



Ministry of Defence

## Equality & Diversity Schemes 2008-2011

Incorporating Armed Forces, Wider Ministry of Defence and Ministry of Defence Police



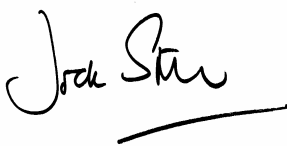


## Foreword by

**Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff,  
Sir Bill Jeffrey, Permanent Under Secretary for Defence  
(Civil Service Diversity Champion) and  
Steve Love, Chief Constable Ministry of Defence Police.**

*We are delighted to introduce our overarching Equality and Diversity Scheme for the Ministry of Defence (MOD), encompassing the Armed Forces, the wider Department and the MOD Police (MDP) individual schemes. Our Schemes demonstrate our continued commitment to our equality and diversity agenda and making equality and diversity integral to all our policies, functions and services. We consider that all diversity strands are of equal importance and our Schemes reinforce that message.*

*Our organisation is large and complex, being a Department of State as well as the Headquarters of our Armed Forces. Our Action Plans will address areas of concern, identified during consultation with internal and external stakeholders, as well as setting out the measures we intend to undertake to meet our general and specific duties under the various pieces of legislation. We are fully committed to attracting staff to reflect the diverse community that we serve. Additionally, where we interact with, or provide services to, members of the public we will take action to address the needs of all.*

*We have worked closely with the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission and the Equalities Commission for Northern Ireland, over recent years, to address particular issues of concern. We intend to build a meaningful relationship with the new Equality and Human Rights Commission to keep up the momentum.*

Signature 	Signature 	Signature 
<b>Air Chief Marshal Sir Jock Stirrup</b>	<b>Sir Bill Jeffrey</b>	<b>Chief Constable Steve Love</b>

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**Equality and Diversity Impact Assessment**

**This Scheme has been Equality and Diversity Impact Assessed in accordance with the Department's Equality and Diversity Impact Assessment Policy as follows :**

**Part 1 screening only completed (no direct discrimination or adverse impact identified). Due for review in April 2011.**

**If you require this document in an alternative format, please contact:**

**'DGCP-EFDiversity4a@mod.uk'**

## INTRODUCTION

Amendments to anti-discrimination legislation made by the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 placed duties on a wide range of public authorities, including the Armed Forces, Wider MOD and the MDP to promote race, disability and gender equality, respectively.

These duties are outlined in the Statutory Equality Duties found in section 3 of this EDS and aim to make the promotion of equality central to the way public authorities work. We concur with this approach and seek to mainstream equality and diversity considerations into all that we do.

This EDS outlines at section 1, the role and functions of the Armed Forces, Wider MOD and the MDP, describes our equality values and principles and explains how we plan to meet our statutory duties. Our focus is increasingly moving to positive equality outcomes and reporting mechanisms have been established to ensure that these are reviewed annually by senior management and any adverse effects acted upon. This is pivotal to ensure that we not only have the right processes in place to meet our statutory duties but that those mechanisms are also making a real difference to the participation of under-represented groups both internally and externally.

The first Defence EDS came into effect on 1 April 2006, this was reviewed and our new EDS will be in force until 2011. The revised scheme incorporates an overarching scheme at sections 1 to 4, in addition to individual schemes for the Armed Forces, Wider MOD and the MDP. The scheme takes account of existing and likely future legislation to promote equality and diversity. It sets out how we intend to meet our statutory general and specific Race, Disability and Gender Equality Duties. Additionally, the EDS includes our approach to other diversity strands.

Copies of our annual reports against this EDS will be distributed at senior levels throughout the Department and placed in the House of Commons library. They will also be available on our internal and external websites. Alternative formats will be made available.



## SECTION 1: THE MOD – ABOUT US

### DEFENCE VISION

Defending the UK and its interests  
Strengthening international peace and stability

### A Force for good in the world

We achieve this aim by working together on our core task to produce battle-winning people and equipment that are:

- Fit for the challenge of today;
- Ready for the tasks of tomorrow;
- Capable of building for the future.

1.1 The Defence Vision is pivotal to everything that the Department does. It sets out the common purpose of all the military and civilian personnel who work in Defence. We are one of the largest government departments in the United Kingdom. We employ military and civilian staff, which includes our own civilian Police Force (which is a statutory police force operating within the MOD).

1.2 To achieve this Vision, we have two high level outputs, reflecting our roles as a Department of State and as the nation's Armed Forces. These are intimately linked and interdependent:

- Developing **defence policy**, comprising the definition of the military capability and other objectives required of Defence to meet the Government's overall policy aims within planned resources.
- Providing the **military capability** needed to deliver defence policy and to support wider government policy objectives.

1.3 Both the policy and military capability are joint outputs which can only be effectively generated by the organisation working together in a fully integrated and coherent way.

# **STRUCTURE AND FUNCTIONS OF THE MOD**

## **KEY ORGANISATIONAL FEATURES**

1.4 The key features of the MOD are set out below.

### **1.4.1 A Unified Military/Civil Structure.**

Since “Front Line First”: The Defence Cost Study, which was a programme of defence cuts announced in 1994, Defence’s dual functions as a Department of State and as the nation’s Armed Forces are reflected in a unified structure, as these functions are not only complementary but cannot be carried out separately. Experience has confirmed that this integrated approach is both more efficient and more effective than the previous approach of “parallel hierarchies”. It also reinforces the ethos that everyone in Defence is working to achieve a common Vision.

### **1.4.2 Central Strategic Planning and Direction.**

Defence outputs, especially the creation, support and use of modern military capability, are highly demanding and depend on the complex interaction of people, equipment and technology produced by a wide variety of organisations and external suppliers. Generating these outputs is therefore an equally complex management activity which requires clear strategic direction to, and coordination of, those organisations and suppliers within a common and clear framework. This includes prioritisation in the use of scarce resources.

### **1.4.3 Delegated Delivery.**

The extent, variety and complexity of the individual tasks which are required to produce modern military capability makes detailed central control or management both exceptionally difficult and very inefficient. Responsibility for individual components of capability and for supporting and administrative tasks is therefore delegated, along with resources required, to individuals (in the first instance to TLB (TLB) Holders and Agency Chief Executives) who are held accountable for delivery. This parallels the military principle of Mission Command.

### **1.4.4 A Vertical Chain of Command and Management.**

The need for central strategic direction both for military operations and for the peace-time creation and maintenance of military capability requires a hierarchical or vertical command and management structure. The military command structure and the day-to-day management structure are identical, reflecting the need for clarity in all circumstances.

#### **1.4.5 Customer-Supplier Relationships.**

Although direction and resources flow vertically downwards from the centre (and accountability flows in the reverse direction up the command and management chain) most day-to-day business transactions are horizontal – i.e. across or between business units at various levels. This includes the generation of the intermediate outputs which are the constituent components of military capability itself as well as support and enabling functions. Individual business units are dependent on financial resources and outputs from other business units in order to discharge their own responsibilities to Defence as a whole. Major dependencies are often reflected in “internal contracts” known as Customer-Supplier Agreements.

#### **1.4.6 A Corporate Framework with Common Business Processes.**

Similarly, departmental high-level processes that define standards and requirements for key activities (e.g. acquisition), which take place in business units to ensure they operate consistently and effectively across the whole of Defence, are an important part of the corporate framework. These are enabling processes which operate horizontally across the organisation and differ from the responsibilities for delivering particular outputs which run through the vertical command and management chain. They do not detract from those delivery responsibilities but simply condition how they are carried out. Individual Process Owners are responsible for driving continuous improvement within them. The Business Management System defines the interconnections between these processes, the roles and responsibilities of Process Owners and their relationship with TLB Holders (and Senior Responsible Owners for specific major change and acquisition projects).

## THE HEAD OFFICE

1.5 The Head Office is responsible under the direction of the Secretary of State and the Defence Council for leading the Defence contribution to the development of the Government's foreign and security policy and wider government objectives, and for translating those objectives into departmental policy and the defence capability needed to deliver it. The Head Office has four main functions:

### Advising Government on Defence:

- advising Ministers (and other government departments) on the development of the defence contribution to government policy;
- supporting Ministers in discharging their Parliamentary accountability for the activities of the Armed Forces and for the MOD as a Department of State.

### Making Policy and Setting Departmental Strategy:

- Defence policy, defining the military capability and other Defence objectives which meet the Government's policy aims and match the resources available for Defence;
- policy for the management of the Armed Forces in order to maximise their fighting effectiveness, efficiency and morale; and
- strategic direction of military operations as appropriate.

### Planning and Resource Allocation:

- translating Defence objectives into a departmental programme through a framework of plans which set appropriate objectives and performance targets for TLB's and Agencies, matched to available resources.

### Management of Defence:

- managing delivery of planned objectives by monitoring performance and expenditure of TLB's and Agencies against planned objectives and adjusting objectives and resources as required;

- highest level management of military activity including provision and operation of a crisis management support to Government; and,
- defining the corporate framework for Defence that meets legislative requirements, including those as an employer, and drives continuous improvement by setting and upholding Defence-wide standards and processes.

## TOP LEVEL BUDGETS

1.6 The delivery of Defence outputs falls to TLB Holders – Service Commanders-in-Chief and the heads of other major delivery organisations. TLB Holders are responsible for the delivery of specific outputs – typically elements of military capability, or supporting services to other TLBs – linked to the provision of agreed resources. At the conclusion of each biennial planning round, the outputs and the related resources for each TLB are set out in Service Delivery Agreements between the Permanent Under Secretary and the Chief of the Defence Staff on the one hand and the TLB Holder, or Service Chief where appropriate, on the other hand. The primary functions of the TLBs are set out below:

### 1.6.1 Central TLB (CTLB)

The role of the Central TLB is to provide the framework to enable the MOD to act as both a Department of State and as the Strategic Headquarters of the Armed Forces. It provides three key functions:

- Head Office: strategy and policy, allocation of resources against objectives and targets, monitoring performance, and setting standards;
- Military Capability: providing centrally managed force elements at defined readiness states (including Special Forces, medical and intelligence services);
- Corporate Services: delivering cost-effective and efficient centralized Corporate Services to the wider Department, e.g. finance and personnel services.

### 1.6.2 Chief of Joint Operations (CJO)

With a few exceptions, CJO is responsible for running all military operations from the Permanent Joint Headquarters in Northwood. Military assets are assigned to CJO for the duration of the operation only. In addition to these operational responsibilities, CJO is responsible for the Sovereign Base Areas and British forces in Cyprus, Gibraltar, the South Atlantic Islands and Diego Garcia.

### 1.6.3 Fleet (FLEET)

The single TLB now known as Fleet was formed on 1 April 2006 by merging the old TLBs of Commander in Chief Fleet (CINCFLEET) and Second Sea Lord/Commander in Chief Naval Home Command

(2SL/CNH) TLBs. Headed by Commander in Chief Fleet, the TLB is responsible for delivery of warships and trained crews and Royal Marines to CJO at agreed readiness states. CINCFLEET maintains an operational command and control capability, in particular for the nuclear deterrent force. The Second Sea Lord is responsible for the provision of personnel: recruitment, individual and collective training and career management.

#### **1.6.4 Land Forces**

Land Command, Adjutant General (AG) and General Officer Commanding Northern Ireland merged on 1 April 2008 to form Land Forces TLB. Their primary function is to provide the military capability to conduct and support operations in pursuit of the UK's Defence Strategy 'in the right place, at the right time, and in the most cost effective manner'.

#### **1.6.5 Air Command**

On 1 April 2007, Air Command was formed when the Royal Air Force's (RAF) Personnel and Training Command and Strike Command were merged to create a single Command, with a single fully integrated Headquarters, which would better equip the RAF to provide a coherent and coordinated single Air focus to the other Services, Head Office, the Permanent Joint Headquarters and the rest of the MOD.

#### **1.6.6 Defence Equipment and Support (DE&S)**

DE&S was officially formed on 1 April 2007 from the merger of the Defence Procurement Agency (DPA) and the Defence Logistics Organisation (DLO). DE&S headquarters are based in Bristol and it currently employs staff at bases across the UK.

DE&S equips and supports the UK's Armed Forces for current and future operations. It acquires and supports through-life (including disposal) equipment and services ranging from ships, aircraft, vehicles and weapons, to electronic systems and information systems.

#### **1.6.7 Science Innovation & Technology (SIT)**

The prime output of this TLB is the delivery of expert advice and the development of scientific and technological solutions to satisfy the MOD's needs and problems.

#### **1.6.8 Defence Estates (DE)**

DE is responsible for managing and developing the Defence Estate in a sustainable manner, in line with acknowledged best practice and government policy.



## DEFENCE AGENCIES

1.7 The TLB structure includes a number of Executive Agencies funded directly from Defence Votes. These are delivery organisations typically providing support services, either to specific internal customers (as laid down in Service Delivery Agreements), or corporate services to the MOD generally. Agency status is used to: ensure clarity of outputs and objectives; focus on delivery; deliver sharpened, single-point accountability; and give greater external visibility through the publication of key targets and of annual reports and accounts. The primary functions of the Executive Agencies are detailed below:

### 1.7.1 Defence Storage and Distribution Agency (DSDA)

DSDA was launched on 1 April 1999. Its role is to store, maintain, issue, process and distribute material for the MOD and other designated users. For more information please see: [www.dsda.org.uk](http://www.dsda.org.uk)

### 1.7.2 Defence Vetting Agency (DVA)

The DVA was formed on 1 April 1997 to modernise, and collocate, the work of the former single-Service and MOD civilian vetting units. The DVA is responsible for personnel security vetting of all MOD civilian and military staff, and defence contractors, to agreed standards of quality, timeliness, and efficiency measured through 5 Key Targets. It also vets people in a number of other government departments and organizations on a repayment basis. It is the largest government organization undertaking security vetting and completes around 14,000 checks and clearances each year. For more information please see: [www.dva.mod.uk](http://www.dva.mod.uk)

### 1.7.3 Ministry of Defence Police and Guarding Agency (MDPGA)

Formed in 1992 as an Agency called the Ministry of Defence Police, it was amalgamated with the Ministry of Defence Guard Service in 2004 to form the Ministry of Defence Police and Guarding Agency (MDPGA). It supplies policing and guarding services to the whole of the Defence community, both military and civilian, and contributes to international policing abroad. The agency's primary role is to counter terrorist attack and the threat of such attacks, disruption and disorder caused by protestors, theft of key assets and major financial fraud. For more information please see:

<http://www.mod.uk/DefenceInternet/AboutDefence/WhatWeDo/SecurityandIntelligence/MDPGA/>

#### **1.7.4 People, Pay and Pensions Agency (PPPA)**

Formed in 2006, the agency provides payroll, pensions administration and personnel services to MOD civilian staff, their line managers and other customers in the public sector. For more information please see:

[www.pppa.mod.uk/](http://www.pppa.mod.uk/)

#### **1.7.5 Service Children's Education (SCE)**

Originally launched as the Service Children's Schools (North West Europe) on 24 April 1991, the agency was re-launched on 1 April 1996 in an expanded form covering Service schools world-wide. The agency provides schooling for: dependent children residing with MOD personnel serving outside the UK; the children of staff of other government departments who are recruited and based in the UK, if the department concerned has approved the attendance of the children in SCE schools and has agreed to meet the fees; and the children of parents serving on exchange with the British Armed Forces. SCE has an effective Equality and Diversity Policy in place which meets both MOD and The Department for Children, Schools and Families requirements. For more information please see: [www.sceschools.com](http://www.sceschools.com)

#### **1.7.6 Service Personnel and Veterans Agency (SPVA)**

The Service Personnel and Veterans Agency was formed on 1 April 2007 following the merger of the Armed Forces Personnel Administration Agency and the Veterans Agency. The agency provides pay and allowances, pensions and compensation, and personnel administration services to Service personnel and veterans. For more information please see: [www.spva.mod.uk](http://www.spva.mod.uk)

A dedicated website ([www.veterans-uk.info](http://www.veterans-uk.info)) and a free phone enquiry centre (0800 169 2277) for Veterans has been established. Both channels provide information relating specifically to veterans and sign post members of the public to more specialist help and advice from other government departments and charities. In addition, the Agency holds a number of Regional awareness campaigns throughout the year, which traditionally involve a Ministerial launch and active promotion in the regional press. Each campaign lasts for two weeks and they are supported by the SPVA Veterans Welfare Service who man mobile exhibition stands throughout the region.

The Agency also provide a number of publications and leaflets which highlight the range of services available to Veterans. These are distributed to Welfare professionals and charities who come into regular contact with former members of the Armed Forces and their dependants.

## **TRADING FUNDS**

1.8 Other Executive Agencies of the MOD are trading funds, financed by the sale of goods and services to the Department, other government departments and commercially. Although these bodies operate at arm's length on a day-to-day basis, they remain part of the MOD, which is responsible for their governance and performance management and for providing strategic direction.

### **1.8.1 Defence Support Group (DSG)**

DSG was established a Trading Fund on 1 April 2008 following the merger of the Army Base Repair Organisation and Defence Aviation Repair Agency. It focuses on providing a cost-competitive in-house maintenance, repair, overhaul and upgrade capability in support of the Armed Forces, operating where appropriate in partnership with industry.

### **1.8.2 Defence Science and Technology Laboratory (Dstl)**

Dstl was launched as a Trading Fund on 1 July 2001. The agency provides scientific and technical research and advice to the MOD and other government departments. For more information please see: [www.dstl.gov.uk](http://www.dstl.gov.uk)

### **1.8.3 Met Office**

The Met Office became a Trading Fund in 1996. It provides weather-related and environmental services and advice on climate change to government departments, the Armed Forces, the general public, civil aviation, shipping, industry and commerce. The Met Office represents the UK Government's interests internationally on all matters related to meteorology and is a primary advisor to the Government on issues related to climate change. For more information please see: [www.metoffice.gov.uk](http://www.metoffice.gov.uk)

### **1.8.4 United Kingdom Hydrographic Office (UKHO)**

UKHO became a Defence agency on 6 April 1990. Established as a Trading Fund six years later, the Trading Fund supports safe navigation at sea through a world-wide series of navigational charts and publications for national Defence and customer needs. It also makes specialised hydrographic, oceanographic and environmental products for the Royal Navy.

While the UKHO does not perform, exactly, the role of a public service delivery organisation, in discharging its worldwide Safety of Life at Sea (SOLAS) responsibilities, it meets in full, the principles and philosophies espoused in the MOD's EDS. Having regard to its fundamental SOLAS role, there is no form of discrimination, direct or indirect. This applies to all forms and categories of discrimination and in that respect, the role of the UKHO in the discharge of its worldwide responsibilities, must meet the needs of all International Mariners' regardless of colour, creed, gender, age, sexual orientation or religious and philosophical affiliations.

