-making, having a voice and influence'

List of valuable capabilities includes:

- participating in decision-making
- participating in the formulation of government policy
- participating in non-governmental organisations concerned with the public and political life of the country
- participating in free and fair elections
- being able to assemble peacefully with others
- being able to form and join civil organisations

Spotlight indicator:

- Civil efficacy index (a set of questions on participation in various forms of ‘voice’, from writing letter to MP, to participating in a demonstration, and how likely respondent thinks it is that any action will influence or lead to change, local or national)

Roving spotlights:

- Representation in Parliament/local government
- Trust in political institutions
- Membership of campaigning organisations
- Representation on school governing bodies
- Voting in general elections
- Access to advocacy for people with learning difficulties
- ...etc

We are not making recommendations for specific indicators because the choice of indicators will depend on the availability of data at the time the assessment is made, including from new data collection exercises prompted by the Equalities Review (see Recommendation R7). However some examples of spotlight indicators based on existing data are given in the following section.

Recommendation R5: Spotlight and roving spotlight indicators

To monitor progress in reducing inequality over time, one or more salient indicators should be selected within each domain (‘spotlights’). These indicators do *not* represent a summary of inequality within the domain as a whole; rather, they highlight one important aspect.

Fixed spotlights should be supplemented with ‘roving spotlights’, varying from year to year, which illuminate other indicators within each domain.

5.2 Measurement exercises and techniques

5.2.1 What to measure? Substantive equality, autonomy, and non-discrimination

Recommendations R4 and R5 propose that the principal analysis for monitoring purposes should be of central and valuable capabilities classified into 10 domains, using spotlight indicators for each domain.

Direct measurement of capabilities – that is, the real freedom individuals have with respect to each domain – is challenging. We can measure what activities people are engaged in, and their states of being, in a fairly straightforward way, for example through surveys and observations.⁶ This provides very important information: if one group of individuals are systematically less likely to obtain a central and valuable state of being, such as ‘being healthy’, then it is highly probable that there are impediments to their real freedom in this domain. However, in other cases, it is less clear cut: if one group of people are significantly less likely to be engaged in caring activities, for example, is that because they lack the real freedom to do so (perhaps because of conflicts with the requirements of paid work), or because – after full consideration of the options, all of which are available to them without impediment – they have generally decided caring activities are not something they want to do?

Our response to this difficulty is three-fold. In the first place, we recommend that the principal analysis should be of outcomes in each of the 10 domains – what people are actually being and doing. Many of the activities and states of being we are considering are quite basic, and people would not generally choose to be without them if they were available, hence measuring the outcome is a very good indicator of whether people have the real freedom in question. (Few people would freely choose to be the victim of violent crime causing significant harm, for example.) Moreover the analysis will usually be comparing *groups* of people, so that any individual-level differences in preference for exercising the capability in question, provided the preferences are not systematically related to the group identity characteristic, will be differenced out in the comparison between groups. For example, although there is undoubtedly a wide variation among individual Christians and among individual Sikhs as to how keen they are on education, if Christians were systematically found to be out-performing Sikhs in school education, there would be strong grounds for assuming that there were barriers to Sikh educational attainment that needed to be addressed.

Secondly, we recommend below that the different domains are examined jointly, not just in isolation. One can thereby obtain a comparison of the extent to which different groups of people are living long lives, safely and in good health, with a balance of paid and unpaid work, and so on. Again, although it is theoretically possible that one group of people would systematically be freely choosing to live ‘disadvantaged’ lives across the whole range of domains, this seems very unlikely in practice. The cross-domain analysis therefore strengthens the confidence we can have that our measures are approximating the substantive freedom (or, conversely, the binding constraints) in people’s lives.

6 The activities people engage in, and the states of being they are in, are termed ‘functionings’ in the capabilities literature. A person’s capability set is the set of alternative feasible combinations of functionings available to him or her. However the term functionings is easily misunderstood, and is therefore avoided in this report.

Thirdly, we propose that the principal analysis of outcomes in the ten domains should be supplemented with an assessment of the degree of choice and control individuals perceive they have had in bringing about that outcome. One approach to this assessment is outlined in section 5.2.6 below. It is imperfect, because someone who is disempowered, or has a very limited range of options available to him or her, may not realise the extent of his or her disadvantage. Nevertheless, it is a helpful supplement to the information provided by the comparison of outcomes across the 10 domains.

By combining assessment of substantive inequalities between groups within each domain, and across domains, with survey-based information on the degree of choice and control different groups of people believe they have in each domain, a sophisticated and detailed picture of inequality in central and valuable capabilities can be generated.

