

# Welfare Reform Bill 2011 equality impact assessments: General introduction

To accompany the statement made by the Chancellor on 20 October 2010 on the Spending Review 2010, HM Treasury published 'An overview of the impact of the Spending Review 2010 on equalities' [http://cdn.hm-treasury.gov.uk/sr2010\\_equalities.pdf](http://cdn.hm-treasury.gov.uk/sr2010_equalities.pdf). This set out HM Treasury's approach to considering the equality impacts. For tax and welfare measures, HM Treasury undertook a screening exercise and the overview published high level impacts of the Spending Review on groups protected by equality legislation. HM Treasury also indicated that after the statement on 20 October, full impact assessments would be considered and published by relevant departments in due course.

Where appropriate, therefore, the Department for Work and Pensions has assessed the impact on equality of the proposed changes which are contained in the Welfare Reform Bill. These assessments were first published in March 2011, and have been updated for the Welfare Reform Bill's introduction into the House of Lords. Proposals have been assessed in line with the current public sector equality duties which require the Department to show due regard when developing new policies or processes to the impact of the proposals on race, disability and gender (including gender reassignment).

Wherever possible, we have incorporated the new public sector duty introduced by the Equality Act 2010 which came into force from 6 April 2011.

If relevant, definitions have been amended to reflect the implementation of changes introduced by the Equality Act 2010 from 1 October 2010. This, for example, covers the definition of disability, where we use the definition contained in the Equality Act rather than the overtaken Disability Discrimination Acts 1995 and 2005.

The Department uses an equality impact assessment tool and processes which are designed to help to ensure that:

- the Department's strategies, policies and services are free from discrimination;
- the Department complies with current equality legislation;
- due regard is given to equality in decision making and subsequent processes; and
- opportunities for promoting equality are identified.

## **Data with regard to new protected characteristics**

With the exception of gender and age the Department has not routinely collected certain data on all of the groups covered by the new public sector duty taking effect from 6 April 2011. As a result we cannot use existing

administrative data to identify the impacts of individual bill measures on some of these groups.

The Department is currently exploring what information it can collect on the additional protected characteristics of sexual orientation, religion or belief, marriage and civil partnership, and pregnancy and maternity. In this section we have outlined some of the high-level survey information available on the characteristics of these groups. Whilst this information is useful for context, it does not combine information on income levels and demographic characteristics and so does not explicitly aid understanding of the Department's policies on different groups. We are currently considering how best to obtain such information, and more details have been set out in the monitoring and evaluation section of the individual Equality Impact Assessments for the individual measures.

Since 2011 we have collected information on religion and sexual identity in the Family Resources Survey and, when the data becomes available we plan to use it data to assess the impact of policies on these groups.

## **Gender Reassignment**

The Department does not hold information on its administrative systems on gender reassignment. The Gender Identity Research and Education Society<sup>1</sup> provide the numbers of individuals applying and being awarded Gender Recognition Certificates. Around 2,600 certificates have been issued as of August 2010. However, it should be noted that many transgender people do not apply for these certificates.

The Equality and Human Rights Commission Trans Research Review<sup>2</sup> references two existing studies that estimate the number of transgender people in the UK to be around 65,000, and around 300,000. The numbers of transgender people are too small for statistics on this group to be derived from sample surveys.

## **Sexual Orientation**

The Department does not hold information on its administrative systems on the sexual orientation of claimants. In addition, many people chose not to answer survey questions about sexual identity, so there is currently no consensus on the actual LGB population.

Since April 2009, questions about sexual identity have been asked on the Integrated Household Survey (IHS). The questions are still experimental at this stage, but an ONS evaluation of responses to the questions in their first year suggests that the LGB population are just under 1.5% of the adult UK population<sup>3</sup>.

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<sup>1</sup> <http://www.gires.org.uk/grp.php>

<sup>2</sup> [http://www.equalityhumanrights.com/uploaded\\_files/trans\\_research\\_review\\_rep27.pdf](http://www.equalityhumanrights.com/uploaded_files/trans_research_review_rep27.pdf)

<sup>3</sup> <http://www.ons.gov.uk/ons/guide-method/measuring-equality/equality/sexual-identity-project/measuring-sexual-identity--an-evaluation-report.pdf>.

The Equality and Human Rights Commission Sexual Orientation Review<sup>4</sup> references a number of sources that estimate, depending on the measure used, the size of the LGB population to be between 0.3-7 per cent of the UK population. These estimates are further used to suggest that up to 3 million of the UK population are lesbian, gay or bisexual.