The UKHO's interface with members of the general public in the UK is much less pronounced. The UKHO site holds a considerable quantity of Admiralty charts, publications and documents of a historical nature, and is registered as a place of deposit under the aegis of the Public Records Act. As such, members of the general public, more usually from Learned Societies or Specialists in their fields, can and are accommodated in visits to the establishment. In addition, because of the special role fulfilled by the UKHO, numerous Official visits from Commercial Companies as well as representatives of Foreign Governments are made each year to the UKHO site in Taunton. In respect of all such Visitors, pre-determined action is taken to ensure that all matters which could conceivably involve any form of indirect or direct discrimination during the visit are addressed and resolved.

For more information please see: [www.ukho.gov.uk](http://www.ukho.gov.uk)

## EXTERNAL RELATIONS

### 1.9 Overview

1.9.1 The MOD's primary function is to deliver the defence capability required to fulfil the Defence Vision. This is done as directed by the Government, on behalf of the British public. Where possible MOD assets are also used to deliver a range of additional services in support of other parts of Government. These include:

- Military Aid to Civil Authorities – examples include support to local authorities in fire and rescue disputes, or ambulance disputes, and to the Department for Environment Food and Rural Affairs (formerly the Ministry of Agriculture Fisheries and Food) in the foot-and-mouth epidemic;
- Military Search and Rescue – based at eight locations around the British Isles;
- Fisheries Protection – assisting the UK Coastguard.

1.9.2 The MOD has a wide range of partners who assist with the delivery of its core objective of delivering military capability. These include other government departments, allies and foreign governments, industry, academia and intelligence agencies.

1.9.3 The MOD is not primarily a public service delivery organisation, although in support of its core business it provides a range of services to members of the Armed Forces and their families as well as to the wider community. These include the payment of pensions, including war pensions, to veterans, sponsorship of Cadet Forces, grants in aid to various bodies and the MOD Education Outreach Programme, which supports and mentors over 1,000 students every year through a mix of curriculum support, personal development and employability skills training.

### 1.10 Media

1.10.1 The Department uses various channels to communicate with the public about defence matters, alongside our accountability to Parliament.

1.10.2 As well as organising and taking part in major public events and displays, the MOD and Armed Forces also assist in the production of films and documentaries, all aimed at raising awareness of their work. The three Services also have presentation teams which explain the role of the Forces direct to the public. The MOD website ([www.mod.uk](http://www.mod.uk)) is updated many times a day to explain the facts behind defence issues as they emerge, while our online imagery service provides up-to-date photos, video and audio of defence activity directly to the public and the press.

The DASA website ([www.dasa.mod.uk](http://www.dasa.mod.uk)) is another reliable source of detailed facts about Defence.

1.10.3 It is a core task for all Service and civilian personnel to develop ways of portraying their activities in an interesting and accessible way. But there are set rules that apply to everybody which state that they must inform their local Press Officer (or the London Press Office on matters of national interest) before making contact with the media; writing or speaking in public; or releasing newsworthy information relating to defence matters. In certain cases, Ministerial approval may be required in advance.

1.10.4 A general guide to the procedures that the MOD adopts in working with the media throughout the full spectrum of military operations can be found at:

<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/DoctrineOperationsandDiplomacyPublications/TheGreenBook/>

## **1.11 Freedom of Information and Environmental Information Regulations**

1.11.1 Since 1 January 2005 the Department, its Agencies, Trading Funds and the Armed Forces have been required to answer written requests for information in accordance with the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. The only exceptions are that requests for personal data (Subject Access Requests) must be handled under the terms of the Data Protection Act 1998; and that requests for environmental information need not be written. The Freedom of Information Act also includes the requirement to establish a Publication Scheme that confirms the basis on which information will be released proactively.

1.11.2 Further information on Freedom of Information and the MOD's Publication Scheme can be found at:

[www.foi.mod.uk](http://www.foi.mod.uk)

## SECTION 2: EQUALITY AND DIVERSITY – OUR APPROACH

### **Diversity Vision**

Our Vision is a workforce, uniformed and civilian, that: is drawn from the breadth of the society we defend; gains strength from that society's range of knowledge, experience and talent; and, welcomes, respects and values the unique contribution of every individual.

### **Diversity Mission**

Diversity is core business for the Ministry of Defence in order to encourage people throughout society to join us, remain with us, make their distinctive contributions and achieve their full potential. Also, operating in multinational environments, our success will be improved by being able to understand and respond to different types of situations and people. We will be inclusive and not tolerate discrimination, harassment, bullying or abuse. We will ensure each individual is treated fairly, with dignity and respect and that the diversity of our workforce increases operational effectiveness.

The MOD is committed to using this EDS to deliver our Diversity vision and mission.

## **GOVERNANCE**

2.1 The Department has adopted a unified philosophy towards equality and diversity issues at the strategic level. This is reflected through our Unified Diversity Strategy (UDS), a copy of which can be found at:

<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PersonnelPublications/EqualityAndDiversity/EqualityAndDiversityPolicy/>

2.2 The UDS ensures the development of equality and diversity action plans which are relevant to, and reflective of, the respective requirements of the Armed Forces, the wider MOD and the MDP. These are undertaken in a way that supports broader MOD equality and diversity objectives.

2.3 The Chief of the Defence Staff, PUS and the Chief Constable MDP are responsible for equality and diversity policy, its compliance with relevant legislation and its implementation. They are supported in the role by the Defence Board and the Diversity Panel.



## THE DIVERSITY PANEL

2.4 The Diversity Panel is co-chaired by the PUS, the Civil Service Diversity Champion, and the Chief of the Defence Staff (CDS), the Armed Forces Diversity Champion, and includes a mix of internal and external members who have a range of experience on diversity issues. The role of the Diversity Panel is to provide strategic direction to the Department in:

- Developing policies that promote equality and diversity for everyone;
- Implementing the UDS;
- Monitoring and evaluating the Department's equality and diversity policies and performance;
- Setting diversity priorities; and
- Helping project a positive image of the Department's approach to diversity in the wider community.

2.5 The UDS was created by the Diversity Panel and provides the strategic framework to implement our equality and diversity policies. It incorporates the following:

- Introduction;
- Diversity Vision;
- Diversity Mission;
- Complying with Legislation;
- Working Together;
- Working in Partnership
- Taking Responsibility;
- Communicating and Building Commitment;
- Measuring Progress;
- The Business Case for Diversity.

## **LINKS WITH OTHER ORGANISATIONS**

2.6 We are active members of the following organisations:

- Race for Opportunity;
- Employers Forum on Disability;
- Stonewall;
- Employers Forum on Age;
- Opportunity Now;
- Employers Forum on Belief; and
- Working Families.

We also participate in a number of interdepartmental committees, and consultations, on equality and diversity issues.

## SECTION 3: THE STATUTORY EQUALITY DUTIES

### INTRODUCTION

3.1 Our Service and civilian diversity policy teams work with our TLB Holders, Service Commanders-in-Chief and other major delivery organisations, our training organisations, our networks of Equality & Diversity Officers or Advisers, Focus Groups (internal and external), and our workforce, both uniformed and civilian, to ensure that we meet these duties. The views of the Department's Diversity Panel are also sought, where appropriate.

### THE DUTIES

#### RACE

GENERAL DUTY	SPECIFIC DUTIES
<p>In carrying out our functions, to have due regard to the need –</p> <p>(a) To eliminate unlawful racial discrimination;</p> <p>(b) To promote equality of opportunity; and</p> <p>(c) To promote good relations between persons of different racial groups.</p>	<p>To publish a Race Equality Scheme (RES) showing how we intend to fulfil our general and specific duties.</p> <p>To review once every three years our assessment of those of our functions and policies, or proposed policies, relevant to our performance of the general duty.</p> <p>To monitor, by reference to the racial groups to which they belong, the numbers of:</p> <ul style="list-style-type: none"><li>• Staff in post; and</li><li>• Applicants for employment, training and promotion, from each such group; and</li></ul> <p>The number of staff from each such group who:</p> <ul style="list-style-type: none"><li>• Receive training;</li><li>• Benefit or suffer detriment as a result of our performance assessment procedures;</li></ul>

	<ul style="list-style-type: none"> <li>• Are involved in grievance procedures;</li> <li>• Are the subject of disciplinary procedures;</li> <li>• Cease employment with us.</li> </ul>
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## DISABILITY

GENERAL DUTY	SPECIFIC DUTIES
<p>In carrying out our functions, to have due regard to the need -</p> <p>(a) To eliminate discrimination that is unlawful under the Act;</p> <p>(b) To eliminate harassment of disabled persons that is related to their disabilities;</p> <p>(c) To promote equality of opportunity between disabled persons and other persons;</p> <p>(d) To take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;</p> <p>(e) To promote positive attitudes towards disabled persons; and</p> <p>(f) To encourage participation by disabled persons in public life.</p> <p>Paragraphs (c) and (d) above do not apply to an act done in connection with recruitment to the Armed Forces, or an act done in relation to a person in connection with service by him or her as a member of the Armed Forces.</p>	<p>To publish a Disability Equality Scheme (DES) showing how we intend to fulfil our general and specific duties.</p> <p>To involve in the development of the Scheme disabled people who appear to us to have an interest in the way we carry out our functions.</p> <p>To review the Scheme, and to publish a revised Scheme, once every three years.</p> <p>Within three years of the Scheme being published, to take the steps set out in the Scheme towards the fulfilment of our general duty and to put into effect our arrangements in the Scheme for gathering and making use of information (unless, in all the circumstances, it would be unreasonable or impracticable to do so).</p> <p>To publish annually a report containing a summary of the steps we have taken, the results of the information-gathering we have carried out and the use we have made of the information we have gathered.</p>

## GENDER

GENERAL DUTY	SPECIFIC DUTIES
<p>In carrying out our functions, to have due regard to the need –</p> <p>(a) To eliminate unlawful discrimination and harassment; and</p> <p>(b) To promote equality of opportunity between men and women.</p>	<p>To prepare and publish a Gender Equality Scheme (GES) showing how we intend to fulfil our general and specific duties.</p> <p>In preparing that Scheme –</p> <p>(a) To consult our employees, service users and others (including trade unions(TUs)) who appear to us to have an interest in the way we carry out our functions; and</p> <p>(b) To take into account any information we have gathered on the effect of our policies and practices on men and women, and any other information we consider to be relevant to the performance of our general and specific duties.</p> <p>To ensure that the Scheme sets out the overall objectives which we have identified as being necessary for us to perform our general and specific duties; and when formulating those objectives, to consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex.</p> <p>Within three years of the Scheme or a revised Scheme being published, to implement the actions identified for the purposes of the Scheme (unless, in all the circumstances, it would be unreasonable or impracticable for us to do so).</p> <p>To review the Scheme, and to prepare and publish a revised Scheme, once every three years.</p> <p>To take such steps as are reasonably practicable to publish annually a report summarising the actions that we have taken towards the achievement of the overall objectives identified as being necessary for us to perform our general and specific duties.</p>

## **SECTION 4: OTHER DIVERSITY STRANDS**

### **INTRODUCTION**

4.1 We have also extended this EDS where appropriate, and have applied similar monitoring requirements that already apply in law for race, to disability, gender, age, religion or belief, sexual orientation, and we plan to extend the gathering of statistical information to the take up of family leave and work patterns (but not necessarily with the same statistical analysis), except where it is inappropriate to do so in respect of the Armed Forces and MDP. The current equality duties are likely to be replaced by a single duty covering other diversity strands and this EDS will be amended to take new legislation into account as and when this takes effect.

4.2 As statistics are not currently held on other diversity strands, we propose:

- To use surveys to identify problem areas/anomalies; analysis of that data; and actions to remedy/minimise any adverse impact;
- To ensure relevant consultation exercises are undertaken both internally and externally.

### **AGE**

4.3 The Employment Equality (Age) Regulations 2006, which came into effect on 1 October 2006, outlaw discrimination on grounds of age in employment and vocational training but include an exemption for the Armed Forces (see Annex A A-3). Exceptionally, certain differences in treatment on grounds of age may be objectively justified. For further information about these Regulations see 2006DIN02-274: PI 111/06. From 1 April 2006, the Department's normal retirement age (NRA) for all civil servants below the Senior Civil Service (SCS) is 65.

### **RELIGION or BELIEF**

4.4 The Employment Equality (Religion or Belief) Regulations 2003, which came into force on 2 December 2003, outlaw discrimination on grounds of religion or religious or philosophical belief in employment and vocational training.

4.5 A Guide on Religion and Belief in the MOD and Armed Forces was promulgated in August 2005. The Guide shows how we put into practice our policies in relation to religion and belief. It also explains how the Employment Equality (Religion or Belief) Regulations 2003 apply to service in the Armed Forces and employment in the MOD Civil Service, and aims to increase awareness of some of the most commonly practised religions and beliefs in the UK. We have also published a Guide for Commanding Officers and line managers on how to support individuals' spiritual needs – for example, facilities and time off for religious observance, religious dress and dietary requirements.

4.6 The Employment Equality (Religion or Belief) Regulations 2003 do not extend to Northern Ireland, where the Fair Employment and Treatment (Northern Ireland) Order 1998 makes it unlawful for employers to discriminate against people on the ground of religious belief or political opinion. The Order also requires registered employers, including the MOD, to submit annual monitoring returns (known as Article 52 Returns) giving details of the community background of their workforce, and to review their recruitment, training and promotion practices at least once every 3 years. This review is known as an Article 55 Review.

## **GENDER REASSIGNMENT**

4.7 The Sex Discrimination Act 1975 (SDA) was extended by the Sex Discrimination (Gender Reassignment) Regulations 1999 to outlaw discrimination in employment against a person who has undergone, is undergoing or intends to undergo gender reassignment, unless being of a particular gender is a genuine occupational qualification for the job.

4.8 The Gender Recognition Act 2004, which came into force on 4 April 2005, allows transsexuals who are able to satisfy the necessary evidential requirements to apply for legal recognition in their acquired gender. Following a successful application, the law regards the transsexual person, for all purposes, as being of their acquired gender. For further information about the Act see 2005DIN02-193: PI 104/05.

## **SEXUAL ORIENTATION**

4.9 The Employment Equality (Sexual Orientation) Regulations 2003, which came into force on 1 December 2003, outlaw discrimination on grounds of sexual orientation in employment and vocational training. For further information about these Regulations see PI 28/04.

4.10 The Civil Partnership Act 2004, which came into force on 5 December 2005, gives same-sex couples the opportunity to form a civil



partnership and gain legal recognition of their relationship. The Act also contains provisions enabling certain overseas same-sex relationships to be treated as civil partnerships. The Act amended the SDA so as to outlaw discrimination against civil partners, as well as married people, in employment. For further information about the Civil Partnership Act see 2005DIN02-143: PI 88/05. See also 2005DIN02-186.

# THE ARMED FORCES EQUALITY AND DIVERSITY SCHEME

## INTRODUCTION

A.1 The Armed Forces EDS must be read in conjunction with Sections 1 to 4 of the overarching scheme, which additionally encompasses the Wider MOD and MDP.

## EQUALITY AND DIVERSITY POLICY IN THE ARMED FORCES

A.2 Each of the Services has its own Diversity Team reporting to its respective Principal Personnel Officer (PPO) and responsible for developing and implementing policies on equality and diversity issues. The single-Service teams work closely with the central diversity policy team, Service Personnel Policy (SP Pol), which reports to the Deputy Chief of the Defence Staff (Personnel) and is responsible for developing a tri-Service approach to diversity and equality issues, and where possible a quad service approach with their civilian counterparts in the Corporate Diversity team. In particular, the SP Pol team:

- Looks at emerging legislation to determine its potential impact on the Armed Forces;
- Seeks any modifications and exemptions necessary to maintain operational effectiveness;
- Liaises with the Equality and Human Rights Commission; and
- Participates in interdepartmental committees, and consultations, on diversity and equality issues.

A.3 The strategic direction for the Armed Forces' equality and diversity policies is given by the Chief of the Defence Staff and single-Service Chiefs through a hierarchy of committees:

- The Service Personnel Board (SPB), chaired by the Deputy Chief of the Defence Staff (Personnel) and comprising the Services' (PPOs) and the Director-General Service Personnel Policy.
- The Service Personnel Executive Group (SPEG), chaired by the Director-General Service Personnel Policy and comprising senior representatives of the Services' PPOs.
- The Armed Forces' Diversity and Equality Steering Group (AFD&ESG), chaired by the Director Service Personnel Policy (Service Conditions) and

comprising members of the Services' Diversity Teams and representatives from the Service Personnel Strategy division, the civilian Diversity Team, MOD Legal Advisers, the Joint Equality and Diversity Training Centre and the Defence Analytical and Statistical Agency. The AFD&ESG may convene Working Groups to develop proposals on specific issues, as required.

- Responsibility for the implementation of the Armed Forces' equality and diversity policies rests primarily with the PPOs operating through the chain of command.
- The Armed Forces have entered into formal agreements with:
  - The former Commission for Racial Equality to promote racial equality by recruiting more people from ethnic minorities; improving the retention of Service personnel from ethnic minorities; and taking action to prevent racial harassment and discrimination;
  - The former Equal Opportunities Commission (EOC) to prevent and deal effectively with sexual harassment.

## **EXEMPTIONS FOR THE ARMED FORCES FROM RELEVANT LEGISLATION**

A.4 This section sets out where there are exemptions from anti-discrimination and employment legislation for the Armed Forces, and are detailed below.

### **Employment Equality (Age) Regulations 2006**

These Regulations do not apply to service in the Armed Forces. This exemption extends to all terms and conditions of service of members of the Armed Forces, including benefits under the Armed Forces Pension Schemes.

### **Disability Discrimination Act 1995**

The employment provisions of this Act do not apply to service in the Armed Forces.

### **Sex Discrimination Act 1975**

This Act, which outlaws discrimination on the grounds of sex in employment and other areas, formerly did not apply to service in the Armed Forces. It was amended in 1995 to remove the blanket exemption and to provide as follows: "Nothing in this Act shall render unlawful an act done for the purpose of ensuring the combat effectiveness of the Armed Forces."<sup>1</sup> In addition, the Act does not apply to any employment where being a man is a genuine occupational qualification for the job. Consequently, women are excluded from ground close-combat roles in the Armed Forces. This exclusion is subject to periodic review.