One further issue is that although in most cases someone who has been subject to discrimination will be found to have less substantive freedom, there are circumstances where discrimination (in the narrow sense of differences in treatment unrelated to need) will not result in a significant diminution of freedom. For example, consider the case of a man from a Pakistani background being denied a job for no other reason than that the employer is racist. Even if the man finds another equally good job very easily, the fact that he was discriminated against by the first employer is clearly an important instance of inequality. We therefore recommend that the measures of substantive equality and autonomy be supplemented with information on potentially discriminatory processes.

To summarise, we are recommending that equality in the 10 domains be assessed in terms of:

- substantive equality, that is comparing the outcomes actually attained by individuals;

supplemented with information in each domain on:

- autonomy, that is, comparing the degree of choice and control individuals have in obtaining the outcomes; and
- other aspects of non-discrimination, that is, any aspects of the process through which the outcomes have been attained not picked up by either of the previous assessments.

5.2.2 Types of analysis: within and across groups and domains

Three kinds of analysis need to be made of each of substantive equality, autonomy and non-discrimination:

- (i) within domain by social identity characteristic (such as gender or ethnicity);⁷
- (ii) within domain by combinations of social identity characteristics/social class; and
- (iii) across domains by social identity characteristic.

⁷ The Equalities Review is especially concerned with inequality by gender, ethnicity, disability, age, sexual orientation/trans-gender status, and religion/belief. For convenience these are referred to in this report as 'social identity characteristics'. This should not be taken to imply that they are the only, or necessarily even the most important, aspects of a person's identity. For a discussion of the dangers of essentialism with respect to identity, see Sen (2006).

This is represented in the matrix (Table 2) and described in more detail below. The first kind of analysis is the basic building block. The second kind of analysis is necessary to detect ‘double whammies’, where disadvantage due to one characteristic is compounded by disadvantage associated with another (*depth* of disadvantage). The third kind of analysis is essential to understand *breadth* of disadvantage, and the trade-offs that some people are forced to make between aspects of life, for example between health and work.

The examples given in the following are for the purpose of illustrating the measurement techniques rather than making any strong claims about the current state of inequality in Britain. The figures are restricted by current data availability (Recommendation R7 below is for new data collection), and the spotlight indicators used for each domain may not be those which are finally selected by the CEHR for monitoring purposes.

Table 2: Types of analysis

	Substantive equality (outcomes)	Autonomy (choice and control)	Other aspects of non-discrimination (processes)
Within domain by social identity characteristic	X	X	X
Within domain by combinations of social identity characteristics/ social class	X	X	X
Across domains by social identity characteristic	X	X	X

Domains: see list of 10 domains of central and valuable capabilities (R3).

Social identity characteristics: gender, ethnicity, disability, age, sexual orientation, transgender status, religion/belief.

5.2.3 Inequality in each spotlight indicator by each of the social identity characteristics (gender, ethnicity, disability, age, sexual orientation, transgender status, and religion/belief)

This is the most basic analysis. There are many different ways of measuring inequality and making comparisons between groups. Different measures can highlight differences between groups at different parts of the distribution (for example, emphasising differences between those who are worst off, or focusing on the middle, or the top). Using a range of measures helps to ensure that the fullest picture is obtained. Litchfield (1999) provides a useful overview.

Indicators vary in their statistical properties. For example, life expectancy is calculated only for groups and so it is only differences in average life expectancy, between, say, men and women, that can be calculated. By contrast, income is a continuous variable available at an individual (or household) level, which enables one to measure not only the difference in average income between men and women, but also the degree of inequality in the distribution of income (as described, for example, by the Gini coefficient). Yet other indicators, like self-assessed health status, are somewhere in-between. It has a discrete number of hierarchical categories. For these it is possible to establish, in addition to the difference between the proportion of men and women, or between different ethnic groups, or whatever, obtaining a particular health status, whether the position of one group in the distribution dominates another's. Wherever possible, continuous or hierarchical indicators available at an individual level should be chosen, so that inequality in the distribution or depth of disadvantage can be assessed, as well as differences in the proportion of each group obtaining a particular level.⁸