## **Religion or Belief**

The Department does not hold information on its administrative systems on the religion or beliefs of claimants. However, the Equality and Human Rights Commission analysis of ONS shows that for Britain overall, nearly three quarters of all adults report Christian affiliation; nearly 20% say they have no religious affiliation; and less than 10% of the population report affiliation to a non-Christian religion<sup>5</sup>. Nearly half of these are Muslim, accounting for 3.5% of the adult population. Other groups are Hindu (1.3%), Sikh (0.6%), Jewish (0.5%) and Buddhist (0.4%). All other religious affiliations account for 1.1% of the population.

## **Marriage and Civil Partnerships**

The Department does not hold information on its administrative systems on the number of claimants in a civil partnership. The ONS has information on the marital status of the population, but not on the number of civil partnerships at any point in time.

In 2009 there were 231,000 marriages in England and Wales<sup>6</sup> and 6,200 new civil partnerships in the UK<sup>7</sup>.

## **Pregnancy and Maternity**

The Department only holds information on pregnancy and maternity on its administrative systems where it is the primary reason for incapacity. The Office for National Statistics<sup>8</sup> collects data on conception rates for England and Wales. This may give us some indication of the profile of women who are pregnant or on maternity leave. In 2008, around 33% of conceptions were women aged below 25. The majority, around 64%, of women were aged between 25 and 40.

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<sup>4</sup> [http://www.equalityhumanrights.com/uploaded\\_files/sexual\\_orientation\\_research\\_review.pdf](http://www.equalityhumanrights.com/uploaded_files/sexual_orientation_research_review.pdf)

<sup>5</sup> Equality and Human Rights Commission analysis of ONS, 2010, Annual Population Survey, October 2008 – September 2009 ([http://www.equalityhumanrights.com/uploaded\\_files/triennial\\_review/how\\_fair\\_is\\_britain\\_appendices\\_1-5.pdf](http://www.equalityhumanrights.com/uploaded_files/triennial_review/how_fair_is_britain_appendices_1-5.pdf))

<sup>6</sup> <http://www.statistics.gov.uk/pdfdir/mar0311.pdf>

<sup>7</sup> <http://www.statistics.gov.uk/pdfdir/cpuk0810.pdf>

<sup>8</sup> <http://www.statistics.gov.uk/StatBase/Product.asp?vlnk=15055> ONS: Conception Statistics for England and Wales, 2008.

## Consultation and involvement

The Department has well-established mechanisms for engaging with organisations that work with and represent its customers. Briefly, these comprise:

- the quarterly DWP Policy & Strategy Forum, which is used as a vehicle for consulting with policy officers of key national organisations that work with and represent our customers, as we develop our thinking and our policies; organisations represented include Citizens Advice, Local Government Association, Age UK, and a wide variety of disability organisations and those that work with our most disadvantaged customers;
- the Equality Schemes Customer Reference Group which helps the Department involve customers specifically on equality matters and acts as a consultation group for the Department's Equality Schemes. The Group usually meets twice a year and has representatives from each of the equality areas;
- our Customer Representative Forum programme – three larger-scale events (the Annual Forum in London, Welsh Annual Forum in Cardiff and Scottish Annual Forum in Edinburgh/Glasgow) that are designed to allow engagement with representatives of the frontline organisations that work with our customers at regional and local level; these include a wide variety of advice and support organisations from the voluntary sector, as well as health and social services.

In addition to these standing consultation arrangements the Department regularly holds discussions with key stakeholders about current issues and new initiatives.

In advance of the Chancellor's statement on 20 October 2010 on the Spending Review, the Department published a consultation paper '21<sup>st</sup> Century Welfare' seeking views on the future of the benefit and tax credit system [21st Century Welfare - DWP](#). Further consultation papers have been published since 20 October on Disability Living Allowance reform [Disability Living Allowance reform - DWP](#) and child maintenance [Strengthening families, promoting parental responsibility: the future of child maintenance – public consultation - DWP](#). Full details of public consultation papers are given at [Consultations - DWP](#).

Further engagement with both internal and external stakeholders about the measures proposed in the Bill has been ongoing since 20 October. Recent engagements on Welfare Reform include the Welsh Annual Forum on 17 March 2011 and the DWP Annual Forum on 6 July 2011. Welfare Reform events were also set up specifically for grassroots organisations including London 9 March 2011, Bristol 1 April 2011, Manchester 14 April 2011, Edinburgh 21 April 2011, and London 31 May 2011. The Policy & Strategy Forum meetings on 2 February 2011, 18 May 2011 and 7 May 2011 included discussions of DLA Reform, Personal Independence Payment, Universal Credit and the Social Fund.

Where further engagement and involvement with stakeholders has taken place, details are contained in the relevant equality impact assessment.