

# Local Autonomy Equality Impact Assessment

24 August 2011

# 1 Introduction

- 1.1 The Department for Work and Pensions has carried out an equality impact assessment on the proposal to introduce Local Autonomy, assessing the proposal in line with the current public sector equality duties.

This process will help to ensure that the Department has paid due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

The equality impact assessment will show how the Department has demonstrated it has paid due regard when developing new services or processes to on the grounds of the protected characteristics. These are; race, disability, gender, age, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief and marriage and civil partnerships (in terms of eliminating unlawful discrimination only).

## 2. Purpose and Aims

- 2.1 This equality impact assessment considers the national high-level impact on customers and staff of Jobcentre Plus managers having more autonomy over how they deliver their services at a local level.
- 2.2 Jobcentre Plus introduced Delegated Flexibility Pilots in April 2010. These Districts had some flexibility about how they managed the services they delivered. Local Autonomy is an extension of that, allowing the Districts to push beyond the policy flexibilities of the earlier pilots. There will be a minimum amount of core service that will be prescribed, but there will be autonomous control over nearly everything else. The District Managers will be able to determine the way in which they deliver their objectives and achieve their targets.
- 2.3 To ensure the Districts are ready to gain their autonomy, they will have to go through a Stage Gate process (a 3 stage process to ensure that the District is capable of operating with full local autonomy). This will allow Jobcentre Plus to manage the risk associated with the transition from a strong control regime to one where localities have greater autonomy. There will be a number of defined Stage Gates at which formal agreement to proceed will be granted, followed

by an ongoing monitoring and performance regime. Only Districts that have cleared a Gate will be invited to proceed to the next stage. Each District, as part of this gated process, will be required to carry out an Equality Impact Assessment and will need to consider the impact of any of the new initiatives they propose, the Equality Impact Assessment will be used to inform the appropriate Stage Gate decisions rather than 'after the fact'.

- 2.4 Currently this Stage Gate process is being trialled in two districts (Greater Manchester Central and Cheshire and South West Wales), these will act as Trailblazers for the Local Autonomy process (to drive out any issues or areas where the process requires further definition/development). An additional two districts (the remainder of the Delegated Flexibility pilots) are expected to start their own journeys towards Local autonomy by mid 2011. It is then envisaged that there will be a period of evaluation before a revised process is opened out to the rest of the network.
- 2.5 Districts will have additional flexibility over policy, their budgets and staffing. District Managers will need to adhere to legal frameworks and to the 'tight' elements of control already prescribed, but they will have the autonomy to decide how to balance expenditure between administration and provision and will be able to determine their own organisational design.
- 2.6 Finance, Equality and Human Resource Business Partners will be involved to support the District Managers in their decision making (including individual measures and activities). Again, the Equality Impact Assessment should be used to inform this process.
- 2.7 Delivering our services in a more autonomous environment helps to:
  - tailor labour market support to help local jobless people find work more quickly;
  - consider the local population and economy and promote equality regardless of race, gender, sexual orientation, disability or religious belief;
  - find new and innovative ways of helping employers to fill their jobs and sustain workforces;
  - show a good understanding of the issues affecting people in the area; and,
  - forge close links with existing initiatives and partnerships, to bring together effective solutions to help people find their own way into work.
- 2.8 Jobcentre Plus Districts will be responsible for conducting and clearing with their Equality Business Partner, their own equality impact assessments in

relation to what they want to do, but they will have to consider and conform to the high-level principles set out in this document.

### 3 Consultation and involvement

- 3.1 To ensure that any new activity will not adversely affect any customer group or staff, or that it could discriminate unlawfully on the grounds of race, disability, age, sexual orientation or religious belief, Gender, Gender reassignment, pregnancy and maternity and marriage and civil partnerships. It is expected that all Districts, both those involved in the Trailblazers, and those throughout national roll out, will need to develop their plans in consultation and involvement with local customer groups, trade union and other local partners.
- 3.2 The Local Autonomy process is slightly unusual in that it is a 'bottom up' process, as opposed to a 'top down' policy led initiative. It is therefore the activity undertaken at a local level (within an overarching framework) that will ensure compliance with the appropriate legislation and policies, ensuring that both the current legally protected groups (race, gender and disability) and those that are to come under this protection in the future (age, sexual orientation and religious belief) do not suffer disproportional disadvantage.
- 3.3 The current two Trailblazers have consulted and been engaged with local partners, Strategy, Policy, Estates and Corporate IT colleagues, as well as Finance, Diversity and HR partners as previously described.
- 3.4 Each of the two Trailblazers have incorporated elements on Equality Impacts within their District Business Plan, these are currently undergoing assessment through the separate Stage Gate Process.
- 3.5 All districts moving towards Local Autonomy will need to undertake widespread consultation both as part of their plans for the Stage Gate process and on an ongoing basis as they evaluate their performance. This will include:
  - Internal stakeholders, including those who will be delivering the policy, for example, Jobcentre Plus business strategy, corporate IT;
  - External stakeholders at the local level including organisations which represent the views of our customers (this engagement will also be covered in local communications plans).
- 3.6 It is key to for the individual Districts either seeking or achieving Local Autonomy to regard the Equality Impact Assessment as a 'living' product that will be reviewed on an ongoing or regular basis, with mitigations put in place to ensure appropriate protection for the groups described.