### **Maternity and Parental Rights**

Provisions of the Employment Rights 1996 and Regulations made under that Act, which give employees rights to maternity leave, paternity leave,

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<sup>1</sup> Following a detailed study, the Secretary of State for Defence announced in Parliament, on 22 May 2002, that the case for lifting the restrictions on women serving in ground close combat roles had not been made. The posts that remain closed are cap-badged posts in the Royal Marines general service, the Household Cavalry and Royal Armoured Corps, the Infantry and the Royal Air Force Regiment. In reaching this decision, the Secretary of State drew upon the advice of the Chiefs of Staff, and a report entitled '*Women in the Armed Forces*' which set out the results of a detailed MoD study into the performance and suitability of women in close-combat roles.

In the case of *Sirdar v Army Board and Secretary of State for Defence*, the European Court of Justice ruled in effect that being a man is a genuine occupational requirement for a Royal Marine. The MoD relies on this ruling to justify their exclusion of women from other ground close-combat roles in the Armed Forces. However, the UK is bound by European Community law to assess such occupations in order to decide, in the light of social developments, whether there is justification for maintaining the exclusion of women from them. The UK must also notify the European Commission of the results of this assessment periodically, but at least every 8 years.

parental leave, adoption leave and flexible working do not apply to members of the Armed Forces. However, they are entitled to statutory maternity pay, paternity pay and adoption pay; and the Armed Forces' maternity and leave arrangements are broadly similar to the statutory schemes.

## MEETING THE EQUALITY DUTIES

### RACE

A.5 The table on page 25 Section 3 sets out the general and specific duties imposed on the Armed Forces by the Race Relations Act 1976 and Regulations made under that Act.

### GENERAL DUTY

A.6 During the period from 1998 to 2003 the Armed Forces worked closely with the Commission for Racial Equality to improve their management of race relations issues. They intend to foster a similar relationship with the Equality and Human Rights Commission.

A.7 Our arrangements for impact assessing our policies, functions and procedures have a key role in ensuring that unlawful discrimination is eliminated, since impact assessment helps us identify any possibly discriminatory elements. If any are identified we look to eliminate these, unless there is absolute justification – which must be confirmed by obtaining legal advice. Further details on impact assessment are given below and the Equality and Diversity Impact Assessment Tool (EDIAT) can be found at Annex D.

A.8 We seek to eliminate and prevent racial discrimination by giving our personnel clear guidance as part of our equality and diversity training. Further details on training can be found at page A-14.

A.9 Again, our impact assessment arrangements ensure that we identify possible factors in the services we provide or policies we own which might impact on our ability to offer equality of opportunity or equality of service. The impact assessment process also enables us to identify elements of our policies, functions and procedures which make a positive contribution to the promotion of equality and where good practice is identified through this process, we ensure that it is shared across the MOD.

A.10 We use our membership of Race for Opportunity to benchmark our performance on race against other organisations within the public and private sector, which helps shape our action plan while membership of the Next Step seeks to promote recruitment from ethnic minority communities. We also believe that our membership of these organisations is a visible and public sign of our commitment to work on race equality.

## SPECIFIC DUTIES

A.11 The MOD EDS 2008-2011 subsumes and replaces the MOD RES 2002-2005. The Armed Forces Scheme is published as part of the overall MOD Scheme and the previous MOD RES is included the Scheme. The RES is still available on the MOD's website:

<http://www.mod.uk/NR/rdonlyres/D571ADA7-4B0E-44E1-83BD-8BD794657818/0/res.pdf>

together with the most recent progress report against it which covers progress made during the period from August 2004 to July 2005. A short supplementary report to cover the period August 2005 to April 2006 is also available.

A.12 A race action plan for the Armed Forces, which includes specific improvement activities against the general and specific duties can be found at page A-18.

A.13 The Armed Forces uses the EDIAT (see annex D) to assess and consult on the likely impact of its proposed policies, and to monitor its policies for any adverse impact, on the promotion of race equality. The results of such assessments, consultation and monitoring are published with the relevant policy or documentation. Those of the Armed Forces functions and policies, or proposed policies, which it has assessed as relevant (e.g. if it does or could affect different racial groups in different ways or affect good race relations) to the performance of its general duty are held within each TLB or Trading Fund.

A.14 A major external public consultation and involvement exercise was carried out by the MOD (encompassing the Armed Forces, wider MOD and MDP) using external consultants during the summer of 2007 as part of the development of the EDS. There are further details of this work below, in the section on "Cross Cutting Activities" but we are currently looking at how we can learn from the work to further involve ethnic minority people to whom we provide a service in the future development of our race plans.

### **A.15 Public Access**

The Armed Forces ensure public access to information and services which they provide by making these accessible to everyone.

### **A.16 Ethnic Minority Outreach Activities**

#### A.16.1 Naval Service:

The Royal Navy's(RN) Diversity Recruiting and Awareness Team (DAT) work is extremely varied, giving presentations in schools/colleges, to Community and Faith leaders; organising/operating five-day Personal Development Courses; attending careers events; attending cultural and religious festivals and events. For example:

- Attendance at Careers fairs/events throughout the UK (Manchester, Blackburn, Rochdale, Salford, Colne, Bolton, Burton, Burnley, Macclesfield, Wembley, Hackney, Newham, Lambeth, West Ham, Lancaster, Leicester, Colne, Dudley, Derby, Ashby, Fulham, Haignaught Forest, Weymouth, Brent, Fulham, Crawley, Tottenham, Merton, Kensington, Bradford, Harrow, Walsall).
- Ship visits in London, Liverpool, Portsmouth, Cardiff.
- Awareness /Open Days at Bristol, Manchester, Birmingham, Manchester, Liverpool, Greater London.
- Trafalgar 200 Celebrations.
- Chinese Community Open Day at Newcastle and Portsmouth.
- Cultural Event/Celebrations in, Leicester, Ipswich, Liverpool, Oldham, Leicester, Bristol.
- Attendance at Melas in Southampton, Middlesbrough, Peterborough, Edinburgh, Birmingham, Oldham, Preston, Sunderland.
- Personal Development Courses in Birmingham, Manchester, Nottingham, Leeds, Derby, Cardiff, Burnley, Nelson & Colne, Burton, Sussex, Burnley, Newcastle, Huddersfield, Chesterfield, Dudley, Durham, Greater London.
- DAT RN presentations in Colne, Pendle, Leicester, Manchester, Lancaster, Southampton, Birmingham, Loughborough, London, Wolverhampton.
- Accompanying RN Presentation Team visits to Liverpool, Wigan, St Helens, Portsmouth, Newark, Lewisham, Blackburn, Solihull, Leicester, Stafford, Nottingham, Sheffield, Sutton Coldfield, London, Manchester, Birmingham.
- Conducting Physical Training sessions in Belfast, Norwich, Derby, Bridgewater, Cardiff, Swansea, Manchester, Birmingham, Greater London.
- Undertaking Radio/TV interviews for: Newstyle Radio, Birmingham; BBC Radio Bristol; Zee TV; Phoenix Chinese News.

#### A.16.2 Army:

The Army's Diversity Action Recruiting Team (DART) provides role models to young people from an ethnic minority background at recruiting events throughout the country. They add credibility to the recruiters' outreach work within minority communities. Within DART are Community Liaison Officers who engage and develop relationships with 'influencers' in ethnic minority communities in their respective regions. DART attend some 650-700 events each year. Examples include:

- Several visits to the Hindu Temple, Neasden.
- Several visits to the East London Muslim Community/Mosque.
- Visits to the Sikh Gurdwara in Southall.
- Sikh Camp 2006.
- Asian Lifestyle event in London Olympia.
- Eid celebrations and Gala in Bradford/Nottingham.



- Diwalhi celebrations/galas in Leicester/London/Nottingham/Oldbury/ Birmingham/Neasden.
- Events contributing to 'Race for Opportunity' Scheme 2006: Chattri 06; Notting Hill Carnival; Asian Lifestyle, Olympia; Hair & Beauty, London; JJB Derby; Youth Charter Youth Diversion project; Aston Youth Improvement Centre; Riverside Youth Centre Project Wessex; Leeds Chinese Community.
- Mega Melas in Birmingham/London.
- Community Links relationships in West and East Midlands, North West, North East, Bristol, Gloucester & Wales.
- Programme of Graduate Recruitment Seminars in high minority areas of Manchester/Leeds/Liverpool.
- Chinese New Year celebrations in London/Manchester.
- Black History Month in London.
- Specific Outreach Project work in Tower Hamlets/Blackheath.
- Youth club trawl across Wessex.
- 'Influencers and Gatekeepers' visits to Royal Military Academy Sandhurst.
- Monthly Physical Training Instructor visits/coaching sessions in Cardiff/Bute Town.
- Muslim women assault course in Chepstow/Bristol.

#### A.16.3 RAF:

The RAF's Motivational Outreach Team (MOT) are responsible for promoting the Service in major ethnic minority communities. Their work is augmented by Careers Liaison Officers, Community Careers Liaison Officers and a network of Youth Activity Liaison Officers across the UK. They participate in schools' careers conventions, festivals/melas and sporting events, visit youth organisations and Air Training Corps/Combined Cadet Force, sqns, and arrange visits to RAF stations. For example:

- Visits to RAF stations by students from Birmingham/Derby/London/Leicester/Nottingham.
- Personal Development Training in Leeds/Bradford/Middlesbrough/Hartlepool/Manchester.
- Attendance at Melas in Birmingham/Leeds/Nottingham/Oldham.
- Town Shows & Air Days' Initiative in Leicester/Nottingham/Peterborough.
- Accompanying Regimental Presentation Team visits to 8 Birmingham schools & 12 ATC Squadrons.
- Engaging with Chinese Community in Birmingham/Newcastle.
- Sikh Conferences in Bradford/Leeds.
- Sikh Camp in Bradford.
- Careers awareness event in Sikh temple in Derby.
- Black History Month in London.
- Attendance at Sikh Camp at Temple in Bradford.
- RAF Awareness Events in Warwickshire.

- West Midlands Initiatives held at West Bromwich FC/Coventry/Rugby/ Nuneaton/Tamworth/Solihull.
- Carnivals in Notting Hill/ Manchester.
- Navratri festival and Diwali celebrations in Peterborough.
- Liaison with Pakistani community in Leeds.
- Personal Development Camps for mixed youth groups.

### **A.17 Staff Training**

The Armed Forces' arrangements for training personnel in connection with their general and specific duties are set out on page A-14 below.

### **A.18 Ethnic Monitoring**

A.18.1 The Armed Forces monitor, by reference to the racial groups to which they belong, the numbers of Service personnel in post, and of applicants for recruitment, training and promotion, from each such group.

A.18.2 The Armed Forces also monitor the number of personnel from each such group who – receive training; benefit or suffer detriment as a result of their appraisal reporting procedures; are involved in service complaints procedures; are the subject of Service disciplinary procedures; or leave the service.

A.18.3 The results of such monitoring are published annually by DASA.

## **DISABILITY**

A.19 The table on page 26 Section 3 sets out the general and specific duties imposed on the Armed Forces by the Disability Discrimination Act 1995 and Regulations made under that Act.

## **GENERAL DUTY**

A.20 As part of their efforts to meet their general duty, the Armed Forces retain in service some personnel who have become disabled or are in a lower medical employment category, provided they can still perform a useful military role, drawing on their previous experience.

## **SPECIFIC DUTIES**

A.21 This EDS incorporates a DES showing how the Armed Forces intend to fulfill their general and specific duties. They involved members of the Armed Forces who were injured in the course of their service but who have been retained because they can still play a valuable role; disabled dependants of injured and deceased personnel who need access to MOD services (e.g. to claim pensions, etc.); disabled people who need access to Service units to attend events and functions; etc.

A.22 The steps that the Armed Forces propose to take towards the fulfillment of their general duty within the time-frame of the DES are set out in the Action Plan on page A-20. They will review the effectiveness of these steps annually.

A.23 The Armed Forces use the EDIAT (see annex D) to assess the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality for disabled people, except in relation to employment in the Armed Forces.

A.24 Because the Armed Forces are exempt from the employment provisions of the Disability Discrimination Act 1995, they do not gather information on the effect of their policies and practices on the recruitment, development or retention of disabled personnel. However, they do gather information on the extent to which the services they provide, and other functions they perform, take account of the needs of disabled people. Their arrangements for gathering this information, and for making use of it to assist them in the performance of their general duty, are set out on page A-16.

A.25 The steps that the Armed Forces propose to take towards the fulfillment of their general duty within the time-frame of the DES are set out in the Action Plan on page A-20. They will review the effectiveness of these steps annually.

A.26 The Armed Forces use the EDIAT (see annex D) to assess the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality for disabled people, except in relation to employment in the Armed Forces.

## GENDER

A.27 The table on page 27 Section 3 sets out the general and specific duties imposed on the Armed Forces by the Sex Discrimination Act 1975 and Regulations made under that Act.

### GENERAL DUTY

A.28 As part of their efforts to meet their general duty, the Armed Forces are implementing an Action Plan under their Agreement with the former Equal Opportunities Commission on measures to prevent and deal effectively with sexual harassment. They are also:

- Working with Northern Atlantic Treaty Organisation (NATO) allies on the development of a comprehensive policy on integrating gender issues into operational planning;
- Working with the Foreign and Commonwealth Office on the UK's response to United Nations (UN) Security Council Resolution 1325 on Gender in Peacekeeping; and
- Considering further work on the incidence of Violence Against Women in the light of the recent report by the Women's National Commission.

### SPECIFIC DUTIES

A.29 This EDS incorporates a GES showing how the Armed Forces intend to fulfil their general and specific duties. In preparing the GES, the Armed Forces have consulted Service personnel and users of services which they provide. They intend to consult them in future as appropriate.

#### **A.30 Equal Pay**

The Strategic Remuneration Review, one of the major projects within the Armed Forces Service Personnel Plan, is re-examining the current Armed Forces pay structure and will address any equal pay issues, as necessary.

#### **A.31 Gender Equality Objectives**

A.31.1 The overall objectives which the Armed Forces have identified as being necessary for them to perform their general and specific duties are set out in the Action Plan on page A-21, together with the actions they have taken and intend to take to achieve the fulfilment of these objectives.

A.31.2 When formulating the objectives, the Armed Forces considered the need to have objectives that address the causes of any differences between the pay of male and female Service personnel or reservists that are related to their sex. They concluded that there was no need for any such objectives at present since

equal pay issues are being addressed as part of the Armed Forces Strategic Remuneration Review on which work is already in hand. The overall objectives which the Armed Forces have identified as being necessary for them to perform their general and specific duties are set out in the Action Plan on page A21, together with the actions they have taken and intend to take to achieve the fulfillment of these objectives.

### **A.32 Gathering and Using Information**

A.32.1 The Armed Forces gather information on the effect of their policies and practices on men and women, and in particular – the extent to which these promote equality between male and female Service personnel or reservists, and how far the services the Armed Forces provide, and the functions they perform, take account of the needs of men and women. The actions they intend to take in this regard are set out in the Action Plan on page A-21.

A.32 2 Armed Forces have made use of such information, for example, to understand better attitudes to issues relating to sexual harassment in the Armed Forces; to assess the level of confidence in the Armed Forces' complaints procedures and, where necessary to make improvements. The Action Plan on page A-21 sets out what use the Armed Forces intend to make of such information to assist them in the performance of their general and specific duties, and in particular their regular review of the effectiveness of the Action Plan and their arrangements for preparing subsequent GES.

### **A.33 Impact Assessments**

The Armed Forces have used, and will continue to use, the EDIAT (see annex D) to assess the likely impact of their proposed policies and practices on equality between women and men. They intend to use the EDIAT to assess the impact of their existing policies and practices on gender equality.

## CROSS CUTTING ACTIVITIES – ALL STRANDS

### RECRUITMENT

A.34 The Armed Forces are equal opportunities employers, although some exemptions for them have been granted from relevant legislation in recognition of the unique nature of service in the Armed Forces (see page A-3) and the need to maintain operational effectiveness. Subject to these exemptions, it is our policy that all three Services offer people from every part of UK society the opportunity to serve in the Armed Forces so that they can become more representative of this country's diverse society. Individuals are valued for their abilities regardless of their gender, colour, race, nationality, ethnic or national origins, background, religion or belief, sexual orientation or marital status or civil partnership. The Armed Forces believe that harnessing the talents and skills of individuals from different groups enhances operational effectiveness.

### TRAINING

A.35 In support of our Diversity Vision and to meet our statutory equality duties, it is important that our workforce is properly trained, that their awareness is raised and that they are sensitive to diversity issues. To achieve this we have developed a Training Management Framework. There are several levels of training from our initial induction courses through to specialist training for specific posts.

A.36 Awareness of the Armed Forces' equality and diversity policies and the responsibility for ensuring that people, both within the Services and in the wider community with whom they come into contact as part of their duties, are treated fairly and with respect is now a key component of every individual's training. It is covered in initial training and at other key stages throughout Service careers. During 2008, the Armed Forces are undertaking a major review of through-career equality and diversity training.

#### **A.37 Joint Equality and Diversity Training Centre**

The Joint Equality and Diversity Training Centre (JEDTC) at Shrivenham provides:

- Training for Equality and Diversity Advisers and their Assistants;
- Training for senior Service personnel;
- Bespoke training delivered to individual units to meet the requirements of Commanding Officers.

JEDTC is part of dblearning

### **A.38 dblearning**

A.38.1 dblearning is the main training provider for our staff and is embedding equality and diversity issues across a range of their training products in line with the aim of mainstreaming equality and diversity into every aspect of Defence business.

## **THE MOD HARASSMENT COMPLAINTS PROCEDURES - JOINT SERVICE PUBLICATION (JSP) 763**

A.39 It is Defence policy that all Service and civilian personnel, regardless of rank or grade, have a right to be treated with dignity, and a responsibility to do all they can to ensure that the working environment is free from all forms of harassment and that the dignity of others is respected. All personnel must therefore:

- Ensure that their own conduct does not amount to harassment;
- Have the moral courage to challenge inappropriate behaviour;
- Be prepared to support to those who experience or witness harassment;
- Report harassment against themselves or others.

A.40 JSP 763 is a guide for all Service and civilian personnel about making, responding to, advising on, investigating, and deciding on complaints of harassment or bullying. It was introduced with effect from 1 April 2005, reissued in a revised form on 31 January 2007 and will be reviewed during 2008 to reflect lessons learned during the initial period of operation of the revised procedures.