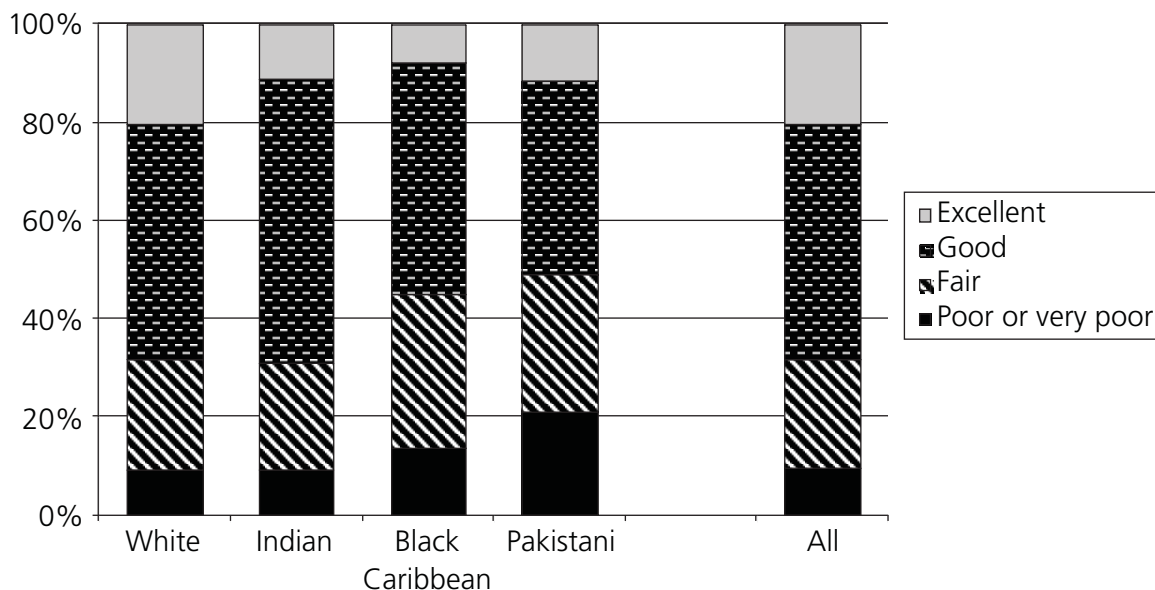
For example, according to data from BHPS 2005, the average self-assessed health status on a scale from 1 (very poor) to 5 (excellent) for the whole population is 3.8. There is variation between ethnic groups: averages of 3.8⁹ for White, 3.7 for Indian, 3.5 for Black Caribbean and 3.4 for Pakistani ethnic groups respectively.¹⁰ But the distribution of health status also varies between ethnic groups, as shown in Figure 2. Although White and Indian ethnic groups have similar average health status, fewer people from an Indian background report excellent health. Black Caribbean and Pakistani groups have similar average health status, but a higher proportion of people from a Pakistani background have poor or very poor health (and marginally more have excellent health). These inequalities in the distribution of health are important, as well as the differences in the averages.

8 In multivariate analysis of a binary outcome – for example, whether in employment – it is possible to compare the estimated probabilities of individuals with different sets of characteristics obtaining the outcome in question. This creates a quasi-continuous variable.

9 Calculating an average in this way assumes that an ordinal scale ('very poor' to 'excellent') can be treated as cardinal (the distance between each category is equal). Such an assumption may not be valid. This is another reason why analysis of the distribution as a whole is important.

10 The sample sizes for other ethnic groups are too small to be reliable in this data source. Figures quoted are for original BHPS sample members, at Wave 15, using cross-sectional weights.

Figure 2: Inequalities in self-reported health status by ethnic group



Source: BHPS 2005. 'All' includes other ethnic groups not separately identified in the chart due to small sample sizes.

5.2.4 Inequality in each spotlight indicator by combinations of the social identity characteristics, and by combinations of social identity characteristics with social class

One of the advantages of the CEHR is that interactions between inequalities along lines of gender and disability, or disability and ethnicity, or whatever, can be examined. This is sometimes referred to as the problem of 'double discrimination' or 'double whammy'. This kind of analysis highlights inequalities within groups as well as between them, and can also be used to bring in social class. The analysis can be presented as cross-tabulations or in bar chart form.¹¹

An example of the kind of results that could be produced is shown below in Table 3. Although employment rates among people from a Black Caribbean background are lower than those for White people, inequality between men and women among Black Caribbeans is much lower. Conversely, for people from a Pakistani background, overall employment rates are lower and gender inequality in employment rates is substantially higher.

¹¹ If there are many categories, it may be easier to run a simple, descriptive, regression with the spotlight indicator (eg employment rate) as the left-hand side or dependent variable, and a series of dummy variables generated by interacting the social identity characteristics (eg gender and ethnicity) as the right-hand side or independent variables. Using this approach has two advantages: (i) the size and statistical significance of differences can be estimated, and (ii) other explanatory variables, such as level of educational qualifications, can be added; but care must be taken in interpreting the coefficients.

Table 3: Inequality in employment rates by gender and ethnicity (ages 16-64)

	All	Men	Women	Gender difference	Difference as % of male employment rate
Black Caribbean	62	67	60	7	10
White	77	84	71	13	16
Indian	72	83	61	22	27
Pakistani	42	65	17	48	74
All	76	84	70	14	17

Source: BHPS 2005. 'All' includes other ethnic groups not separately identified in the table due to small sample sizes.

5.2.5 Inequality across spotlight indicators by each of the social identity characteristics

We are not proposing to aggregate across domains into an overall index of inequality. To do so would entail devising weights representing the relative importance of disadvantage in different domains. This could be done statistically, using a data reduction technique like factor analysis, but that would imply that a type of disadvantage which was highly correlated with another type of disadvantage was less important. Alternatively, the weights could be constructed independently of the data. However this would require normative judgements which are properly made through the political process, rather than being imposed by 'experts' as a technical fix.

