

## Equality Monitoring FAQs

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### Changes to Equality Monitoring Questions - FAQs

#### 1. Why have you changed the corporate questions?

There were three main drivers for the changes:

- To align more closely with the protected characteristics as defined under the Equality Act
- To adopt a more consistent approach to equality monitoring across the Council
- To improve the communication and understanding around the benefits and requires of using equality monitoring

#### 2. What have you changed?

We have summarised the specific changes to the questions below:

- A new question on 'Sex' has been added, as this was not included in the old template. 'Sex' is defined as one of the protected characteristics under the Equality Act, so it is important that we reflect this in our monitoring questions.
- Various questions have been reworded to comply with best practice. We have used Stonewall guidance to inform best practice in the way we ask our questions, so that we are sensitive to different audiences and elicit the best response rates.
- In most cases, the 'Other' option has been removed. From previous engagement with staff and resident equality networks, it was identified that the 'Other' option can be perceived as isolating and exclusive to individuals who do not identify to some of the more common groups.
- Linked to the above, a new option 'Prefer to self-describe' has been included, which is based on Stonewall's best practice guidance.
- The Marriage & Civil Partnership question has been split into two questions: one which allows respondents to identify their legal marriage or civil partnership status; and the other which allows respondents to describe their broader cohabitating status.
- A short description has been added to the Pregnancy & Maternity question to explain how the protection is defined under the Equality Act (as there is specific guidance around the length of maternity, etc.).
- Under Sexual Orientation, a definition of 'Bisexual' has been included, as it was identified that this was a commonly misunderstood term for respondents in previous consultation exercises.
- An updated data protection statement has been included at the beginning of the questions, incorporating the new GDPR regulations. The revised wording has been informed by best practice in the NHS.

### **3. What does this mean for me?**

If you are already collecting data on your service users and residents, you should update your monitoring questions to reflect the new template. However, you should take a pragmatic approach, recognising that in some circumstances, it may not be appropriate to ask certain questions (for example, if your service collects data on children). More information on this can be found in the Council's refreshed equality monitoring guidance [here](#).

If you do not currently collect data on your service users, you should consider whether this needs to take place and create an action plan setting out the necessary steps (such as how you are going to communicate this to service users; how you are going to maximise participation; etc.).

Ultimately, it is up to the service to decide how it updates its equality monitoring questions and they should take a proportionate approach. For example, services conduct annual data cleanses/audits as well as ad hoc data updates when officers interact directly with service users.

### **4. When should I use collect equality data?**

You should carry out equality monitoring only where there is a possibility of gathering useful information that you can act on to improve services or reveal possible discrimination. People should not be asked equality questions unless the information will be used to improve services or reveal possible inequality. That being said, most services will need to carry out equality monitoring so they have accurate information on the particular groups of people using or not using their service.

Equality monitoring should be undertaken to help us meet our duties under legislation covering equal opportunities and their respective codes of practice.

### **5. How do the new GDPR regulations affect the collection of equality data?**

The new GDPR regulations, which came into force in May 2018, affect the collection, storage and disposal of personal data. The Council has developed its own guidance to assist officers undertaking activities involving the use of residents' personal information.

You should include a short explanation of why it is necessary and useful to collect the data and link to your service's wider privacy notice.

## **6. What does this mean if I commission a service?**

If you manage an existing contract, you will have already agreed the terms of the contract with the provider, which includes how aspects of the Equality Act will be monitored. You should inform the provider about the revised corporate standard and discuss how it can be incorporated in the current equality monitoring practice.

Further information can be found in the Council's guidance document, under Equality monitoring of contracted services.