## **ORGANISATIONAL EVENTS & FEATURES**

A.41 In-house forums, conferences, seminars, roadshows and workshops are all used to help develop a culture of equality and diversity. Awareness about equality and diversity issues is also raised through the publication of features in 'Focus', our Defence-wide newspaper. Feedback from these events, features and articles helps us to assess the impact of our equality and diversity policies.

A.42 The Armed Forces also use a variety of media to promulgate their policies on equality and diversity, for example, the RN's Diversity and Equality Newsletter. The Services also co-operate where appropriate, on articles and interviews in the wider media, for example, a recent series on Radio 4 dealing with the changing attitudes towards the employment of homosexuals in the Armed Forces. The Armed Forces engage in a wide range of promotional, recruitment and outreach activities. Examples include annual sponsorship of the Muslim News Awards; participation in the Chinese New Year celebrations, Notting Hill Carnival, Asian Melas, community carnivals, Pride events, youth initiatives (for example, the Sikh Youth Camp, sponsorship of the basketball championships at the London Heathrow Games, etc); and building links with community associations (for

example, the Derby West Indian Community Association, Neasden Hindu Temple)-

## **GATHERING AND USING INFORMATION**

### **A.43 Employment**

A.43.1 We gather, analyse and evaluate information to determine any patterns of inequality. This analysis is carried out across the whole spectrum of employment in the Armed Forces, from joining up to leaving service. Statistical information is normally collected and presented to professional standards by DASA. Where data are collected from other sources, we ensure that these are validated by DASA and suitably caveated, where appropriate.

A.43.2 The Armed Forces have implemented a new, integrated personnel and pay system, the Joint Personnel Administration (JPA) system, rollout of which commenced in 2006 and has now been completed. The new system will, in time, provide better information about Service personnel and enable more detailed monitoring of manpower trends.

### **A.44 Surveys**

In addition to gathering statistical information, each of the Services conducts Continuous Attitude Surveys covering a wide range of personnel issues, including a section on equality and diversity which is common across all three Services. The results of these surveys are analysed to provide information about attitudes and trends to underpin the development of personnel policies.

## **CONSULTATION AND INVOLVEMENT**

A.45 Although statistical evidence is an important factor when monitoring the effectiveness of our policies, when developing this Scheme and our Action Plans we fully involved our major stakeholders:

- TLB Holders;
- The Services' PPO's;

A.46 In addition to involving these stakeholders on the development and implementation of this Scheme and our Action Plans, we also consult them regularly about proposed equality and diversity policies and initiatives. Regular consultation also takes place with:

- The Diversity Panel
- SPEG
- AFDESG

A.47 Although the Armed Forces are not primarily a service delivery organisation we do interact with members of the public in a number of ways:



- access to Defence land and buildings
- visits to establishments during open days/military shows
- access to leisure facilities
- provision of services to dependants of Service personnel

## ARMED FORCES RACE EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this RES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of race.	SP Pol
2	Increase awareness of the Race Equality Duty across the Armed Forces.	Review current Equality and Diversity Training to ensure specific training in connection with the Race Equality Duty is provided to Service personnel who need to know.	April 2008	Knowledge base of race equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.	JEDTC, Equality and Diversity Advisors (EDAs), Service Personnel Policy
3	To increase the number of British ethnic minority recruits in each of the three Services by at least 0.5% above the number of recruits achieved during financial Year (FY). To continue to make progress towards achieving by 2013 8% representation of total strength in the three Services as a whole by members of the ethnic minorities.	Continuous engagement by recruiting teams with potential recruits, key gatekeepers, parents, teachers and community leaders.	Ongoing	Relationships improved, profile raised and the number of ethnic minority recruits increased.	Service recruitment teams
4	To develop ongoing relationships with key external stakeholders.	Identify key external stakeholders within the community to gain their involvement and seek their views aiming to develop ongoing relationships.  Set up partnerships with specific ethnic minority organisations to promote	Ongoing	Relationships improved and community involvement increased.  A joint framework for addressing issues of cohesion, equality and inclusion will be developed.	SP Pol

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
		understanding and good relations.			
5	To increase community awareness and involvement and do more that just increase potential recruits.	Develop a wide-ranging PR and communications campaign to increase community awareness and involvement.	Ongoing	Community awareness of the Armed Forces will be raised.	Single Services

### ARMED FORCES DISABILITY EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this DES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of disability.	SP Pol
2	Increase awareness of the Disability Equality Duty across the Armed Forces.	Review current Equality and Diversity Training to ensure specific training in connection with the Disability Equality Duty is provided to Service personnel who need to know.	April 2008	Knowledge base of disability equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.	JEDTC, EDAs, Service Personnel Policy
3	To ensure disabled members of the public visiting our establishments have access to e.g. disabled parking spaces and disabled toilets.	Develop standard operating procedures when holding an event that will not exclude disabled members of the public.	Ongoing	Appropriate facilities will be available for disabled members of the public.	Heads of Establishment
4	To ensure disabled members of the public and injured Service personnel are able to contribute to the review, development and implementation of the EDS.	Develop, agree and implement an involvement strategy to review what is already in place and consider whether all groups are being reached.	Ongoing	Members of the public and disabled staff are able to contribute to the review, development and implementation of the EDS.	SP Pol
5	To ensure that all Service personnel who routinely come into contact with members of the public are aware of differing needs of disabled customers.	Promote disability awareness among personnel who routinely come into contact with the general public.	Ongoing	Disabled members of the public are treated appropriately.	Single Services

### ARMED FORCES GENDER EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this GES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of gender.	SP Pol
2	Increase awareness of the Gender Equality Duty across the Armed Forces.	Review current Equality and Diversity Training to ensure specific training in connection with the Gender Equality Duty is provided to Service personnel who need to know.	April 2008	Knowledge base of gender equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.	JEDTC, EDAs, Service Personnel Policy
3	To implement the Agreement with the EOC to prevent and deal effectively with sexual harassment in the Armed Forces.	As identified in the EOC three phase action plan to combat sexual harassment in the Armed Forces.	In accordance with the timescales agreed with the Commission.	The agreed aims of the Agreement with the EOC are achieved.	SP Pol, PPOs
4	To implement an ongoing involvement strategy that includes regular and ongoing contact with a range of women, men and transsexuals.	Develop, agree and implement an involvement strategy to: review what we already have in place; consider whether we are reaching all groups; and co-ordinate activity across the Armed Forces to lessen burdens on stakeholders	Ongoing	Members of the public and Service personnel are able to contribute to the review, development and implementation of the EDS.	SP Pol, PPOs
5	Issue an agreed tri-Service policy for the management of	Develop appropriate guidance in accordance with legal and	September 2008	Commanding Officers are better able to manage issues relating	SP Pol, PPOs, Director General

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
	transsexual personnel	medical advice to replace current single Service policies		to transsexual personnel in their units.	Legal Services (DGLS), Defence Medical Services Department (DMSD)

### ARMED FORCES EQUALITY AND DIVERSITY ACTION PLAN COVERING ALL DIVERSITY STRANDS

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	For all 3 Services to deliver and report against the EDS.	Each Service will produce a progress report demonstrating the actions they have taken to meet their responsibilities under the EDS.	Annually	Progress reports produced annually.	PPOs
2	For the Armed Forces to have EDAs in all units.	Each unit to appoint a trained EDA.	End Sep 08	All units have a trained EDA appointed.	CO's
3	Each Service will undertake a comprehensive review of their policies/service provision and carry out equality and diversity impact assessments.	<p>Each Service will produce a list of the functions and policies for which they are responsible.</p> <p>Policies on these lists will be assessed for relevance and prioritised for review.</p> <p>Where an equality/diversity impact has been identified, there will be a programme of equality impact assessments each assessment being recorded.</p> <p>Each new policy will be equality impact assessed immediately as part of the policy making process.</p>	In accordance with EDIAT (see Annex D)	<p>Progress is made in:</p> <p>eliminating unlawful discrimination and harassment;</p> <p>promoting equality of opportunity.</p>	Policy Sponsor/Service Provider in consultation with TLB focal points.
4	To ensure the Armed Forces meet their legal obligations in relation to commercial	To reconvene the joint working group with representatives from the	Dec 08	Our legal obligations in relation to commercial contracts will be met.	SP Pol/Corporate Diversity Team

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
	contracts.	Defence Industry Trade Association in order to amend our standard Condition of Contract DEFCON 516.			
5	To determine what improvements might be made to the Department's procedures for dealing with complaints of harassment and bullying.	Carry out a further review of the Department's Harassment Complaints Procedure (JSP 763)	Review to be completed by December 2008	Harassment complaints are dealt with quickly and effectively.	SP Pol/Director General Civilian Personnel-Employment Framework (DGCP-EF)
6	To provide chaplaincy support to Armed Forces personnel on a multi-faith basis.	Examine the feasibility of developing a multi-faith approach to chaplaincy in the Armed Forces.	Ongoing	Integrated military chaplaincy on a multi-faith basis in the Armed Forces.	Armed Forces Chaplaincy Departments/SP Pol/Religious Advisers
7	To offer mediation as a means of settling disputes between members of the Armed Forces.	Train members of the Armed Forces as mediators to an accredited external standard.	Ongoing	Disputes are settled to the satisfaction of the parties involved without recourse to formal action.	SP Pol/PPOs
8	To improve the standard of equality and diversity training that members of the Armed Forces receive throughout their careers.	To carry out a review of initial, refresher and advanced equality and diversity training provided to members of the Armed Forces.	Recommendations to be agreed by May 2008 with new training packages being rolled out progressively thereafter.	Greater awareness of equality and diversity issues resulting in a reduction in the overall number of complaints.	SP Pol/Director General Training and Education (DGTE)/PPOs/dblearning



# THE WIDER DEPARTMENTAL EQUALITY AND DIVERSITY SCHEME

## INTRODUCTION

B.1 The Wider Departmental EDS must be read in conjunction with sections 1 to 4 of the overarching scheme, which additionally encompasses the Armed Forces and MDP.

## EQUALITY AND DIVERSITY POLICY IN THE WIDER MOD

B.2 The Diversity Team is part of the MOD Personnel Director's staff. It has a responsibility to promote Diversity and Work Life Balance for all civilian personnel and to ensure the Department's civilian policies on equality and diversity meet or exceed statutory requirements. The team has dedicated desk officers for each diversity strand. The team works closely with colleagues in the SP Pol area to seek common approaches and solutions wherever possible.

B.3 The strategic direction for civilian equality and diversity policies is given by the Permanent Under Secretary through the Personnel Director. We have a series of networks and focus groups to advise on, and take forward, our policies.

### B.4 Diversity Champions

PUS is the Civil Service Diversity Champion and we have senior level "Champions" for each of the diversity strands represented by the Focus Groups. These Champions will work closely with their respective Focus Groups and represent their views at senior level. Additionally each TLB has appointed Diversity Champions for their respective areas.

### B.5 Diversity Champions Panel

A Diversity Champions Panel (DCP), attended by all the Diversity Champions, the chairs of the Diversity Focus Groups and Whitley Committee, TLB and Trading Fund representatives and external members, has now been formed.

The aims of the DCP are to:

- Create a forum between the Focus Groups and the Diversity Panel at strategic level to share best practice across all the diversity strands and feed into the Diversity Panel – effectively plugging a gap in the previous governance structure.
- Extend the sharing of best practice to the private sector with the membership of the external members who were previously only in attendance at the Gender Panel.

- Provide a joined-up structure for Diversity across the MOD with the inclusion of the TLBs and Trading Funds.
- Expose the chairs of the Focus Groups to what is going on across the diversity field rather than only in their specific strand.
- Assist in meeting our legal obligations, as outlined by the Disability Rights Commission in a letter to PUS last year, to consult externally on our EDS and other diversity issues by including external members in the group.

## **B.6 Equality and Diversity Officers Network**

As part of the MOD, PUS has given delegated powers of responsibility for the management of civilian staff to nominated TLB Holders and Agency Chief Executives. Under these delegated powers they are formally responsible to PUS for ensuring that management practice complies with our diversity policy, and for promoting equality and diversity best practice throughout their area of responsibility. To assist them in this role, they each must appoint an Equality and Diversity Officer (EDO) in their area who is responsible for equality and diversity issues. The network of EDO's meet on a quarterly basis to share best practice and keep up to date with equality and diversity developments. The objectives for the EDOs include:

- Ensuring that equality and diversity is incorporated into TLB business plans;
- Publicising and promoting civilian equality and diversity policy and best practice;
- Identifying and addressing issues specific to their TLB, on the implementation of diversity and work life balance policies;
- Supporting local networks;
- Providing appropriate input to equality and diversity reports;
- Liaising with the Diversity Team;
- Acting as the official spokesperson at local Whitley meetings.

## **B.7 Ethnic Minority Steering Committee (EMSC)**

All the members of the EMSC have volunteered for this role, not only to offer their own views as ethnic minority staff but also to take forward the interests and concerns of the ethnic minority staff working across the Department. They achieve this through:

- Regular discussions and consultations with ethnic minority staff in the forum of local and central ethnic minority discussion groups/networks;
- Regular meetings with the Diversity Team, to contribute to Departmental policies and practices which impact upon ethnic minority staff both individually and as a group;
- Out of committee liaison on matters which may be of particular concern to ethnic minority staff but not require a formal meeting;
- Meetings with senior officials and Ministers; and
- Representation on various (internal and external) diversity-related committees and other networks and associations.
- Networks are still being developed with four currently set up:
  - Air Command;
  - Defence Estates Network;
  - MDPGA Agency Support Group for Minority Ethnic Staff;
  - Land Command.

### **B.8 Disability Steering Committee (DSC)**

The DSC consists of volunteer disabled representative from each TLB, who represent their TLB and who offer not only their own views, as individuals with a disability, but also represent the interests, concerns and special needs of disabled staff working throughout the Department. They achieve this through:

- Regular meetings with the Diversity Team to discuss those aspects of Departmental policies and practices which may impact upon disabled staff;
- Out of committee liaison on matters which may be of particular concern to disabled staff but not requiring a formal meeting;
- Establishing and developing local support networks. Currently there are several:
  - Portsmouth - Disability Action Forum;
  - Land - The WALCON Disability Focus Group;
  - Northern Ireland - Northern Ireland Disability Steering Group and the Lisburn Network;
  - Donnington/Stafford (DLO) - DSDC North Disability;
  - Scotland - Scottish Area Network;
  - York - The Catterick and North East Network;
  - DE&S - Contact Ability;
  - AG - Upavon Garrison Disability Forum;
  - RAF Benson - The RAF Benson Focus Group;
  - MDPGA Disability Support Forum;

- London Disability Network.

### *B.9 MOD Lesbian, Gay, Bisexual and Transgender (LGBT) Forum*

The LGBT Forum is a Departmental workplace diversity forum, again comprising volunteer staff, who represent the lesbian, gay, bisexual and transgender staff working throughout the Department and who wish to be referred to as LGBT staff. The aims of the Forum are to:

- Represent the interests of LGBT staff throughout the MOD;
- Ensure that the Department fully meets its obligations and commitments under the Employment Equality (Sexual Orientation) Regulations 2003 and the Sex Discrimination (Gender Reassignment) Regulations 1999;
- Raise awareness and publicity of LGBT issues throughout the Department;
- Provide a channel of communication between LGBT staff and the Department via the Diversity Team, the MOD Personnel Director and TLB EDOs;
- Provide a means by which LGBT staff can meet in a private and safe environment to discuss LGBT issues and that facilitates interaction and communication between LGBT staff;
- Form a confidential support network of LGBT staff working within the Department;
- Oppose discrimination and inequality, particularly on the grounds of sexual orientation or gender identity; and
- Promote the welfare of LGBT staff.
- We also have local networks at:
- MDPGA also have a staff support group LGB Unite;
- Northern Ireland

### **B.10 MOD Women and Local Networks**

B.10.1 MOD Women is a workplace diversity forum which provides opportunities for the members to influence MOD policy and to take information back to the members of their local network. Each of the established networks provides a representative at MOD Women.

B.10.2 Local Women's Networks developed from the bottom up with facilitation provided centrally as a means of supporting the Manifesto for Civilian Women

and the Department's target to increase the representation of women in the SCS and feeder grades.

B.10.3 Every Women's Network has its own aims and objectives reflecting the needs of their constituent population. All are open to men and women, recognising the need to bring men alongside and ensure they understand the issues, and all welcome civilians, military colleagues and contractors. They are organised by a small number of enthusiastic volunteers who invest a huge amount of their own time to ensure success.

B.10.4 As well as personal support for individuals through supporting MOD initiatives, professional and personal development and providing opportunities to network outside of personal work areas, the networks provide a supportive environment, particularly for women working in more isolated situations.

Women's Networks established to date are:

- Ministry of Defence Police & Guard Service Staff Association;
- Portsmouth Women's Network;
- Bath & Bristol Women's Network;
- London Women's Network;
- Defence Estates Women's Network;
- Salisbury and Wessex Women's Network;
- Camberley & District Women's Network; and
- Wyton Women's Network.

## MEETING THE EQUALITY DUTIES

### RACE

B.11 The table on page 25 section 3 sets out the general and specific duties imposed on the wider MOD by the Race Relations Act 1976 and Regulations made under that Act.

### GENERAL DUTY

B.12 Our arrangements for impact assessing our policies, functions and procedures have a key role in ensuring that unlawful discrimination is eliminated, since impact assessment helps us identify any possibly discriminatory elements. If any are identified we look to eliminate these, unless there is absolute justification – which must be confirmed by obtaining legal advice. Further details on impact assessment are given below and the EDIAT can be found at Annex D.

B.13 We seek to eliminate and prevent racial discrimination by giving our staff clear guidance as part of our equality and diversity training. Further details on training can be found at page B-16.

B.14 Any member of staff who believes they have suffered discrimination is encouraged to bring this to the attention of senior line managers through a grievance procedure which also provides for resolution, if appropriate, by an appeal panel comprising members who are independent.

B.15 Again, our impact assessment arrangements ensure that we identify possible factors in the services we provide or policies we own which might impact on our ability to offer equality of opportunity or equality of service. The impact assessment process also enables us to identify elements of our policies, functions and procedures which make a positive contribution to the promotion of equality and where good practice is identified through this process, we ensure that it is shared across the MOD.

B.16 We use our membership of Race for Opportunity to benchmark our performance on race against other organisations within the public and private sector, which helps shape our action plan. We also believe that our membership is a visible and public sign of our commitment to work on race equality.