While resisting the temptation to aggregate into a single index, we do not want to miss the fact that some individuals or groups may be disadvantaged across a range of domains (breadth of disadvantage). We also want to be able to detect where one capability has been secured at the expense of another (trade-offs), for example, time with family at the expense of an adequate standard of living (or vice versa). There are at least two possibilities here which do not impose any weights on the different indicators.

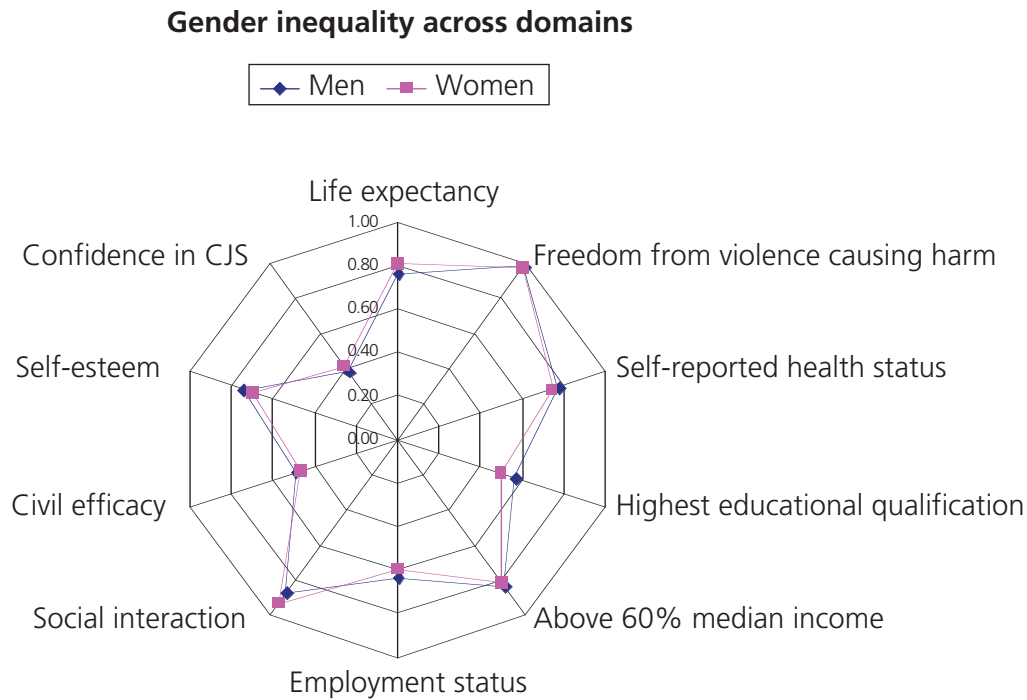
The first is a presentational device used by Arndt and Volkert (2006) in their report for the German government on multidimensional poverty and wealth, known as a radar diagram. An example for gender inequality is given as Figure 3. Each spoke represents a different spotlight indicator, each of which is scaled to lie between 0 and 1, with a higher number representing a better outcome. Men's and women's positions on each spoke are shown, and lines connecting the points for men and women respectively are drawn.

The figure suggests that women are better off than men in terms of life expectancy, social interaction and confidence in the criminal justice system. The measure of freedom from violence used here – as an illustration only – combines information on the prevalence of being a victim of violent attack, on which basis men fare worse than women, and information on the subjective effects and changes in behaviour that such violence produces, on which basis women fare much worse than men. On the other spotlight indicators women are worse off than men – substantially in the case of educational qualifications and employment status.¹²

A second possibility for looking across domains makes use of multivariate regression as a descriptive device. This has the advantage of identifying where individuals are having to trade off a good outcome in one domain against a poor outcome in another domain, for example strong engagement with paid work but poor health. Here the dependent (LHS) variable is a spotlight indicator, and the independent (RHS) variables are all the other spotlight indicators, each interacted with the social identity characteristic being examined (eg gender). This is sometimes referred to as a fully saturated model and is equivalent to running separate regressions, one for each social identity group (eg one for men, one for women). The results from the regression might enable one to say, for example, that women's income is lower than men's for a given level of outcome on all the other indicators (education, health, occupation, etc). Regression analysis also permits the size and statistical significance of differences to be examined.

12 This indicator of employment status takes account of occupational status as well as whether or not the individual is in paid work. A separate indicator would be needed to take proper account of unpaid work. In general, for all the indicators, the magnitude of the gap between men and women is a function of the scaling of the indicator: changes in the choice of scale will change the relative size of gaps for different indicators.