## **4 Impact of Local Autonomy**

- 4.1 Working in a more autonomous way is not expected to have any significant negative impact on our customer groups and may enhance and improve engagement with specific customer or employer groups. The initiative also supports our aims to improve job outcomes, sustain jobs and improve the overall customer experience.
- 4.2 Where Districts earn more autonomy they will be expected to work at all times to ensure that customers are treated without any discrimination on grounds of race, gender, disability, age, sexual orientation, or religion and belief, Gender, Gender reassignment, pregnancy and maternity and marriage and civil partnerships. To ensure this happens we will ensure that the assessment process for Districts going through the Stage Gate process identifies any discrimination and that the monitoring and evaluation framework for the Trailblazers identifies this as a specific area for scrutiny. The Districts will be expected to monitor their contacts with customers to ensure any potential discrimination is identified, and that their local equality impact assessments are reviewed every 6 months.

### **For our customers**

- 4.3 The Department for Work and Pensions is committed to providing services which embrace diversity and promote equality of opportunity. The Department is committed to providing the best possible services to meet the diverse requirements of its customers. [The DWP Customer Charter](#) outlines our commitment to customers and when things do go wrong we have a robust comments and complaints procedure.
- 4.4 Local Autonomy will allow Managers to work more closely with local communities, which will mean they will get a better understanding of their localities needs. This will allow them to design and deliver targeted help that brings their customers as much opportunity as others.
- 4.5 This will allow our staff to personalise the customer journey to the individual customer.

### **For our staff**

- 4.6 As an employer we are committed to equality and we value diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices with all our customers, colleagues and partners. District Managers will ensure that when choosing staff to work with stakeholders their decision is informed by workforce capability and existing departmental guidance on accessibility, work

life balance and so on. Trade Unions will be consulted during the planning process for any initiative, in line with current Jobcentre Plus arrangements.

- 4.7 We think it is important that all our people can contribute to the achievement of the Department's objectives. All staff have access to learning and development products covering the range of equality areas.

## **Ensuring equality**

- 4.8 The Department is committed to providing services which embrace diversity and which promote equality of opportunity for staff and customers. We will provide equality of opportunity and will not tolerate discrimination on grounds of: gender, sexual orientation, race, colour, religion, age and disability.

- 4.9 Districts undergoing or achieving Local Autonomy must ensure that they take appropriate steps to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- ensure steps are taken to meet the needs of a person who is disabled as they are different from the needs of those who are not disabled.

- 4.10 If there is disadvantage identified to particular groups, districts undertaking Local Autonomy must also detail any mitigation planned, and if none is proposed (to mitigate against any identified disadvantage) this decision should be explained.

- 4.11 Individual District Plans or Equality Impact Assessments should answer the following questions:

- Is there any reason to believe that different group(s) of people could be negatively or unduly affected by your proposed policy or service?
- Does everyone have the same opportunity to use the policy or service, or is it more difficult for some than others?
- Does the proposal provide the same outcome for all?
- If the policy does not have the same outcome for all is this because it has been designed to tackle a previous imbalance or promote the opportunity to help a particular group? If yes, record this as a positive impact.
- Are the proposals likely to affect relations between different groups? Do they favour a particular group or deny opportunities to another? If they will favour one group over another, is this what you intended?
- Is there any evidence that any part of the proposed policy or service could discriminate unlawfully against people from different groups?