B.17 We take positive action to encourage people from ethnic minority backgrounds to join the wider MOD including targeted advertising in publications.

B.18 As part of our efforts to meet the general duty, we run New Horizons. This is a core competence-based, personal development programme designed to provide junior ethnic minority staff with the skills, abilities and confidence to help them compete more effectively for opportunities in the Department. Mentors are available to support participants, and they are provided with an ideal opportunity to develop their own skills in managing in a diverse organisation.

## SPECIFIC DUTIES

B.19 The MOD EDS 2008-2011 subsumes and replaces the MOD RES 2002-2005. The wider MOD Scheme is published as part of the overall MOD Scheme and the previous MOD RES is included the Scheme. The RES is still available on the MOD's website:

<http://www.mod.uk/NR/rdonlyres/D571ADA7-4B0E-44E1-83BD-8BD794657818/0/res.pdf>

together with the most recent progress report against it which covers progress made during the period from August 2004 to July 2005. A short supplementary report to cover the period August 2005 to April 2006 is also available.

B.20 A race action plan for the wider department, which includes specific improvement activities against the general and specific duties can be found at page B-25.

B.21 The wider MOD uses the EDIAT (see annex D) to assess and consult on the likely impact of its proposed policies, and to monitor its policies for any adverse impact, on the promotion of race equality. The results of such assessments, consultation and monitoring are published with the relevant policy or documentation. Those of the wider MOD's functions and policies, or proposed policies, which it has assessed as relevant (e.g. if it does or could affect different racial groups in different ways or affect good race relations) to the performance of its general duty are held within each TLB or Trading Fund.

B.22 A major external public consultation and involvement exercise was carried out by the MOD (encompassing the Armed Forces, wider MOD and MDP) using external consultants during the summer of 2007 as part of the development of the EDS. There are further details of this work below, in the section on "Cross Cutting Activities" but we are currently looking at how we can learn from the work to further involve ethnic minority people to whom we provide a service in the future development of our race plans.

### **B.23 Public Access**

The wider MOD ensures public access to information and services which it provides by making these accessible to everyone.

### **B.24 Staff Training**

The wider MOD's arrangements for training staff in connection with its general and specific duties are set out on page B-16 below.

### **B.25 Workforce Monitoring**

B.25.1 The wider MOD monitors, by reference to the racial groups to which they belong, the numbers of civilian staff in post, and of applicants for employment, training and promotion, from each such group. We also monitor the number of staff from each such group who – receive training; benefit or suffer detriment as a result of its performance assessment and development procedures; are involved

in grievance procedures; are the subject of civilian disciplinary procedures; or leave our employment. The results of such monitoring are published annually.

B.25.2 All of our ethnicity monitoring is carried out using the Census 2001 ethnic groupings, commonly known as the 16+1. There is further commentary on our employment monitoring arrangements in the section on “Cross Cutting Activities” on page B15.



## DISABILITY

B.26 The table on page 26 section 3 sets out the general and specific duties imposed on the wider MOD by the Disability Discrimination Act 1995 and Regulations made under that Act.

## GENERAL DUTY

B.27 In promoting equality of opportunity for disabled people the EDIAT ensures that consideration is given during the development of policies or services to the need to identify possible barriers which might be faced by disabled people. The EDIAT covers all the major diversity strands and there is further commentary on the EDIAT, in the section on “Cross Cutting Activities” on page B-15.

B.28 Our membership of the Employers’ Forum on Disability (EFD) enables us to obtain information and examples of good practice from other members, and have been used in the development of our disability action plan. Our view is that our membership of EFD makes a clear and public statement about our commitment to the promotion of disability equality.

B.29 The EDIAT plays an important part in ensuring that unlawful discrimination is eliminated, since the impact assessment of our policies and services helps identify any discriminatory aspects, which we then look to eliminate.

B.30 We take a pro-active approach towards making reasonable adjustments in the workplace. All disabled civilian staff are encouraged to consider having a workplace assessment (via JobCentrePlus or Capita) where it is felt that adjustments to the working environment (excluding building requirements) might be appropriate. We also encourage our civilian staff to declare their disability to help us fulfil our obligations to them, both in terms of legal requirements and Departmental policy. All disability data is held confidentially and will only be used in pursuit of the Department’s equality and diversity policies.

B.31 Any member of staff who believes they have been discriminated against may bring this to the attention of senior line managers using a grievance procedure which also provides for resolution, if appropriate, by an appeal panel comprising members who are independent.

B.32 All staff are made aware of the zero tolerance stance on harassment and bullying as part of diversity training and there are clear guidelines for making complaints of harassment or bullying through JSP 763.

B.33 We actively seek opportunities to promote positive images of disability at work, with an underpinning message we wish to communicate, that disability is not a barrier to a successful career with the wider MOD. We regularly publish articles in in-house magazines and actively support our disability networks. We also take positive action to encourage disabled people to join the wider MOD by targeted advertising in publications.

B.34 Active support is given to the formation of a disability networks across the department and staff are encouraged to participate in the activities of the groups. Similarly, members of the group are encouraged to be involved in the wider MOD Disability Steering Committee. The DSC is represented on the DCP and so has an opportunity to influence the broader diversity agenda.

B.35 The Disability Two Ticks Symbol is a Government initiative (Jobcentre Plus, part of the Department for Work and Pensions) developed so employers can show their commitment to good practice in employing disabled people. It is a recognition given by Jobcentre Plus to employers who have agreed to meet five commitments regarding the recruitment, employment, retention and career development of disabled people. The Department is an accredited user of the Disability Symbol as part of its commitment to the employment of disabled people generally and can use the symbol on appropriate correspondence.

The five commitments are:

- To interview all disabled applicants who meet the minimum qualifying criteria for a job vacancy, whether it is advertised internally or externally, and consider them on their abilities. This is called the Guaranteed Interview Scheme;
- To ensure there is a mechanism in place to discuss, at any time, but at least once a year, with the disabled employee what they can do to make sure they can develop and use their abilities;
- To make every effort when employees become disabled to make sure they stay in employment;
- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make the commitments work;
- Each year, to review the five commitments and what has been achieved, to plan ways to improve on them and let employees know about the progress and future plans.

### **B.36 Recruitment Training**

As part of our regular training improvements a new course, Disability Equality in Recruitment, has just been launched. This is an interactive course which guides individuals through the Disability Discrimination Act 1995, helping them to meet their legal responsibilities when recruiting civilian staff. The course aims to ensure that disabled candidates are not discriminated against in the recruitment procedure.

### **B.37 Positive Action Training for Disabled People – ‘Positive about disABILITY’**

We offer specific training which is targeted at disabled people at all grades. Disabled people are under-represented all grades in the MOD. This provides an opportunity for participants to examine behaviour by and towards disabled people; exchange views on issues connected with being a minority; and to work on interpersonal skills, particularly assertiveness.

### **B.38 Supplementary e-learning**

“Disability Confident” is available via the Defence Learning Portal and at our Defence Electronic Learning Centres (DELCs).

### **B.39 Action Plan**

Our disability action plan, which includes specific improvement activities, can be found at page B-27.

## SPECIFIC DUTIES

B.40 This EDS incorporates a DES showing how the wider MOD intends to fulfil its general and specific duties. It involved those disabled people who appeared to the Department to have an interest in the way it carries out its functions, e.g. the DSC.

B.41 A major external public consultation and involvement exercise was carried out by the MOD using external consultants during the summer of 2007 as part of the development of the EDS and the MDP was specifically included in this work. The results of that consultation and involvement work informed the development of this Scheme and there are further details of the involvement work below, in the section on “Cross Cutting Activities”.

B.42 The steps that the wider MOD proposes to take towards the fulfilment of its general duty within the time-frame of the DES are set out in the Action Plan on page B-27 below. We will review the effectiveness of these steps annually.

B.43 The wider MOD uses the EDIAT to assess the impact of its policies and practices, or the likely impact of its proposed policies and practices, on equality for disabled people.

B.44 The wider MOD gathers information on the effect of its policies and practices on the recruitment, development or retention of disabled personnel through HRMS. It also gathers information on the extent to which the services it provides, and other functions it performs, take account of the needs of disabled people. Its arrangements for gathering this information, and for making use of the information to assist it in the performance of its general duty, are set out on page B-18 below.

## GENDER

B.45 The table on page 27 section 3 sets out the general and specific duties imposed on the wider MOD by the SDA 1975 and Regulations made under that Act.

### GENERAL DUTY

B.46 The most important tool we have for eliminating discrimination is our procedure for impact assessing our policies, functions and procedures. This enables us to identify possible discrimination in the things we do and requires us to take steps to make changes to remove any discriminatory element, unless there is sound justification not to do so, and such a position must be confirmed by our legal advisors. Further details on impact assessment are given below and in the section on “Cross Cutting Activities” on page B-15.

B.47 We aim to eliminate and prevent gender discrimination by including gender issues as part of our equality and diversity training. For further details on training see page B-16.

B.48 If a member of staff believes they have suffered discrimination they are encouraged to raise this with senior line managers through our grievance procedure which also offers the option for resolution, if appropriate, by an appeal panel comprising members independent.

B.49 Our impact assessment tool helps us ensure that nothing in our policies or procedures detracts from our ability to offer equality of opportunity or equality of service. Impact assessment also helps us identify where what we do contributes positively to the promotion of equality and good practice which we identify is shared across the MOD.

B.50 We are members of Opportunity Now and participate in their regular benchmarking exercises which enable us to compare our performance on gender against other public and private sector organisations. We also gain access to good practice in place in other member organisations and we share this across the MOD. Our benchmarking activity and identification of good practice helps us develop our gender action plan and we also believe that our membership of this organisation clearly and publicly demonstrates our commitment to gender equality.

### **B.51 Positive Action Training for Women**

We offer specific training, called Positive Action Training for Women, which is targeted at women entering the management grades (where women are under-represented in the Department). This provides an opportunity for participants to examine behaviour by and towards women in management; exchange views on issues connected with being in a minority; and work on interpersonal skills, particularly assertiveness.

### **B.52 Supplementary e-learning:**

The “Secrets of Women Leaders” is available at one of our DELCs.

## SPECIFIC DUTIES

B.53 Women and men were involved in the development of this Scheme and our gender action plan through the Women's Networks, all our focus groups and TUs.

B.54 A major external public consultation and involvement exercise was carried out by the MOD using external consultants during the summer of 2007 as part of the development of the EDS. The results of that consultation and involvement work informed the development of this Scheme and there are further details of the involvement work below, in the section on "Cross Cutting Activities".

B.55 We use the MOD Human Resource Management Information System (HRMS) to monitor a range of employment activities including the number of people who are in post, apply for promotion, benefit or suffer detriment from the our performance assessment procedure, are involved in grievances, or leave the department. The capability to use the same system to track applications for and take up of training has recently been made available to us and we will be working to develop our monitoring in this area.

B.56 The information we gather is used to develop our gender action plan and to decide on priorities.

B.57 There is further commentary on our employment monitoring arrangements in the section on "Cross Cutting Activities" below.

### **B.58 Gender Goals**

Our gender goals are set out in a gender action plan which is at page B-29.

### **B.59 Gender Equality Objectives**

The overall objectives which the wider MOD has identified as being necessary for us to perform our general and specific duties are set out in the Action Plan on page B-29 together with the actions intend to take to achieve the fulfilment of these objectives.

### **B.60 Gathering and Using Information**

The wider MOD gathers information on the effect of its policies and practices on men and women, and in particular – the extent to which these promote equality between male and female civilian staff, and how far the services we provide, and the functions we perform, take account of the needs of men and women. The actions we intend to take in this regard are set out in the Action Plan on page B-29. The Action Plan sets out what use we intend to make of such information to assist us in the performance of our general and specific duties, and in particular our regular review of the effectiveness of the Action Plan and our arrangements for preparing subsequent GESs.

**B.61 Impact Assessments**

The wider MOD has used, and will continue to use, the EDIAT to assess the likely impact of our proposed policies and practices on equality between women and men. We intend to use the EDIAT to assess the impact of our existing policies and practices on gender equality, as outlined on page B-15.

**B.62 Equal Pay**

MOD conducted an equal pay audit in 2003 which concluded that there was no direct discrimination in the MOD pay system. However, MOD had long pay scales created by the move to a broader banded workforce in 2000 and, although not discriminatory in themselves, the long pay scales distorted the average salary gender pay gaps. Following the previous four year pay award from 2002-2005, MOD has had a two year award for 2006 and 2007 during which the length of the non industrial pay scales have been reduced from between 26 - 36 years to 11-19 years. Industrial pay scales are already below ten years in length. MOD is in the process of conducting a further full equal pay audit to inform future pay strategy.

## **CROSSCUTTING ACTIVITIES – ALL STRANDS**

### **IMPACT ASSESSMENT**

B.63 In response to the legislation requiring public authorities to assess policies and services in respect of race, disability and gender an EDIAT was developed by MOD, we also assess the impact on all other Diversity Strands. The EDIAT provides a simple but effective method of carrying out impact assessments to ensure that they not only comply fully with the Duties placed upon us, but also ensure equal treatment for all our workforce and members of the public (where applicable).

B.63.1 It is MOD policy that all new policies, relating to employment and non-employment issues, must be impact assessed as they are developed and that existing policies, functions and procedures be impact assessed as part of a continuous rolling programme of review so that equality-proofing becomes embedded into all aspects of our business. Significantly, impact assessment is carried out by the author and owner of each policy, which contributes to our overall aim that equality and diversity should become “mainstreamed” – in other words part of the normal activity of staff across the organisation rather than something which is the sole preserve of those with formal responsibility for equality and diversity.

B.63.2 As policies are developed or reviewed, they will contain an “Equality & Diversity Impact Assessment Statement,” and will be placed on a forward review programme. Policies will initially be screened, to assess the potential impact of diversity issues to determine relevance and proportionality. If this screening shows that diversity issues are relevant to the policy, policy holders will carry out a full impact assessment to ensure that any adverse impact is identified and that it is fully justified, removed, minimised or managed. Where an adverse impact is deemed to be justifiable, this must be confirmed by seeking advice from our legal advisors. For detailed information on the EDIAT please see Annex D.

### **RECRUITMENT**

B.64 Recruitment to the MOD Civil Service is carried out on the basis of fair and open competition, and selection is on merit, in accordance with the guidance laid down by the Civil Service Commissioners’ Recruitment Code. We are committed to fair and equitable treatment for all with the aim of creating a working environment that respects all values and diversity. Throughout all our recruitment processes, fair treatment, whether it is on the grounds of gender, race, colour, nationality, ethnic or national origin, disability, marital status or civil partnership, sexual orientation, age, religion or belief, political opinion or any other difference not associated with an individual’s ability to do the job, is an overarching priority. All staff who undertake selection interviewing must undertake equality and diversity training.

B.65 We recruit new civilian staff on a permanent or temporary basis to fill gaps in posts or skills as business needs arise. Permanent recruitment is carried out



on the basis of fair and open competition, seeking to reflect the diverse community we serve.

B.66 Our policy is to advertise, and compete, internal vacancies, with few exceptions. This gives all staff visibility of every available post and the opportunity to apply for them.

## TRAINING

B.67 In support of our Diversity Vision and to meet our general duty, it is important that our entire workforce, civilian and uniformed, are properly trained, that their awareness is raised and that they are sensitive to diversity issues. To achieve this we have a Training Management Framework. There are several levels of training from our initial induction courses through to specialist training for specific posts.

B.68 Equality and diversity training is mandatory and is regularly refreshed and updated. Feedback from training events is monitored to assess the quality and impact of our equality and diversity training.

### **B.69 JEDTC**

The JEDTC at Shrivenham provides:

- Training for EDOs;
- Training for senior civilian personnel;
- Bespoke training delivered to individual establishments to meet the requirements of line managers.

### **B.70 dblearning**

B.70.1 dblearning is the main training provider for our civilian staff, and is embedding equality and diversity issues across a range of their training products in line with the aim of mainstreaming equality and diversity into every aspect of Defence business.

B.70.2 One example of how equality and diversity training is made available is via e-learning as part of a training packages offered at our DELCs to our workforce, civilian and uniformed wherever they are located. It provides a network of Walk-In DELCs delivering on-line learning Defence-wide, and a pool of Rapid Reaction DELCs to support deployed forces wherever they may be. Individual learners can obtain courses from the Laptop Loan Pool and a Courseware Loan Pool provides licensed software.

Examples of Reasonable Adjustments made for disabled participants:

- Brochure and website outline our support for “Individual Requirements”.

- Application forms request “Individual Requirements”.
- Course Support are alert to “Individual Requirements” and contact Equality and Diversity specialist for advice.
- Equality and Diversity specialist contacts disabled people prior to training events to discuss their specific requirements.
- Equality and Diversity specialist ensures trainers are “disability aware” (e.g. by providing various training events; briefing on specific disabilities/individual participant’s needs).
- We provide British Sign Language/lip-speaking interpreters.
- We provide Joining Instructions, Handouts, Visual Aids in alternative formats (e.g. on pastel coloured paper; in specific font sizes (i.e. large print); in specific fonts (i.e. Comic Sans); in Braille; in audio).
- We provide Handouts/Visual Aids in advance of the workshop.
- We provide non-residential versions of residential workshops.

## **THE MOD HARASSMENT COMPLAINTS PROCEDURES JSP 763**

B.71 It is MOD policy that all Service and civilian personnel, regardless of rank or grade, have a right to be treated with dignity, and a responsibility to do all they can to ensure that the working environment is free from all forms of harassment and that the dignity of others is respected. All personnel must therefore:

- Ensure that their own conduct does not amount to harassment;
- Have the moral courage to challenge inappropriate behaviour;
- Be prepared to support those who experience or witness harassment;
- Report harassment against themselves or others.

B.72 JSP 763 is a guide for all MOD Service and civilian personnel about making, responding to, advising on, investigating, and deciding on complaints of harassment or bullying. It was introduced with effect from 1 April 2005, reissued in a revised form on 31 January 2007 and will be reviewed during 2008 to reflect lessons learned during the first year of operation of the revised procedures.

## **OCCUPATIONAL WELFARE SERVICE (OWS)**

B.73 Our OWS helps keep people effective at work by providing specialist professional support for civilian staff and management on any matter that could affect an employee’s effectiveness at work. The OWS gives independent and impartial advice and assistance on a wide variety of issues which include death in service, harassment or bullying, illness, injury and medical retirement, bereavement, relationships and addiction. The OWS offers two levels of assistance: a Helpline Response Centre, which can help in situations where an individual needs either a straightforward discussion of practical remedies or factual information to tackle their particular issue; and a network of professionally

trained Welfare Officers, who can engage in face-to-face discussion on more complex issues. The OWS has a wide range of contacts, both local and national, with organisations that can provide help and support with a variety of issues including debt and financial problems, domestic matters and healthcare.

