A briefing on the socio-economic duty

The UK Government has committed to commencing section 1 of the Equality Act 2010 – the socio-economic duty. If effectively commenced the duty could help to build a fairer, more equal, and healthier society.

The 1ForEquality Campaign, co-chaired by Just Fair and The Equality Trust, seeks the effective enactment, implementation and enforcement of the duty – across Great Britain in order to improve the fulfilment and protection of everyday rights, and reduce inequality. This briefing, created by members of the 1ForEquality Campaign explains:

- **what the duty is**
- **why it is needed**
- **what impact it could have**
- **what effective commencement looks like**
- **what you can do to support effective commencement.**

What is the socio-economic duty?

Included in section 1 of the Equality Act 2010 was a key tool to help tackle inequality – it's called the socio-economic duty (the duty), but it wasn't 'commenced' back in 2010 and so isn't in force across England yet. The duty requires listed authorities to pay **due regard** to the way in which their **strategic decisions** increase or decrease inequalities that result from socio-economic disadvantage.

The socio-economic duty has been in force in Scotland since April 2018, (through the Fairer Scotland Duty) and in Wales since March 2021 (through A More Equal Wales).

The UK Government has pledged to commence the duty for England during this Parliament and preparations are underway. However, advocacy is needed to secure its activation and to make sure that implementation plans are effective – that's where we need your support.

Why is the duty needed now?

Inequality harms all of us:

The UK is a deeply unequal country in terms of income and wealth. Inequality is a huge problem in our society – foremost because more than 1 in 5 people in the UK is living in poverty, while the number of billionaires continues to rise. But inequality harms us all. According to research from

the Equality Trust by Kate Pickett, Aini Gauhar, and Richard Wilkinson, more equal countries enjoy better overall quality of life and societal outcomes across health and wellbeing, life expectancy, education and employment, crime, community cohesion and the environment. By contrast, a much higher percentage of the population suffer from mental ill health in more unequal countries. Furthermore, the analysis demonstrates that inequality:

- erodes social cohesion
- prejudices the chances of children and young people
- is a determinant of the health and wellbeing of our population
- is central to the climate crisis

The duty helps everyone

The duty is a key tool to help those at the sharpest end of inequality. But the duty is about building better outcomes for everyone in our society. For example, voluntary adoption of the duty by Harborough District Council led them to create a 'financial first aid kit' during the cost of living crisis to pre-empt risks to mental health associated with debt and financial hardship, including for those who had not previously experienced debt or been in contact with support services in the past. **The duty extends beyond poverty and has a proven track record of supporting the squeezed middle.**

The impact of the duty

We've already seen public authorities across England adopt the socio-economic duty voluntarily, because they know it's a useful tool to tackle inequality. Case study research led by Just Fair and Resolve Poverty demonstrated that it's already having an impact:

- Merseyside Fire and Rescue Service used the duty to remove the driving licence requirement for applicants, dismantling a financial barrier and improving workforce diversity.
- Because of the duty, Salford City Council froze the cost of school meals during the cost-of-living crisis.
- In the North of Tyne Combined Authority, its voluntary adoption encouraged individuals from socially disadvantaged backgrounds to apply for internal senior roles.
- In Hackney Council, it helped speed up and focus their response to the impacts of the pandemic on those experiencing socio-economic disadvantage.

Once activated by the UK Government, the duty will embed a 'screening check' on the human impact of strategic decisions. Spanning all ministerial departments and council functions, in areas such as health, housing, education, crime and safety, the economy, social security and funding of public services, the duty can help to guard against objective-setting and policy positions that cause social harm, which shows up in constituency casework. The duty supports decisions that deliver social good at the national and local level.

What effective implementation and enforcement could look like

Based on years of research and working with local and combined authorities on voluntary implementation of the duty, members of the 1ForEquality Campaign have drafted a document on the key elements for effective enforcement. These include:

1. Focus on outcomes - priorities or outcomes should be set for the duty, some applying nationally, in addition to latitude for locally set ones
2. Take a holistic approach – including effective combined/cumulative impact assessments - to take intersectional inequalities into account
3. Using data effectively as a tool for decision-making and accountability
4. Ensuring buy-in from senior leadership and management
5. Working in partnership with people with lived experience of socio-economic disadvantage
6. Effective monitoring and evaluation, with a strong, well-funded enforcement role for the Equality & Human Rights Commission
7. Support with monitoring and implementation - including central support hub and sharing of resources
8. Clear statutory guidance and sufficient resourcing
9. Defining a strategic decision broadly to maximise positive impact
10. Expanding the list of public authorities subject to the duty
11. Non commencement of section 1(6) (which relates to inequalities experienced by a person as a result of being subject to immigration control)
12. Advance announcement of the commencement date to give duty bearers time to prepare for the duty coming into force
13. Ensuring effective future proofing of the duty

Please do read the full document for detail on each of these elements.

What you can do to support effective commencement of the duty

In your role as an MP you can do a lot to make sure the duty is effectively commenced, including in relation to ensuring that:

1. there is a focus on outcomes in implementation of the duty, with clear targets
2. the Office for Equality and Opportunity – which is tasked with preparing for commencement – is sufficiently staffed and resourced
3. there is resourcing to ensure duty bearers can genuinely work in partnership with people with lived experience
4. the statutory guidance is strong and effective
5. Duty bearers have sufficient resources to implement the duty (including a central support hub) and for the EHRC has sufficient resources to monitor and enforce the duty
6. the UK Government announces a commencement date to give duty bearers time to prepare
7. the non-commencement of Section 1(6) (which relates to inequalities experienced by a person as a result of being subject to immigration control)
8. the most pertinent public authorities impacting upon socio-economic inequalities are subject to the duty, and strategic decisions are defined broadly.

We invite you to consider **becoming a champion of the socio-economic duty**. To do this, or to find out more information, including questions you can ask in Parliament, email us on info@justfair.org.uk

Members of the 1ForEquality campaign are always happy to meet and discuss anything about the duty. Get in touch at info@justfair.org.uk

To connect with other parliamentarians advocating for the timely, meaningful implementation of the duty via the APPG on Poverty & Inequality please visit: https://appgpovertyinequality.org.uk/

Further reading and resources

Legislation: Section 1, Equality Act 2010

Just Fair & Resolve Poverty (formerly GMPA): The socio-economic duty in action – Case studies from England and Wales

Equality Trust: SED Parliamentary Briefing with the case for support, success stories, actions and talking points

1forEquality group and Local Government Association: Webinar recording - Getting Ready for the Socio-Economic Duty with local authority case studies

Resolve Poverty: Socio-economic duty adoption across England

Equality and Human Rights Commission: 'Evaluating the socio-economic duty in Scotland and Wales'