- Is there any evidence that different groups have different needs which may be affected by your policy or service?
  - Does the policy address issues that have been highlighted in the past as a negative or disproportionate impact?
- 4.12 The District Plans or Equality Impacts must also include any issues or impacts identified and how these will be removed or reduced.
- 4.13 A District's conclusions must be supported by information and data you have used and how this supports the impacts identified – whether they are negative or if the District is demonstrating promoting equality, ie a positive impact.
- 4.14 A key factor for the Districts applying for Local Autonomy to consider is how they build the capacity and capability to ensure that Equality and the impact on protected groups is considered at the appropriate decision making points. This is likely to include developing staff understanding (as well as the management team) on the legislation and managing the risk. This could include awareness sessions and/or diversity training.
- 4.15 Districts will also need to consult and engage with local customer representative groups to ensure that they consider the impacts on customer groups protected by the legislation in the development of services.
- 4.16 Partner organisations and other external stakeholders must also be committed to being equal opportunity employers providing a safe working environment free from discrimination and harassment and ensuring all staff and customers are treated fairly in line with their agreed organisational policies.

## **Disability**

- 4.17 In deciding on the delivery of any services our guidance makes full reference to the requirement to adhere to existing Jobcentre Plus and Department for Work and Pensions responsibilities regarding equality and accessibility. This applies equally to customers and staff. By using local information managers are best placed to identify any gaps in service, or opportunities to help any member of staff or customer that may consider themselves to have a disability.

## **Gender**

- 4.18 In deciding on the delivery of any services the guidance for district managers makes full reference to the requirement to adhere to existing Jobcentre Plus and Department for Work and Pensions responsibilities regarding equality.

This applies to customers and staff. Local managers will work with partners and any other stakeholder to resolve any issues that arise around gender.

### Disability

4.19 The following table gives % of the national benefit caseloads who have a disability (*Source PMAD, numbers may not add up due to rounding*)

Benefit/allowance	JSA	IS	ESA	IB
With a disability	20	38	55	61
Without a disability	80	61	39	37
N/K		2	6	2

### Race

4.20 In deciding on the delivery of any services the guidance for district managers makes full reference to the requirement to adhere to existing Jobcentre Plus and Department for Work and Pensions responsibilities regarding equality. This applies to customers and staff. Local managers will work with partners and other stakeholders to resolve any issues that arise around race and ethnicity.

The following table gives % of the national benefit caseloads by ethnic group (*Source PMAD, numbers may not add up due to rounding*)

Benefit/allowance	JSA	IS	ESA	IB
White	79	67	67	60
Black	6	5	3	2
Asian	5	4	4	2
Mixed	2	1	1	3
Other	1	2	1	0
Unknown	6	21	24	34

### Sexual orientation

4.21 There is no data on the sexual orientation of customers who may be impacted by Local Autonomy, and only limited information on staff. It is, however, not anticipated that increased local autonomy will have any particular impact on customers and staff by reference to sexual orientation.

### Religion or belief

4.22 There is no data on the religion or belief of customers or staff that may be impacted by Local Autonomy. It is, however, not anticipated that increased local autonomy will have any particular impact on customers and staff by reference to their religion or belief.

## 5 Monitoring and evaluation

- 5.1 Each district will put processes in place to monitor Local Autonomy on a regular ongoing basis and collect best practice examples which will then be shared via the Steering group. The Stage Gate process, where Districts earn their autonomy, will require evidence of planned monitoring and evaluation of the services to ensure they consider equality in the planning stage.
- 5.2 Lessons learned from early trailblazers will form part of the guidance available to later Districts to identify good/bad practice and help determine what to do, or what to try to avoid
- 5.3 It may be that District Managers decide to monitor and evaluate their performance on equality and diversity by;
- Tracking job outcomes and sustainability by benefit group and, where possible, by age, gender, disability and ethnic origin;
  - Looking for signs that different customer groups are being treated differentially. To do this the Districts could use Management Information on interventions or could conduct qualitative fieldwork with their customers;
  - Evaluating the role that personalisation of the customer journey has and consider it's success in eliminating discrimination and promoting equality of opportunity.
- 5.4 The assessment for achieving Local Autonomy requires the District Manager to go through a 3 Stage Gate approval process.
- At Stage Gate 1 the Customer Service Director approves the DM's intent to apply for local autonomy status and authorises the DM to produce a Business Plan;
  - At Stage Gate 2 the DM implements his or her Local Autonomy Business Plan for the nine months' Field Test period;
  - At Stage Gate 3 The Local Autonomy Board decides on the DM's suitability for full autonomy and submits its recommendation to JEM.
- The District's performance on equality and diversity throughout these Stages will be a key element of these assessments.

## 6 Next steps

- 6.1 This overarching impact assessment will provide a high level framework to support districts when developing their plans and initiatives, especially when engaging with external stakeholders.

6.2 A review of this equality impact assessment will take place six months from the start of the delivery to update any relevant information.

## **Contact details**

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