## PROCUREMENT

### B.74 Race

Most of our commercial business is in the procurement of defence equipment and in-service support. The introduction of DEFCON 516 (Defence Condition 516) in June 2004 requires our contractors to notify the Department of any prosecution or proceedings arising under the Race Relations Act 1976. Also, contractors carrying out work at the Department's premises or alongside civil servants, are required to comply with the reasonable direction of the Department to enable it to fulfil its statutory duties to promote race equality. The condition provides advice to contractors on the types of behaviour expected of them whilst carrying out their obligations under MOD contracts such as encouraging the use of verbal and non-verbal conduct which is not racially offensive. The general contract condition described above applies to all contracts placed by us. In addition, all the obligations are to be applied equally to subcontractors in carrying out their duties.

### B.75 Disability, Gender and All Other Diversity Strands.

We intend to extend the arrangements for race described above to ensure that we also meet our statutory obligations in respect of disability and gender either by appropriate amendments to DEFCON 516 or by introducing new Standard Conditions of Contract. The new arrangements will also cover all other diversity strands.

## ORGANISATIONAL EVENTS & FEATURES

B.76 In-house forums, conferences, seminars, roadshows and workshops are all used to help develop a culture of equality. Awareness about equality and diversity issues is also raised through the publication of features in "Focus", our Defence-wide newspaper, and in "Paperclips" a civilian in-house magazine covering personnel issues. Feedback from these events, features and articles helps us to assess the impact of our equality and diversity policies.

## GATHERING AND USING INFORMATION

### B.77 Employment

B.77.1 All staff are invited to declare details about aspects of their identity in their personal record which forms part of the MOD HRMS. This declaration is entirely voluntary for details of the individual's ethnicity, disability status, sexual orientation, religion or belief and gender identity (although records of whether

staff are female or male are not the subject of self-declaration, staff can identify themselves as being transgender or not or choose not to declare).

B.77.2 Access to this sensitive data is extremely restricted – managers and colleagues cannot access it. The data is aggregated for the purpose of statistics which are available so protecting the privacy of the individual. These aggregated statistics enable us to analyse by diversity strand and related factors such as work pattern the whole range of employment activities from recruitment through to exit. These analyses enable us to identify diversity issues we need to focus on, to decide on priorities and to develop initiatives. We also gather information from staff surveys and exit surveys and these contribute to our decision making.

B.77.3 We gather, analyse and evaluate information to determine any patterns of inequality. This analysis is carried out across the whole spectrum of employment in the MOD Civil Service, from joining us to leaving our employment. Statistical information is normally collected and presented to professional standards by the DASA. Where data are collected from other sources, we ensure that it is validated by DASA and suitably caveated, where appropriate.

B.77.4 As part of our modernisation programme we are transforming the way in which we deliver Human Resources (HR) policy and information for our civilian staff into a single, modern, e-enabled PPPA. Centralised services will provide easier access to more comprehensive data on representation and on the experiences of different groups within our workforce in relation to, for example, recruitment, performance appraisal, promotion and retention. As the programme moves forward we will be able to provide policy makers, both corporately and within business units, with better evidence upon which to base decisions. TLBs will be able to analyse the statistics for their areas to provide feedback to the annual report against this Scheme. From 1 April 2008, management information will also be available against the following criteria:

<b><u>Issue</u></b>	<b><u>Record Available</u></b>
Extended Special Unpaid Leave (Career Break)	Reason for request and duration and whether approved or not approved.  Available by diversity strand
Maternity Leave	Number of staff: <ul style="list-style-type: none"> <li>• starting statutory maternity leave,</li> <li>• going on to extended maternity leave,</li> <li>• returning from maternity leave,</li> <li>• Working pattern on return, resigning when on maternity leave.</li> </ul> Available by diversity strand
Working Time Regulations	All staff who have signed the opt-out must register with the PPPA so that this information can be recorded.

<b><u>Issue</u></b>	<b><u>Record Available</u></b>
	Available by diversity strand.
Non-Standard Working Patterns	Number of staff with working patterns that affect their pay (i.e. mainly part time staff)  Available by diversity strand.
Statutory Right to Request Flexible Working	No of requests.  Patterns being worked. Available by diversity strand.
Diversity	No of staff by grade and TLB for all of the diversity strands – age, disability, gender, race, religion or belief, sexual orientation.  Can also provide information relating to national identity and married/civil partner.  Community background in Northern Ireland.
Discipline	Number of cases newly opened, ongoing, closed, duration and outcome by case type.  Available by diversity strand.
Restoring Efficiency	Number of cases newly opened, ongoing, closed, duration and outcome by case type.  Available by diversity strand.
Harassment and Bullying	Number of cases newly opened, ongoing, closed, duration and outcome by case type.  Available by diversity strand.
Grievances	Number of cases newly opened, ongoing, closed, duration and outcome by case type.  Available by diversity strand.
Civil Service Appeals Board	Covered in stages by casework and outcome
Employment Tribunals	Covered in stages by casework and outcome
Exits	Reason for leaving by diversity strand
Sickness	Statistics on number of days absence by TLB and smaller units including:  Timescale Type Grade Diversity strand

## B.78 Surveys

In addition to statistical information, we gather information from civilian staff surveys and exit surveys. The results of these surveys are analysed to provide information about attitudes and trends to underpin the development of personnel policies.

## CONSULTATION AND INVOLVEMENT

B.79 Although statistical evidence is an important factor when monitoring the effectiveness of our policies, consultation with our civilian workforce and Trade Unions provides valuable and important feedback about the effectiveness of our policies. When developing this Scheme and our Action Plans we fully involved our major stakeholders:

- TLB Holders;
- DCP;
- The EDO Network;
- Our TUs through the Equality and Diversity Whitley Committee;
- Our Civilian Focus Groups:
- EMSC;
- DSC;
- LGBT;
- MOD Women.

B.80 In addition to specifically involving these groups on this Scheme and our Action Plans, we regularly involve them on our diversity activity and consult on proposed policies. At a lower level, minority support groups also contribute to planning and decision making in various business areas.

B.81 Although the MOD is not primarily a service delivery organisation we do interact with members of the public in a number of ways:

- access to Defence land and buildings
- access to leisure facilities
- through our websites

B.82 During the summer of 2007 engaged external consultants Minty and Friend to review our initial EDS and to carry out an involvement exercise with external stakeholders. We led the project to develop terms of reference for the work which sought to involve external stakeholders representing gender, ethnic

minority groups and disability by focus groups, telephone interviews, email questionnaires and face-to-face interviews.

B.82.1 More than 90 organisations were approached and asked to invite their members to complete the questionnaires or attend the focus groups. In addition to single interest groups, Minty & Friend contacted its own database of ethnic minority and disabled individuals and women and men.

B.82.3 The focus groups were well attended although most who attended were primarily interested in disability issues. Only one person represented the ethnic minority community and she herself was White/British and Minty & Friend found that contacting and engaging ethnic minority organisations was more difficult than anticipated.

B.82.4 A number of race organisations were contacted on the telephone and invited to take part in the research. Whilst some agreed to take part, the majority agreed to participate only if their contribution was acknowledged and a copy of the report was sent to them. Although notification of the publishing of any final MOD EDS was promised, many organisations decided not to contribute.

B.82.5 Encouraging involvement from disabled individuals and groups representing disabled people proved to be the easiest process of all the three strands. It was extremely useful to be reminded that, although physical access is often seen by organisations to be a priority, those with visual, hearing or learning impairments also face barriers in accessing services.

B.82.6 Since those who participated represented an even balance between men and women, no attempt was made to involve specific women's or men's organisations. Few initially reported any experience of discrimination, unfair treatment or general discomfort because of their gender although with prompting by the facilitators a number of women were able to describe differences in the services they expected, particularly at open days or public events.

B.82.7 The involvement exercise concentrated on issues such as attending an open day or public event such as an air show, concert or naval dockyard tour; accessing MOD information via help lines, printed information, websites or presentations; visiting MOD establishments; and using MOD leisure facilities such as gyms, swimming pools or stadiums, or MOD managed countryside (for walking or horse riding). Further details of the evidence gathered by the exercise can be found at Annex E.

## **TRADE UNIONS**

B.83 The TUs are able to make a positive contribution to the advancement of equality and diversity issues in the Department. They are a useful source of support and advice in individual cases. We have a top level forum where the TUs discuss equality and diversity issues with management on a regular basis. The local TUs also work with local management on equality and diversity issues.

## **FAMILY LEAVE AND WORK PATTERNS**

B.84 For detailed information on policies relating to family leave and work patterns please click on the link below:

<http://www.pppaservices.qinetiqtim.com/cm/defenceintranet/PeopleServices/PeopleServicesHomePage.htm>

### **B.85 Maternity Leave and Pay**

An employee who is pregnant or gives birth to a child has the right to take 39 weeks' paid leave and a further 13 weeks' unpaid leave. The Work and Families Act 2006 provides for the maximum maternity pay period to be extended from 39 to 52 weeks.

### **B.86 Paternity Leave and Pay**

An employee with 26 or more weeks' continuous service who is the father of a child, or who is married to or the partner of the child's mother or adopter and has or expects to have responsibility for bringing up the child, has the right to take either one week's or two consecutive weeks' paid leave to care for the child or support the child's mother or adopter. The Work and Families Act 2006 provided for the introduction of a new statutory right to additional paternity leave following the birth of a child or the placement of a child for adoption.

### **B.87 Adoption Leave and Pay**

Employees with 26 or more weeks' service who have been matched with a child for adoption are entitled to take 39 weeks' paid leave in respect of the child, and a further 13 weeks' unpaid leave if the child was placed with them for adoption. The Work and Families Act 2006 provides for the maximum adoption pay period to be extended from 39 to 52 weeks.

### **B.88 Parental Leave**

Employees with not less than one year's continuous service who have, or expect to have, parental responsibility for a child are entitled to take 13 (or 18 in the case of a disabled child) weeks' unpaid leave before the child's 5<sup>th</sup> birthday (or 18<sup>th</sup> birthday in the case of a disabled child) to look after the child or make arrangements for the child's welfare.

### **B.89 Time Off for Dependants**

All employees have the right to take a reasonable amount of time off work, which need not be paid, to deal with certain unexpected or sudden emergencies involving someone who depends on them, and to make any necessary longer-term arrangements.



**B.90 Part-time Working**

Part-time workers have the right not to be treated less favourably than comparable full-time workers on the ground that they work part time unless the treatment in question is objectively justified.

**B.91 Flexible Working**

An employee with 26 or more weeks' continuous service who is, or is the partner of, the parent, adopter, guardian or foster parent of a child aged under 6 (or 18 in the case of a disabled child), or who has or expects to have caring responsibilities for an adult who is their spouse, partner or civil partner, a relative or living at the same address, has the right to ask to work flexibly (for example, part time or from home), and their employer has a duty to consider their request seriously. It is MOD policy that all staff have the right to request a flexible working pattern.

**B.92 Patterns of Work**

Workers are entitled to adequate rest breaks where the pattern according to which their employers organise work is such as to put their health and safety at risk, in particular because the work is monotonous or the work-rate is predetermined.

## WIDER MOD RACE EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this RES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of race.	Corporate Diversity Team
2	Increase awareness of the Race Equality Duty across the wider Department.	Review current Equality and Diversity Training to ensure specific training in connection with the Race Equality Duty is provided to civilian staff who need to know.  Promote race equality and declaration of ethnicity during 'Diversity Week'.	April 08    Sep 08	Knowledge base of race equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.  Increased awareness of race equality duty and greater numbers of staff declaring ethnicity.	dblearning, Corporate Diversity Team    Corporate Diversity Team, EDO's, E&D Whitley TU Representatives, Focus Groups.
3	To develop ongoing relationships with key external stakeholders.	Identify key external stakeholders within the community to gain their involvement and seek their views aiming to develop ongoing relationships.  Set up partnerships with specific ethnic minority groups to promote understanding and good relations.	Ongoing	Relationships improved and community involvement increased.  A joint framework for addressing issues of cohesion, equality and inclusion will be developed.	Policy Owners
4	To increase community awareness and involvement	Develop a wide-ranging PR and communications	Ongoing	Community awareness of the wider MOD will be	Policy Owners

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
	and do more than just increase potential recruits.	campaign to increase community awareness and involvement.		raised.	
5	To develop an ongoing relationship with focus group representative.	To regularly engage with the TLB representative of the EMSC.	Ongoing	Relationship improved and Increased understanding of issues facing ethnic minority staff.	EDO/HR BP
6	Increase representation of ethnic minority staff across all grades.	To work towards increasing the number of ethnic minority staff recruited, promoted.	Ongoing	Greater representation of ethnic minority staff across the department.	Civilian Recruiters and line managers of Civilian Staff
7	Management information available by ethnic minority group.	To develop a cohesive method of extracting and analysing employment data by ethnic minority group.	Mar 09	Management information will be available for all areas of the department.	DGCP-EF-Strategy/DASA/PPPA/Trading Funds
8	To ensure members of the public and ethnic minority staff and other stakeholders, are able to contribute to the review, development and implementation of the EDS.	Develop, agree and implement an involvement strategy to: review what we already have in place; consider whether we are reaching all groups; and co-ordinate activity across the wider Department to lessen burdens on stakeholders.	June 08	Members of the public and ethnic minority staff are able to contribute to the review, development and implementation of the EDS.	Corporate Diversity Team

### WIDER MOD DISABILITY EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this DES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of disability.	Corporate Diversity Team
2	Increase awareness of the Disability Equality Duty across the wider Department.	Review current Equality and Diversity Training to ensure specific training in connection with the Disability Equality Duty is provided to civilian staff who need to know.	April 08	Knowledge base of disability equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.	dblearning, Corporate Diversity Team
3	To ensure disabled members of the public visiting our establishments have access to e.g. disabled parking spaces and disabled toilets.	Develop standard operating procedures when holding an event that will not exclude disabled members of the public.  TLB's Trading Funds to ensure disabled members of the public's needs are taken into account.	Dec 08    Ongoing	Appropriate facilities will be available for disabled members of the public.	Corporate Diversity Team.   TLB Holders/Trading Fund CE's
4	To ensure all disabled employees and members of the public are able to access our publications in a way that meets their needs.	Conduct an audit of all MOD websites regarding accessibility and provide practical guidance regarding best practice.  Make all publications available in alternative formats on request.	Dec 08    Ongoing	Disabled people will have better access to publications.	Corporate Diversity Team   Policy Holders/Service Providers

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
5	To ensure all disabled employees are able to access our IT systems in a way that meets their needs.	Review our IT accessibility standards to ensure our IT systems support our staff.	Feb 08	Programme of work to ensure: Accessibility of IT systems considered at design stage; all IT systems fully accessible to our staff; and standards for telephony equipment developed.	Corporate Diversity Team
6	To ensure members of the public and disabled staff, and other stakeholders, are able to contribute to the review, development and implementation of the EDS.	Develop, agree and implement an involvement strategy to: review what we already have in place; consider whether we are reaching all groups; and co-ordinate activity across the wider Department to lessen burdens on stakeholders.	June 08	Members of the public and disabled staff are able to contribute to the review, development and implementation of the EDS.	Corporate Diversity Team
7	To ensure that all civilian staff who routinely come into contact with members of the public are aware of differing needs of disabled customers.	Disability awareness training to be delivered to all staff who routinely come into contact with the general public.	Ongoing	Disabled members of the public	dblearning
8	To develop an ongoing relationship with focus group representative.	To regularly engage with the local disability networks and DSC representative.	Ongoing	Relationship improved and Increased understanding of disability issues.	EDO/BP
9	Increase representation of disabled staff across all grades.	To work towards increasing the number of disabled staff recruited, promoted.	Ongoing	Greater representation of disabled staff across the department.	Civilian Recruiters and line managers of civilian staff

## WIDER MOD GENDER EQUALITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this GES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually  April 2011	Progress made towards equality of opportunity for all regardless of gender.	Corporate Diversity Team
2	Increase awareness of the Gender Equality Duty across the wider Department.	Review current Equality and Diversity Training to ensure specific training in connection with the Gender Equality Duty is provided to civilian staff who need to know.	April 08	Knowledge base of gender equality issues and how these arise.  Staff E&D training completed in accordance with mandatory training policy.	dblearning, Corporate Diversity Team
3	To implement an ongoing involvement strategy that includes regular and ongoing contact with a range of women, men and transsexuals.	Develop, agree and implement an involvement strategy to: review what we already have in place; consider whether we are reaching all groups; and co-ordinate activity across the wider Department to lessen burdens on stakeholders.	June 08	Members of the public and staff are able to contribute to the review, development and implementation of the EDS.	Corporate Diversity Team
4	To develop an ongoing relationship with focus group representative.	To regularly engage with the local women's networks and MOD Women representative.	Ongoing	Relationship improved and Increased understanding of gender issues.	EDO/BP
5	Increase representation of women from Band D to SCS.	To work towards increasing the number of women recruited, promoted from Band D to SCS.	Ongoing	Greater representation of women from Band D to SCS.	Civilian Recruiters and line managers of civilian staff

### WIDER MOD EQUALITY AND DIVERSITY ACTION PLAN COVERING ALL DIVERSITY STRANDS

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	For all TLBs and Trading Funds to deliver and report against the EDS.	Each TLB/Trading Fund will produce an Equality and Diversity Action Plan demonstrating the actions they will take to meet their responsibilities.	Annually Sep	Action Plans and progress reports produced annually.	TLB Holders/Trading Fund CE's
2	For all TLBs and Trading Funds to have Diversity Champions.	Each TLB and Trading Fund to appoint a Diversity Champion.	Sep 08	Diversity Champions appointed.	TLB Holders/Trading Fund CE's
3	For all TLBs and Trading Funds to have EDO's.	Each TLB and Trading Fund to appoint an EDO's.	Sep 08	EDO's appointed in all TLB's and Trading Funds	TLB Holders/Trading Fund CE's
4	To ensure that staff who use the EDIAT are provided with training.	To produce an e-learning package for the use of the EDIAT.	Dec 08	E-learning product is made available.	dblearning
5	Each TLB will undertake a comprehensive review of their policies and service provision carry out equality and diversity impact assessments.	<p>Each TLB will produce an updated list of the functions and policies for which they are responsible.</p> <p>Policies on these lists will be assessed for relevance and prioritised for review.</p> <p>Where an equality/diversity impact has been identified, there will be a programme of equality impact assessments each assessment being recorded.</p> <p>Each new policy will be</p>	In accordance with timescales detailed in Annex D.	<p>Progress is made in:</p> <p>eliminating unlawful discrimination and harassment; and</p> <p>Promoting equality of opportunity.</p>	<p>Policy Sponsor/Service Provider</p> <p>(EDOs to co-ordinate)</p>