Figure 3: Radar diagram of gender inequality across domains



Notes: All values calculated as proportion of maximum possible value.
 Life expectancy: Population Trends 2003. 100 taken as maximum.
 Freedom from violence causing harm: BCS 2002/3. Freedom from violence reported in survey by victim to cause any of: loss of confidence, difficulty sleeping, depression, anxiety or panic attacks, change job, move house, avoid going to places.
 Self-reported health status: BHPS 2005. Scale 1 to 5.
 Highest educational qualification: BHPS 2005. Scale 0 to 5. Age 22+
 Above 60% median income: HBAI 2004/5. After Housing Costs. All adults.
 Employment status: BHPS 2005. Scale 1 (unemployed or LT sick/disabled and out of work), 2 (looking after children, in education or training), 3 (unskilled work) to 7 (employer or higher professional). Age 16-59.
 Social interaction: BHPS 2005. % seeing one of three closest friends at least once per week.
 Civil efficacy: BSAS 2004. Index 1 to 32, 8 types of civil action, each scaled 4 'have done in last year' to 1 'haven't and never would'
 Self-esteem: BHPS 2005. General Health Questionnaire 12 Likert (inverse).
 Confidence in Criminal Justice System: BCS 2004/5. Average % 'very or fairly confident' on 7 questions.

5.2.6 Autonomy

Measurement of autonomy within each domain is essential to capture the 'agency' aspect of freedom, to supplement the information on outcomes within and across domains. To what extent is the outcome that individuals or groups have on any indicator the result of external constraints and to what extent is it an outcome that the individuals concerned have been able to fully consider and endorse, selecting from a range of valuable alternatives? This is particularly important, for example, in understanding questions about balance between paid work, care and free time. The aim is to achieve a situation in which everyone can formulate and pursue their objectives in life, based on the existence of an extended range of alternatives which are – and which are perceived to be – accessible to them on an equal basis with others.

This is difficult to measure, in part because people may adapt their preferences and choices to what is available to them.¹³ Hence straightforward questions like "Are you satisfied with your health/job/family life?" and so on, may reveal more about the extent to which people are resigned to their situation than about the degree of control they had over the outcome. Anand et al (2005) conducted a survey asking people directly about how easy or difficult they found it to engage in various activities, and how free they were in various respects. Answers were not probed to establish the basis on which respondents' judgements were made, which leaves the results open to a range of interpretations.

Indicators of autonomy are underdeveloped in the social science literature, but recent work drawing on a psychological approach known as Self Determination Theory (SDT) shows promise (Alkire, 2005). Questions can be developed which take a common form but are specific to the particular domain (eg health, education, etc) under consideration. The questions give respondents the opportunity to rate, on a scale of 1 to 4, to what extent each of the following reasons applies to their activities or state of being:¹⁴

Categories:

- (i) *External pressure*. Because of external pressures, for example, someone insists on my doing this, or in order to get rewards or avoid punishments.
- (ii) *Others' opinions*. To gain approval or to avoid guilt, shame or anxiety.
- (iii) *Importance*. Because it is important and worthwhile to do this.
- (iv) *Considered and free support*. Because I have fully considered the alternatives and it makes good sense to me to act in this way. I feel free in choosing and doing it and I value the outcome.

¹³ The problem of adaptive preferences, also known as conditioned expectations, is given extensive discussion in the capabilities literature. See for example, Nussbaum (2001); Teschl and Comim (2005).

¹⁴ Adapted from Alkire (2005).

Thus respondents are able to record a mixture of motivations, which can then be summarised into an index of autonomy or self-determination. A survey instrument of this kind has advantages: it has been validated in Psychology, although its application in social science has been more limited to date; it can be made specific to each outcome or spotlight indicator, and it can be relatively easily incorporated into existing surveys.

However it also has limitations: it reflects only the individual's *perception* of the degree of choice and control she had, which may in some circumstances differ from the objective degree of autonomy, and it does not capture the richness (or otherwise) of the alternatives from which a person is choosing. Accordingly it needs to be used in combination with the measures of substantive inequality described in the previous sections, and with more in-depth qualitative research. This research could seek evidence of conditioning of expectations and discouragement effects, and attempt to discover the activities and states of being that people would want, if they had a real opportunity to access them.

5.2.7 Other aspects of non-discrimination

Although in most cases individuals or groups who have been subject to discrimination will be found to have worse outcomes in some or all of the ten domains of inequality identified above, and/or lower degrees of autonomy, there are circumstances where discrimination (in the narrow sense of differences in treatment unrelated to need) will not result in a significant diminution of substantive freedom. The example given above was a man from a Pakistani background being denied a job for no other reason than that the employer is racist: even if the man finds another equally good job very easily, the fact that he was discriminated against by the first employer is clearly an important instance of inequality. It is therefore important that these 'process' aspects of discrimination are also captured and continue to be monitored.