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
		equality impact assessed immediately as part of the policy making process.			
6	To ensure that we meet our legal obligations in relation to commercial contracts.	To reconvene the joint working group with representatives from the Defence Industry Trade Association in order to amend our standard Condition of Contract DEFCON 516.	Dec 08	Our legal obligations in relation to commercial contracts will be met.	Corporate Diversity Team
7	To improve communication and involvement with all staff.	To develop a communication strategy and plan.	Dec 08	Communication and involvement will be improved.	Corporate Diversity Team/EDO/BP



# MINISTRY OF DEFENCE

## AFFIRMATIVE ACTION PLAN: Jan 2008 to Dec 2010

(Plan will be reviewed annually in conjunction with the Equality Commission for Northern Ireland and amended if necessary)

Heading	Objective	Actions	Action by	Timetable
Outreach	Outreach to the Roman Catholic community	1. Attempt to establish closer links with Community Groups in the Antrim area in conjunction with Business in the Community.	HR BP (Trg & Div)	31:03:08
		2. Offer to adopt 2 schools in Lisburn. Subject to results roll out to other key areas.	HR BP (Trg & Div)	31:08:08
		3. Print leaflets for Job Centres to advertise MOD posts and subject to DELNI approval engage with JOB Centres to increase support in Roman Catholic areas.	HR BP (Trg & Div)	Ongoing
	To ensure wider MOD/Armed Forces outreach activities in Northern Ireland fully involve opinion formers in the Roman Catholic community	4. Engage with gatekeepers of Roman Catholic community to seek to build a greater understanding of barriers to Roman Catholics working for MOD Civil Service in NI and how they can be overcome.	Civil Secretary	Ongoing
Fair Employment	Review and amend monitoring processes in light of Article 55 Review	1. Investigate why Roman Catholic appointee rates do not reflect applicant rates and take action as appropriate.	HR BP (Trg & Div)	28:02:08
Heading	Objective	Actions	Action by	Timetable
Fair Employment	Review and amend	2. Monitor how applicants hear about jobs (10	HR BP	Annually

	monitoring processes in light of Article 55 Review	posts per year).	(Trg & Div)	
		3. Hold focus groups with Roman Catholic employees to seek to discuss wider community perception of working for the MOD.	HR BP (Trg & Div)	31:03:08 and 30:09:09
		4. Monitor proportions of Roman Catholics and Protestants leaving the Department. Introduce HRBP exit surveys to establish reasons why staff resign.	HR BP (Trg & Div)	28:02:08
	Review of all monitoring processes to take account of People Programme changes/normalisation	5. Review all SOC Classifications used by MOD in NI and agree any changes with the Equality Commission for NI.	HR BP (Trg & Div)	31:03:08
		6. Produce new SOC Code look up for inclusion on the Defence Intranet	HR BP (Trg & Div)	30:04:08
		7. Advise Line Managers with staff in Northern Ireland of the availability of SOC look up document.	HR BP (Trg & Div)	30:06:08
		8. Produce revised instructions for the handling of Community Background monitoring data and include them on the Defence Intranet.	HR BP (Trg & Div)	31:07:08
Heading	Objective	Actions	Action by	Timetable
Fair Employment	Review of all monitoring processes to take account of People Programme changes/normalisation.	9. Establish new base line statistics, post normalisation, to enable future reliable analysis of community background within MOD's workforce in Northern Ireland to take place.	HR BP (Trg & Div)	31:12:08

	To ensure that MOD meets the legal requirements as a public sector employer in Northern Ireland	10. Submit Article 52 – Annual Fair Employment monitoring return within the timescale laid down by the Cabinet Office.	HR BP (Trg & Div)	Annually
Working Environment	To promote a good and harmonious working environment.	1. Post normalisation – establish how many staff require Equality and Diversity training/ refresher training. Subject to outcome co-ordinate a training programme if required.	HR BP (Trg & Div)	31:12:08
		3. Visit all Commanding Officers within 3 months of them taking up appointment to advise them of the requirements of the Fair Employment legislation in NI.	HR BP (Trg & Div)	Ongoing
		4. Monitor the outcome of complaints of discrimination and harassment and ensure remedial action is taken where necessary.	HR BP (Trg & Div)	Ongoing
		5. Look at the number of harassment investigating officers (HIOs) trained in Northern Ireland post Operation Banner and if necessary train more HIOs to ensure cases are dealt with in a timely manner.	HR BP (Trg & Div)	31:01:08

# THE MOD POLICE EQUALITY AND DIVERSITY SCHEME

## EQUALITY AND DIVERSITY POLICY IN THE MDP

### INTRODUCTION

C.1 The MDP EDS must be read in conjunction with sections 1 to 4 of the overarching scheme, which additionally encompasses the Armed Forces and the wider MOD.

C.2 The MDP is the MOD's own dedicated civil Police Force. The Force comprises some 3500 officers, all with Constabulary powers, and around 300 civilian support staff. Founded in 1971 by the amalgamation of the Admiralty, Army Department and Air Force Department Constabularies, the MDP has continued to evolve and develop, to meet the requirements of Defence customers and Government initiatives. It first became a Defence Agency in 1996 and is now part of the MDPGA, which provides both policing and civilian unarmed security services. The Agency's Chief Executive is also the MDP's Chief Constable and it is the Chief Constable for the MDP who is identified in the Race Relations (Amendment) Act 2000, the Disability Discrimination Act (Amendment) 2005 and the Equality Act 2006 as a public authority subject to the specific duties contained in that legislation. This EDS is, therefore, restricted to the activities of the MDP rather than the whole of the MDPGA, with the unarmed security guarding work of the MDPGA being covered in the wider MOD EDS.

C.3 The Force operates in five geographic Divisions serving nearly 100 MOD establishments and units throughout the UK, and in addition maintains a regional strategic (armed) capability designed to provide a rapid response anywhere on the defence estate, or in support of Divisional policing operations.

C.4 Every officer is weapons trained and over 70% of MDP officers are deployed daily on armed duties throughout the UK. Much of the policing carried out is uniformed, using civilian police powers to deter, detect and respond to crime and disorder. In addition to armed deployments the MDP provides Unit Beat Officers at many sites who play a key role in building community relations. The MDP has responsibility for the waterborne security of Her Majesty's Naval Bases and its marine units have by far the largest fleet, both rigid inflatable boats and launches, of any police force in the UK. The Force also has the largest number of police dogs in Great Britain, with around 300 fully trained police dogs and handlers, as well as specialist arms/explosive/search and drug detection dogs.

C.5 The MDP's Operational Support Units have particular skills in public order handling and anti-terrorist search as well as rope access and confined space access team which are trained to safely remove protestors from difficult to reach areas. MDP also has a Criminal Investigation Department operating out of

offices across the UK and a large Fraud Squad which plays a key role in the stewardship of public money and defence assets.

C.6 MDP officers also police major public events on MOD property such as the International Festival of the Sea and open days on military establishments and some defence related events such as Farnborough Airshow. As well as policing MOD sites, the Force is deployed by special arrangement at United States Air Force (USAF) bases in the UK, at certain Defence Research Establishments, at the Royal Mint and at a number of gas processing installations.

C.7 The MDP has been committed to International Policing since it was first asked for support from the Foreign and Commonwealth Office in 1999 and currently provides around 100 officers, one third of the UK contribution, deployed to various international missions, including Kosovo, Iraq, Jordan, Bosnia and Afghanistan.

## VISION AND ROLE

### **Strategic Vision**

To provide high quality Constabulary Policing, Guarding and Armed Security in support of the UK's defence

### **Agency Role**

Delivering effective Policing and Guarding as part of the UK's Defence Capability

## MDP ORGANISATION

C.8 The MDP has its headquarters at Wethersfield in Essex, where it also has its own Agency Training College with residential accommodation for students. As part of the MDPGA, the MDP's policies and activities are determined by the Agency Management Board, whose principal members are the Chief Constable/Chief Executive, Deputy Chief Constable/Chief of Staff, three Assistant chief Constables (Director Divisional Operations, Director Operational support and Director Personnel and Professional development) and a Senior Civil Servant (Director Resources and Planning).

C.9 Independent scrutiny of the MDP is provided by the Ministry of Defence Police Committee, which also assures the Secretary of State for Defence that the MDP is delivering policing services in accordance with the Ministry of Defence Police Act 1987. The MDP's performance is also examined by the Agency Owner's Advisory Board which assists in planning, agreeing targets, monitoring performance and understanding customer requirements.

C.10 Delivery of operational policing is provided in five geographical Divisions and by the Criminal Investigation Department, all of which are led at Chief Superintendent level. Some specialist policing services are delivered centrally.

## COMMUNITY RELATIONS

C.11 The MDP's primary function is to provide policing and armed guarding services in support of the defence of the UK. For the most part, this means policing military and defence related establishments and so the community served by the MDP comprises mostly military personnel, MOD civilian staff and, on those sites policed by the MDP where there is Service family accommodation, the families of Service personnel.

C.12 There are, of course, other users of the MDP's services who do not either work or live permanently on the establishments the Force polices, such as contractors' staff, official visitors and members of visiting Armed Forces, and members of the public who visit establishments or who are involved in protests.

## STRATEGY

C.13 The MDP's work on equality and diversity flows from the Defence UDS. This was used as the backbone of a Diversity Strategy specific to the MDPGA, which identifies six strategic goals:

- **Our workforce and workplace**

To secure a better, more effective workforce by establishing a workplace culture where people are treated with dignity and respect, where difference is valued and where harassment and bullying are not tolerated

- **Our representation, recruitment and retention**

To expand the pool of talent in the Agency by recruiting and retaining a workforce which is representative of the community we serve at all levels in the organisation

- **Our customers and our accessibility**

To understand our customers and their staff better by building and maintaining links with the people we serve so that we are better able to recognise customer needs and to ensure that our services are fully accessible to our customers

- **Our reputation and communication**

To enhance our reputation as an Agency by consulting on and communicating our policies, plans and progress on diversity effectively, both internally and externally

- **Our cohesion and education**

To take our people with us by ensuring that they are educated and trained to enable them to fulfil their responsibilities on diversity and to ensure our diversity goals are achieved

- **Our management of diversity**

To ensure we have robust arrangements in place to manage our diversity activity, responding positively and quickly to new developments and drawing on good practice in diversity management

## **DIVERSITY MANAGEMENT**

C.14 Equality and diversity in the MDP is driven by a Diversity Programme Board (DPB) which is chaired by the Chief Constable, who is also the MDPGA Diversity Champion. The DPB meets at two monthly intervals and includes representatives of each of the Agency's Management Board members as well as the Defence Police Federation, Trade Unions and minority staff support networks. An independent member of the Police Committee also sits on the DPB. The DPB sets the strategic direction for the Agency's equality and diversity activity and oversees activity and monitors progress on diversity action plans. Progress reports are also submitted on a quarterly basis to the Police Committee, thus ensuring there is both internal and external independent examination of the MDP's approaches to and progress on diversity issues. The external and independent examination is complemented by regular assessments carried out by Her Majesty's Inspectorate of Constabulary.

C.15 MDP has a dedicated Diversity and Equality Unit (DEU) which is responsible for carrying out the activities required of EDOs in the MOD:

- ensuring that equality and diversity is incorporated into business plans;
- publicising and promoting civilian equality and diversity policy and best practice;
- identifying and addressing issues specific to the Agency, on the implementation of diversity and work life balance policies;
- supporting local networks;
- providing appropriate input to equality and diversity reports;
- liaising with the MOD civilian Diversity Team and Central TLB diversity staff.

C.16 The DEU attends meeting of both the MOD and Central TLB EDO networks to share best practice and keep up to date with equality and diversity developments.

C.17 Although MDP's primary customers are internal, MDP officers have regular contact with members of the public in a variety of situations. There is, therefore, a need for the MDP's diversity work to address both employment and non-employment issues and so a particular responsibility of the DEU is to ensure that equality and diversity issues are taken into account in the provision of services.

The DEU is supported by diversity managers in each of the MDP's five Divisions who ensure that equality and diversity is included in local plans.

C.18 Much of the civilian policy on equality and diversity applies to MDP officers. However, a number of their employment conditions, such as pay, maternity arrangements and annual leave are linked with national police service arrangements. A policy team within the Agency's HRBP unit has responsibility for ensuring that police employment policy meets or exceeds legislation.

## **LINKS WITH OTHER ORGANISATIONS**

C.19 The MDPGA has membership of the following organisations:

- Race for Opportunity
- Employer's Forum on Disability
- Opportunity Now
- Stonewall Diversity Champions
- British Association for Women in Policing

C.20 Membership of these organisations has been taken up separately from the MOD, since most offer benchmarking opportunities as part of the membership package which the Agency has found to be particularly useful in setting its priorities for its diversity work. The Agency also maintains links on diversity with other police forces, the National Police Improvement Agency(NPIA), other MOD diversity staff and some external organisations.

## **MINORITY STAFF NETWORKS**

C.21 The MDPGA has four support networks for staff in minority or under-represented groups:

### **AGENCY SUPPORT GROUP FOR MINORITY ETHNIC STAFF (ASME)**

- ASME was formally launched in November 2007 which represents the interests and views of ethnic minority staff in the Agency and provides support to the development of the Agency race action plan and its work to recruit more police officers from ethnic minority backgrounds and to ensure that ethnic minority staff stay with the organisation and fulfil their potential. ASME has good links with the MOD's EMSC and with the National Black Police Association.

### **DISABILITY SUPPORT FORUM (DSF)**

- The DSF currently consists of a steering committee which is planning the formal launch of the Forum in May 2008. The DSF's aims are to represent the interests, concerns and specific needs of disabled staff in the Agency and to help raise understanding of the issues facing disabled people in the Agency and awareness of the range of options which can make the workplace more accessible. The DSF has



established links with the MOD DSC and is working towards building a strong relationship with the National Disabled Police Association.

### **WOMEN'S STAFF ASSOCIATION (WSA)**

- The WSA is the longest standing support group in the Agency, having been launched in March 2004. The aims of the WSA are to maintain focus on the issues of female staff in the Agency who are often in the minority at work, to challenge tradition, myth and discrimination in the work place, to assist the MDPGA in identifying potential solutions for issues affecting the recruitment, retention and promotion of women and develop an understanding within the agency of issues affecting those individuals and to ensure that changes occur. The WSA is represented on MOD Women and has well established links with the British Association for Women in Policing.

### **LGB UNITE**

- Founded in July 2007, the aims of LGB Unite, the Agency's support network for lesbian, gay and bi-sexual (LGB) staff are to promote equal opportunities for LGB staff in the Agency, to offer advice and support to staff, to assist the MDPGA to engage with and improve relations with lesbian, gay and bisexual communities, and to contribute to the delivery of the strategic aims and objectives of the Agency. LGB Unite is developing its relationship with the MOD LGBT Forum and has close ties with the Gay Police Association.

## MEETING THE EQUALITY DUTIES

### INTRODUCTION

C.22 This section sets out our current and forthcoming obligations under UK employment and anti-discrimination legislation. We also state clearly where there are exemptions from this legislation for the MDP. In anticipation of future legislation we intend to show, where appropriate, the same commitment to promoting equality of opportunity and tackling discrimination on the grounds of age, sexual orientation, religion or belief, family leave and working patterns, in addition to our legal obligations on race, disability and gender and gender reassignment.

### EXEMPTION FOR THE MINISTRY OF DEFENCE POLICE

C.23 Section 200 of the Employment Rights Act 1996 sets out that Sections 8 to 10, Part III, sections 44, 45, 47, 50 to 57 and 61 to 63, Parts VII and VIII, sections 92 and 93, Part X and section 137 do not apply to employment under a contract of employment in police service or persons engaged in such employment. For the purposes of this EDS, the more significant exclusions apply to the right to time off for ante-natal care and for remuneration for such time off, rights to remuneration on suspension on medical grounds, rights to alternative work and remuneration on suspension on maternity grounds, unfair dismissal including failure to permit return after childbirth being treated as dismissal and dismissals connected with pregnancy and childbirth.

## RACE

C.24 The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 (RR(A)A) imposes a general statutory duty, known as the race equality duty, on the public authorities specified or described in Schedule 1A to the RR(A)A. The Chief Constable of the MDP (MDP) is one such authority

## GENERAL DUTY

C.25 Since April 2001, when carrying out its functions, the MDP has been required to have due regard to the need to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity and good relations between people of different racial groups

We set out below how we meet these general duties:

### **C.26 Eliminating unlawful racial discrimination**

C.26.1 Our arrangements for impact assessing our policies, functions and procedures have a key role in ensuring that unlawful discrimination is eliminated, since impact assessment helps us identify any possibly discriminatory elements. If any are identified we look to eliminate these, unless there is absolute justification – which must be confirmed by obtaining legal advice. Further details on impact assessment are given below and in the section on “Cross Cutting Activities”.

C.26.2 We seek to eliminate and prevent racial discrimination by giving our staff clear guidance as part of our diversity training and we are looking to offer further specific training on race issues, including discrimination, in the future.

C.26.3 Any member of staff who believes they have suffered discrimination is encouraged to bring this to the attention of senior line managers through a grievance procedure which also provides for resolution, if appropriate, by an appeal panel comprising members who are independent of the MDP.

### **C.27 Promoting equality of opportunity and good relations between people of different racial groups**

C.27.1 Again, our impact assessment arrangements ensure that we identify possible factors in the services we provide or policies we own which might impact on our ability to offer equality of opportunity or equality of service. The impact assessment process also enables us to identify elements of our policies, functions and procedures which make a positive contribution to the promotion of equality and where good practice is identified through this process, we ensure that it is shared across the Agency and, where appropriate, with colleagues in the wider MOD.

C.27.2 The MDP actively seeks opportunities to work with groups which share our desire to promote good relations between people, such as local crime and disorder reduction panels, hate crime and domestic violence groups and race equality groups. We use our membership of Race for Opportunity to benchmark our performance on race against other police forces and good practice which we glean from other member organisations is shared across the Agency and helps shape our race action plan. We also believe that our membership is a visible and public sign of our commitment to work on race equality.