The following are among the approaches to monitoring these other aspects of non-discrimination, especially discriminatory processes (see also Butler, 2005).

- Review of the law and associated regulations.
- Analysis of legal challenges made under equality and human rights legislation.
- Selected case studies of public and private sector institutions or organisations to assess (a) compliance with the law; (b) evidence of a corporate approach to equality and non-discrimination; (c) rules, policies and procedures – their existence, contents, and functioning in practice; (d) staff training; (e) management of contractors; and (f) information provided to the public.
- Quantitative attitudinal research to gauge awareness of the law, and own views/prejudice: (a) opinion leaders; (b) employers/human resources departments; (c) public and private service providers; (c) general public.
- Qualitative research on the experience of individuals at risk of discrimination, focusing on instances where they feel they were unfairly treated, or where they did not pursue a possible course of action due to the expectation of being discriminated against.

The Equality Standard for Local Government, developed by the Employers' Organisation for local government (now the Improvement and Development Agency) together with the Commission for Racial Equality, Disability Rights Commission and the Equal Opportunities Commission, also provides a useful reference point.

Recommendation R6: Monitoring of substantive inequality, non-discrimination and autonomy by group and domain, and across groups and domains

Substantive inequality, non-discrimination and autonomy should be measured:

- within each domain by each social identity characteristic (gender, ethnicity, disability, age, sexual orientation, transgender status, and religion/belief)
- within each domain by combinations of social identity characteristic, and with social class (for example, by gender and ethnicity, or by gender and social class)
- across domains by each social identity characteristic (for example, inequality between men and women in life expectancy, and physical security, and standard of living)

Substantive inequality is measured by information on *outcomes*. This needs to be supplemented in two ways: (i) by information on *processes*, because not all aspects of discrimination will be captured by information on outcomes, and (ii) by information on *degree of choice and control* individuals have in obtaining the outcome, in order to reflect the importance of autonomy.

6 Data availability

6.1 Types of data

For the purposes of monitoring inequality year on year using the spotlight indicators, representative quantitative data are likely to be the most useful, often collected through surveys or administrative systems. Representative, quantitative data are necessary to be able to ascertain whether, and to what extent, salient aspects of inequality have widened or narrowed. In principle, analysis can be carried out at national, regional or local level, provided the data are available: the measurement framework can be scaled up or down.¹⁵ Quantitative data can include both objective measures (for example, mortality) and subjective measures (for example, self-respect).

An exclusive reliance on quantitative survey data would leave significant gaps however:

- questions about some important aspects of inequality are not asked in surveys;
- some population groups are not included, or not identified, in most surveys;
- even where relevant questions are asked of the relevant population, some important forms of inequality are by their nature likely to be under-estimated by survey data, for example, domestic violence or homophobic bullying.

So quantitative survey data on the spotlight indicators for the purpose of annual monitoring will need to be supplemented with other data, collected using both quantitative methods and in-depth qualitative approaches, for more detailed investigations of specific aspects of inequality (roving spotlights), particular population groups, and for analysis exploring the *causes* of inequality.

6.2 Existing availability and gaps

Table 4 below lists some possible spotlight indicators, and shows, for each of the social identity categorisations by which inequality will primarily be measured (gender, ethnicity, disability, age, sexual orientation, transgender status and religion/belief), in what data source, if any, the indicator is available.

¹⁵ Small area statistics are increasingly being made available by ONS. However breakdowns for some groups, for example, some ethnic groups in some geographical areas, are likely to run into difficulties with small sample sizes.

The table shows that a considerable amount of information across many of the domains on interest is already available and could form the basis of a capability-based multi-dimensional analysis of inequalities. However it also highlights some gaps. Analysis by sexual orientation and transgender status is currently seriously constrained by available data. We have been unable to locate any nationally representative source which contains information on transgender status. The only nationally representative source on sexual orientation is an irregular specialist survey, which concentrates on sexual behaviour and asks very little about other aspects of a person's life. Including a broader range of questions if this survey is repeated in future would be a good start. The Citizenship Survey is piloting questions on sexual orientation. Other surveys will begin to incorporate civil partnerships as an option within questions about marital status, but these still cover only a small minority of lesbian, gay and bisexual people and do not tell us anything about transgender status.

However, the problem is deeper than this. Many people are unable to, or do not wish to, reveal their sexual orientation publicly or even within the privacy of a confidential questionnaire. Until discrimination against non-heterosexual people is significantly reduced, this is likely to remain the case. Qualitative data collection techniques may help, since greater trust can be established between interviewer and respondent using these methods, but this is unlikely to overcome the difficulties altogether.

Life expectancy is another area of incomplete data. Currently ONS calculates life expectancy only by age, gender and social class, based on data from the Registrar General. Mortality statistics by ethnicity, religion and limiting long-standing illness status could be calculated in principle from the ONS Census Longitudinal Study but there is a significant time lag in the linkage of death registrations to the Longitudinal Study and the number of deaths occurring in a given period for some groups would be small, making the calculation of mortality rates unreliable.

With the exception of sexual orientation and transgender status, analysis of interactions between different groups within a given domain (for example, self-reported health status by gender and ethnicity) is facilitated by the fact that the questions are part of the same survey (in this example, Health Survey for England). Small sample sizes will become a problem for some interactions of this kind. This problem should be eased by the advent of the ONS Integrated Household Survey in 2008, which will have a huge sample size, and will include ethnic minority boost samples.

Analysis within groups across domains is more problematic, because the data sources for different headline indicators are so diverse. For example, for analysis by gender, seven different data sources are required to cover all 10 domains. A radar diagram (as described above) would still be possible, but more sophisticated techniques such as propensity score matching would be required to carry out multivariate analysis across datasets.¹⁶

¹⁶ Propensity score matching matches individuals, or groups of individuals, across datasets using some variables which are common to both sources.

All the sources listed in Table 4 except ONS are based on household surveys. The data collected therefore do not reflect the experience of the homeless or those in communal establishments (residential care homes, children in care, hospitals, prisons, halls of residence, barracks, etc). These are important groups for many kinds of inequality and separate data collection effort would have to be made to ensure they were included in the analysis.

Data on autonomy with respect to each of the headline indicators are not currently collected at all. This would need to be a new data collection exercise, possibly by means of inclusion of additional questions on the ONS Integrated Household Survey. Further in-depth qualitative research would be needed to explore conditioned expectations and potential discouragement effects among vulnerable sub-groups of the population, for example the low-skilled.

Finally, Recommendation R2 includes provision for periodic revision of the list of central and valuable capabilities (beyond the core defined by the international human rights framework). This means that information on the values of the general public, and of individuals and groups at high risk of discrimination or disadvantage, will need to be collected from time to time, focusing on discussion of what aspects of life are most central and important. The method of data collection needs to be sensitive to the nature of the information that is sought, and could be done using deliberative consultation (as was the case for the development of the list in Appendix 1), or other participatory or survey-based methods.

Recommendation R7: New data collection

Constraints on current data availability should not be used as an excuse to limit the scope or definition of equality. Many aspects of inequality can be measured using existing data, but collection of new data will be required to monitor inequality fully, especially:

- (i) in relation to inequality between people of different sexual orientations and transgender status,
- (ii) for the non-household population altogether,
- (iii) in order to measure autonomy, and
- (iv) for periodic revision of the list of central and valuable capabilities.

Appendix 1: Detailed list of central and valuable capabilities

10 domains of central and valuable capabilities

The capability to be alive

including, for example, being able to:

- avoid premature mortality through disease, neglect, injury or suicide
- be protected from arbitrary denial of life

The capability to live in physical security

including, for example, being able to:

- be free from violence including sexual, domestic and identity-based violence
- be free from cruel, inhuman or degrading treatment or punishment
- be protected from physical or sexual abuse
- go out and to use public spaces safely and securely without fear

The capability to be healthy

including, for example, being able to:

- attain the highest possible standard of physical and mental health, including sexual and reproductive health
- access to timely and impartial information about health and healthcare options
- access healthcare, including non-discrimination in access to healthcare
- be treated medically, or subject to experiment, only with informed consent
- maintain a healthy lifestyle including exercise and nutrition
- live in a healthy and safe environment including clean air, clean water, and freedom from pollution and other hazards

The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society

including, for example, being able to:

- attain the highest possible standard of knowledge, understanding and reasoning
- be creative
- be fulfilled intellectually
- develop the skills for participation in productive and valued activities, including parenting
- learn about a range of cultures and beliefs and acquire the skills to participate in a multicultural society
- access education, training and lifelong learning that meets individual needs
- access information and technology necessary to participate in society

The capability to enjoy a comfortable standard of living, with independence and security

including, for example, being able to:

- enjoy an adequate and secure standard of living including nutrition, clothing, housing, warmth, social security, social services and utilities
- have personal mobility, and access to transport and public places
- live with independence, dignity and self-respect
- have choice and control over where and how you live
- enjoy your home in peace and security
- access green spaces and the natural world
- share in the benefits of scientific progress including information and technology

The capability to engage in productive and valued activities

including, for example, being able to:

- undertake paid work
- care for others
- have rest, leisure and respite, including holidays
- choose a balance between paid work, care and leisure on an equal basis with others
- work in just and favourable conditions, including health and safety, fair treatment during pregnancy and maternity, and fair remuneration
- not be forced to work in a particular occupation or without pay
- not be prevented from working in a particular occupation without good reason

The capability to enjoy individual, family and social life

including, for example, being able to:

- develop as a person
- develop your moral outlook and other beliefs
- formulate and pursue goals and objectives for yourself
- hope for the future
- develop and maintain self-respect, self-esteem and self-confidence
- have a private life, including protection of personal data
- access emotional support
- form intimate relationships, friendships and a family
- celebrate on special occasions
- be confident that your primary relationships will be treated with dignity and respect
- spend time with, and care for, others
- enjoy independence and equality in primary relationships including marriage
- be free in matters of reproduction
- enjoy special support during pregnancy and maternity, and during childhood

The capability to participate in decision-making, have a voice and influence

including, for example, being able to:

- participate in decision-making
- participate in the formulation of government policy, locally and nationally
- participate in non-governmental organisations concerned with public and political life
- participate in democratic free and fair elections
- assemble peacefully with others
- participate in the local community
- form and join civil organisations and solidarity groups, including trade unions

The capability of being and expressing yourself, and having self-respect

including, for example, being able to:

- have freedom of conscience, belief and religion
- have freedom of cultural identity
- have freedom of expression (so long as it doesn't cause significant harm to others)
- communicate, including using ICTs, and use your own language
- engage in cultural practices, in community with other members of your chosen group or groups (so long as it doesn't cause significant harm to others)
- have self-respect
- live without fear of humiliation, harassment, or identity-based abuse
- be confident that you will be treated with dignity and respect
- access and use public spaces freely

The capability of knowing you will be protected and treated fairly by the law

including, for example, being able to:

- know you will be treated with equality and non-discrimination before the law
- be secure that the law will protect you from intolerant behaviour
- be free from arbitrary arrest and detention
- have fair conditions of detention
- have the right to a fair trial
- access information and advocacy as necessary
- have freedom of movement, and be free to choose where you live
- have the right to name and nationality
- own property and financial products including insurance, social security, and pensions in your own right
- know your privacy will be respected and personal data protected

For children, the list can be adapted as follows:

Central and valuable capabilities for children

The capability to be alive

as for adults

The capability to live in physical security

as for adults

The capability to be healthy

as for adults, plus:

- be protected from emotional abuse or neglect
- grow and develop
- learn about how to remain healthy and safe

The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society

as for adults, replacing training and lifelong learning with:

- compulsory and free primary and secondary education that meets individual needs

The capability to enjoy a comfortable standard of living, with independence and security

as for adults, where:

- an adequate and secure standard of living is understood to be one which enhances physical, mental, spiritual, moral and social development
- choice and control is understood to be at a level appropriate to the child's stage of development

The capability to be engaged in productive and valued activities

including for example:

- have safe, enjoyable, and developmental play
- be protected from exploitation through paid or unpaid work

The capability to enjoy individual, family and social life

as for adults, except marriage, reproduction, pregnancy and maternity, and adding:

- be nurtured, loved, and protected

The capability to participate in decision-making, have a voice and influence

as appropriate to the child's stage of development, including for example:

- be encouraged and supported to participate in decision-making, especially decisions which directly affect your own life
- be listened to with respect

- assemble peacefully with others
- form and join civil organisations and solidarity groups

The capability to be and express yourself, and to have self-respect

as for adults, plus:

- be protected from bullying and intolerant behaviour

The capability of knowing you will be protected and treated fairly by the law

as for adults, except own property and financial products

Table 4: Sources of data on inequality

Headline indicators	Gender	Ethnicity	Disability	Age	Sexual orientation	Transgender	Religion/ belief
Life expectancy	ONS			n/a			
Victimisation (violent crime)	BCS	BCS	BCS	BCS			BCS
Self-reported health status	HSfE	HSfE 2004	HSfE	HSfE	NSSAL		HSfE
Highest educational qualification	LFS	LFS	LFS	LFS	NSSAL		LFS
Income	FRS	FRS	FRS	FRS			FRS
Occupational status	LFS	LFS	LFS	LFS	NSSAL		LFS
Social isolation index	BHPS/HSfE	HSfE 2004	BHPS/HSfE	BHPS/HSfE			(BHPS)/HSfE
Civil efficacy index	BSAS/PFC	BSAS/PFC	BSAS/PFC	BSAS/PFC			BSAS/PFC
Self esteem	BHPS	(BHPS)	BHPS	BHPS			(BHPS)
Index of confidence in the CJS	BCS	BCS	BCS	BCS			BCS

Key

Blank means data needed

n/a not applicable

ONS, HSfE etc are sources

Where a source is in (), sample size may be too small

List of sources (annual unless otherwise specified)

ONS Office of National Statistics

HSfE Health Survey for England

BCS British Crime Survey

FRS Family Resources Survey

NSSAL National Survey of Sexual Attitudes and Lifestyles 2000/1

LFS Labour Force Survey (will be part of Integrated Household Survey from Jan 2008)

BHPS British Household Panel Survey

BSAS British Social Attitudes Survey

PFC People, Families and Communities Survey

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