C.27.3 We take positive action to encourage people from ethnic minority backgrounds to join the MDP including targeted advertising in publications, on radio and in cinemas and attendance at ethnic minority recruitment fairs. We are currently considering how we might encourage more ethnic minority officers to apply for promotion and are examining the possibility of offering specific mentoring or other development programmes for ethnic minority staff.

C.27.4 Respect for race and other diversity strands is a key competence for police officers and is specifically tested in the police recruitment process to ensure that people who join us are properly able to contribute to our work to build good relations between people.

C.27.5 We are working closely with our ASME to ensure we better understand the specific needs and concerns of our ethnic minority staff. Membership of ASME is open to all staff, regardless of their ethnicity, something we regard as particularly important in building good relationships between people from different ethnic backgrounds.

C.27.6 We believe that ignorance often spawns suspicion and prejudice, which leads to discriminatory behaviour and so we publish a guide to culture and beliefs, which gives general information on a wide range of religions and on essential features of the cultures of a variety of parts of the world. This general information is complemented by more specific information and guidance on policing in a multi-cultural society.

## **SPECIFIC DUTIES**

C.28 The RR(A)A also imposes some specific duties on the MDP, which were introduced to help public authorities ensure that the general duty is met. The specific duties cover obligations in respect of our policies, our delivery of services and our employment of people. Since December 2001 we have been required to prepare and publish a RES and to conduct ethnic monitoring of our workforce. How we meet the specific duties is set out below.

### **C.29 Publication of a Race Equality Scheme**

The MOD EDS 2008-2011 subsumes and replaces the MOD RES 2002-2005. The MDP EDS is published as part of the overall MOD Scheme and the previous MOD RES included the MDP's Scheme. The RES is still available on the MOD's website:

<http://www.mod.uk/DefenceInternet/AboutDefence/Issues/DiversityAndEquality/RaceEqualityScheme.htm>, together with the most recent progress report against it which covers progress made during the period from August 2004 to July 2005. A short supplementary report to cover the period August 2005 to April 2006 is also available.

A race action plan for the MDP, which includes the specific improvement activities mentioned in these sections on the general and specific duties is at C-39 to this MDP EDS.

### **C.30 Assessing and consulting on the likely impact of our policies**

C.30.1 MDP policies, functions and procedures are routinely impact assessed using an EDIAT used across the whole of the MOD. The guidance on the use of the EDIAT provides for consultation to be carried out where this is necessary and appropriate. The EDIAT covers all the major diversity strands and there is further commentary on the EDIAT below, in the section on “Cross Cutting Activities”.

C.30.2 A major external public consultation and involvement exercise was carried out by the MOD using external consultants during the summer of 2007 as part of the development of the EDS and the MDP was specifically included in this work. There are further details of this work below, in the section on “Cross Cutting Activities” but the MDP is currently looking at how we can learn from the work to further involve ethnic minority people to whom we provide a service in the future development of our race plans.

#### C.31 Monitoring our policies for any adverse impact

C.31.1 We have in place a number of monitoring mechanisms to record and analyse the ethnicity of those to whom we deliver a service. These mechanisms will be kept under review and developed as necessary to meet local and national requirements. In particular, we monitor self-defined ethnicity against the Census 2001 ethnic classifications and descriptive monitoring for the following:

- all recordable police stops and searches;
- arrests;
- the use of force by police officers;
- police complaints.

C.31.2 Ethnic monitoring is also currently undertaken in respect of hate crimes, victims of crime, and various employment functions. Should an impact assessment of a particular policy identify the possibility of an adverse impact then we will take steps to mitigate any such anticipated adverse impact and ensure that robust and comprehensive monitoring mechanisms are put in place to assess the extent of the adverse impact. The results of this monitoring will be taken into account in future reviews of such policies.

C.31.3 We are developing our six-monthly diversity statistical report to include the monitoring information outlined above. The report is copied to the DPB and

any issues which arise will be included in the regular reports on diversity which go to the Police Committee.

#### C.32 Publishing the results of assessments and consultation

Force data is currently published in the Chief Constable's Annual Report, which is accessible through the MOD website. We are currently considering how information on impact assessments and consultations carried out as part of assessment or monitoring activity can best be published, but anticipate that the MOD website will be used.

#### C1.33 Ensuring public access to information and services we provide

C.33.1 Information on the MDP and the services it provides would be made available on request in an alternative format (to the printed leaflet) or in a different language, if to do so satisfied a specific identified need. Some documents are generally available in different languages, such as victims of crime leaflets and information on careers with the MDP. We are currently auditing those of our corporate printed documents which are available outside the Agency (not including formal police process documents) to determine whether it is appropriate for us to consider further their availability in an alternative format.

C.33.2 We are able to communicate effectively with victims of, and witnesses to criminal offences who do not speak English as a first language by engaging the services of interpreters and we have work in hand to develop a formal policy on the use of translators and interpreters.

### **C.34 Training staff in their duties under the legislation**

Staff are made aware of the provisions of the RR(A)A as part of the diversity awareness training which all police officers are required to attend. This enables the majority of staff to meet their obligations under the general duty. Additional guidance is available to those who are responsible for carrying out impact assessments and some specific staff, e.g. those in human resources and in the DEU, have had additional training which enable them to meet their obligations under the specific duties. Further information on training is given below in the section on "Cross Cutting Activities".

### **C.35 Workforce monitoring**

C.35.1 The MOD's HRMS is used to enable us to meet the requirements to monitor, by reference to the racial groups to which they belong, the number of people who are in post, apply for promotion, benefit or suffer detriment from the MDP performance assessment procedure, are involved in grievances, or leave the MDP. We have only recently been able to use the same system to track applications for, and take up of, training and will be working to develop our monitoring in this area.

C.35.2 The MDP uses a national police recruitment process overseen by the NPIA and monitoring is undertaken and information provided to us by them on applicants for employment. Our Professional Standards Department monitor, by

racial group, the number of people who are subject to disciplinary procedures, as provided for in the police misconduct regulations.

C.35.3 All of our ethnicity monitoring is carried out using the Census 2001 ethnic groupings, commonly known as the 16+1. There is further commentary on our employment monitoring arrangements in the section on “Cross Cutting Activities” below.

## DISABILITY

C.36 The Disability Discrimination Act 1995 was amended by the Disability Discrimination Act 2005 to place a general statutory duty, known as the disability equality duty, on the public authorities specified or described in Schedule 1 to the Act. The Chief Constable for the MDP is one such authority.

## GENERAL DUTY

C.37 When carrying out its functions, the MDP is required to have due regard to the need to:

- promote equality of opportunity and good relations between disabled persons and other persons;
- eliminate discrimination that is unlawful under the Act;
- eliminate harassment of disabled persons that is related to their disability;
- promote positive attitudes towards disabled persons;
- encourage participation by disabled persons in public life; and
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons

We set out below how we meet these general duties.

### **C.38 Promoting equality of opportunity**

C.38.1 Key for the MDP in promoting equality of opportunity for disabled people is the use of the EDIAT used across the whole of the MOD. The EDIAT ensures that consideration is given during the development of policies or services to the need to identify possible barriers which might be faced by disabled people. The EDIAT covers all the major diversity strands and there is further commentary on the EDIAT below, in the section on "Cross Cutting Activities".

C.38.2 Our membership of the EFD enables us to benchmark our disability confidence against other police forces and the guidance given by EFD and examples of good practice shared by other member organisations is made available to staff across the Agency and has been used in the development of our disability action plan. Our view is that our membership of EFD and participation in the Disability Standard makes a clear and public statement about our commitment to the promotion of disability equality.

### **C.39 Eliminating unlawful discrimination**

C.39.1 The EDIAT plays an important part in ensuring that unlawful discrimination is eliminated, since the impact assessment of our policies and services helps identify any discriminatory aspects, which we then look to eliminate.



C.39.2 We have already carried out a disability access audit of our Headquarters site, using a professional and qualified access auditor and have taken steps to act on the auditor's recommendations. The HQ site is the only location where the MDP "owns" the buildings etc – at all other locations where we have accommodation we are a "lodger" unit, with responsibility for access audits in the hands of the host establishment. Nevertheless, we have an on-going action to ensure that host establishments provide us with accommodation which is accessible.

C.39.3 Respect for diversity, including disability is a key competence for police officers and is specifically tested as part of the police recruitment process and in performance appraisals to ensure that people who join us and work for us will help us to eliminate discrimination.

C.39.4 For our own staff, reasonable adjustments are made to enable disabled people to continue to contribute to the organisation and guidance on reasonable adjustments is provided through the MDP intranet and is also available from the Diversity and Equality Unit and the MDP's Occupational Health and Safety Service.

C.39.5 Any member of staff who believes they have been discriminated against may bring this to the attention of senior line managers using a grievance procedure which also provides for resolution, if appropriate, by an appeal panel comprising members who are independent of the MDP.

C.39.6 However, we seek to prevent discrimination by including clear guidance on disability discrimination as part of the MDP diversity training and we are currently looking at how we can expand the depth of this training in future.

#### **C.40 Eliminating disability related harassment**

C.40.1 The MDP has a well established and publicised Dignity At Work Policy which makes it clear that harassment or bullying of any sort will not be tolerated. The Policy specifically prohibits harassment on the grounds of disability. All staff are made aware of the zero tolerance stance on harassment and bullying as part of diversity training and there are clear guidelines for making complaints of harassment or bullying.

C.40.2 Formal complaints of harassment are generally investigated by trained police investigators and disciplinary sanctions are imposed in cases where complaints are upheld and respondents in such cases will often be required to undertake additional diversity training to prevent further occurrences.

#### **C.41 Promoting positive attitudes towards disabled people**

The MDP actively seeks opportunities to promote positive images of disability at work, with an underpinning message we wish to communicate, that disability is not a barrier to a successful career in the MDP. For example, the Force in-house magazine has included an article on officers who we have supported in

minimising the impact of dyslexia and we have contributed an article to the magazine of the Employer's Forum on Disability about the provision of digital hearing aids to a police motorcyclist.

## **C.42 Encouraging participation in public life**

Active support has been given to the formation of an Agency disability support group and staff are encouraged to participate in the activities of the DSF. Similarly, members of the group are encouraged to be involved in the wider MOD DSC. The DSF is represented on the Agency DPB and so has an opportunity to influence the broader diversity agenda.

## **C.43 Taking account of people's disabilities**

C.43.1 The MDP will adapt its services to meet the needs of disabled people wherever possible. For example, leaflets can be provided in alternative formats and we have specialist equipment, which officers have been trained to use, to move and transport disabled people, in particular wheelchair users or those with other mobility impairments.

C.43.2 We have pockets of excellence around the country on arrest, restraint and custody of disabled people and we are looking at how we can improve the sharing of best practice and guidance. We are working with the Employers' Forum on Disability on this issue.

C.43.3 The MDP holds regular graduation ceremonies at our Headquarters for newly trained police officers. These are attended by families and friends of the recruits and are the occasions when there are the most disabled people on site. Accessible toilets and preferential disabled parking are available and non-permanent ramps are installed on roadways with some traffic re-direction taking place to accommodate the increased disability access. There is work in hand to review the accessibility of the graduation ceremonies to ensure we have taken all steps we can to enable disabled people to participate fully in these events.

C.43.4 Disabilities are also taken into account in the police recruitment process, with provision for reasonable adjustments to be made to enable disabled candidates to compete on a level playing field with non-disabled candidates.

C.43.5 As outlined above, we seek to find reasonable adjustments for our own disabled staff. Adjustments include the opportunity to move to restricted duties for staff whose disability means that they are permanently or in the long term unable to carry out the full range of police duties. We also provide reasonable adjustments, geared to the needs of, and in consultation with, the individual in employment activities such as the police promotion process and training courses.

C.43.6 Other guidance is provided on disability issues which enable our staff to take people's disabilities into account. For example, guidance has been given on the font and text size to be used in all Agency documents, as well as other guidance on making our documents more accessible.

#### **C.44 Action Plan**

A disability action plan for the MDP, which includes the specific improvement activities mentioned in these sections on the general and specific duties is at C-42 to this MDP EDS.

### **SPECIFIC DUTIES**

C.45 The DDA also imposes some specific duties on the MDP, which were introduced to ensure that the general duty is met. The duties require the MDP to publish a disability equality scheme, to implement the scheme and to report progress with that implementation. How we meet the specific duties is set out below.

#### **C.46 Publication of a Disability Equality Scheme**

The Ministry of Defence EDS (EDS) 2008-2011 subsumes and replaces the EDS published in 2006. The MDP EDS is published as part of the overall MOD Scheme and includes details of how the MDP meets its general and specific duties under the DDA.

#### **C.47 Involving disabled people in the development of the Scheme**

C.47.1 Internally, disabled people were involved in the development of this Scheme and our disability action plan through the DSF. More broadly the overall MOD EDS, of which the MDP Scheme forms a part, was developed following involvement of major stakeholders which include the MOD DSC and the TUs.

C.47.2 A major external public consultation and involvement exercise was carried out by the MOD using external consultants during the summer of 2007 as part of the development of the EDS and the MDP was specifically included in this work. The results of that consultation and involvement work informed the development of this Scheme and there are further details of the involvement work below, in the section on “Cross Cutting Activities”.

C.47.3 The MDP is currently looking at how disabled people to whom we provide a service can be further involved in the future development of our disability plans.

#### **C.48 Methods for impact assessment**

MDP policies and practices are routinely impact assessed using the EDIAT in use across the whole of the MOD. The guidance on the use of the EDIAT provides for consultation to be carried out where this is necessary and appropriate and additional guidance provided to Agency staff specifically encourages consultation with the DSF and, if appropriate, external sources. The EDIAT covers all the major diversity strands and further details on the EDIAT are given below, in the section on “Cross Cutting Activities”.

## **C.49 Gathering information in relation to employment**

C.49.1 The MDP uses an overall MOD HRMS to meet the requirements to gather information on the effect of our policies and practices on the development and retention of disabled staff. This enables us to determine the numbers of disabled staff who are in the organisation, who apply for promotion and who leave the MDP and to compare these figures with those for non-disabled staff.

C.49.2 We have only recently been able to use the same system to track applications for, and take up of, training and will be working to develop our monitoring in this area.

C.49.3 The MDP uses a national police recruitment process overseen by the NPIA which undertakes monitoring and provides us with information on applicants for employment who are disabled or non-disabled. There is further commentary on our employment monitoring arrangements in the section on “Cross Cutting Activities” below.

C.49.4 We also use periodic staff care surveys which help us identify the impact of our policies and practices on our staff and participants in these anonymous surveys are asked to give information on whether or not they have a disability, so that we can compare the experiences of disabled and non-disabled staff.

C.49.5 Less quantitative information is gathered through exit interviews as well as through our collaboration with the DSF, which is able to supply more anecdotal evidence of the experiences of our disabled staff.

## **C.50 Gathering information in relation to delivery of functions**

C.50.1 The MDP records and analyses details about the people we deal with across a range of our activities, for the most part using generic forms used across the police service. The key activities on which such monitoring takes place are recordable police stops and searches, arrests, the use of force by police officers, hate crime and public complaints against the police. The generic forms do not generally offer an option to record whether or not people are disabled but we have recently introduced a form to capture this information in respect of the use of force and our hate crime recording enables us to determine whether disability is a factor in such crime.

C.50.2 We intend to consider how we might more effectively gather information on other key service delivery activities.

C.50.3 More generally we obtain information in relation to the services we deliver through feedback from users of those services. Our primary customers are the heads of the establishments we police and the satisfaction surveys we carry out with those customers indicate that they are extremely satisfied with our services. We are aware that the heads of establishments may not themselves consult their own disabled staff about their experiences of our services and we are looking at how we might gather more information from service users.

C.50.4 We also plan to develop closer ties with the MOD DSC since that group can help us gain a clearer picture of the impact of our activities on disabled people in the MOD, which we believe represents by far the largest group of disabled people with whom we have contact.

### **C.51 Arrangements for putting information gathered to use**

The information we gather on employment issues is used to develop plans and initiatives in the human resources field. Statistical information is included in a six-monthly diversity information report which is considered by the Agency Diversity Programme Board and, since it is prepared by that Board, influences the annual diversity action plan for the Agency.

## GENDER

C.52 The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions. This gender equality duty came into effect on 6 April 2007 and, since the Chief Constable for the MDP is specified in the legislation as a public authority, the duty applies to the MDP.

## GENERAL DUTY

C.53 The MDP, when carrying out its functions, is required to have due regard to the need to:

- eliminate unlawful discrimination and harassment;
- promote equality of opportunity between men and women

We set out below how we meet these general duties.

### **C.54 Eliminating unlawful discrimination and harassment**

C.54.1 The most important tool we have for eliminating discrimination is our procedure for impact assessing our policies, functions and procedures. This enables us to identify possible discrimination in the things we do and requires us to take steps to make changes to remove any discriminatory element, unless there is sound justification not to do so, and such a position must be confirmed by our legal advisors. Further details on impact assessment are given below and in the section on “Cross Cutting Activities”.

C.54.2 We aim to eliminate and prevent gender discrimination by including gender issues as part of our diversity training and we are considering how best to deliver more specific training on gender issues, including discrimination, in the future.

C.54.3 All MDP officers are expected to demonstrate respect for diversity, including gender diversity. This key competence is specifically tested in the police recruitment process to ensure that people who join us are willing to work towards the elimination of discrimination and harassment. The competence is also assessed as part of the MDP annual appraisal process.

C.54.4 If a member of staff believes they have suffered discrimination they are encouraged to raise this with senior line managers through our grievance procedure which also offers the option for resolution, if appropriate, by an appeal panel comprising members independent of the MDP.

C.54.5 The MDP’s Dignity at Work Policy is well established and has been widely publicised through a poster campaign and sessions at the annual Senior Police Officers’ Conference. The Policy and posters clearly state the Agency’s

zero tolerance stance on harassment or bullying of any sort. The Policy specifically prohibits sexual harassment. The zero tolerance stance on harassment and bullying is included as part of diversity training and there are clear guidelines for making complaints of harassment or bullying.

C.54.6 A formal complaint of sexual harassment will generally be investigated by a trained police investigator under the police misconduct arrangements and, in cases where complaints are upheld disciplinary sanctions are imposed. We will often also require those who are found to have breached our Dignity at Work Policy to undertake additional diversity training to prevent further occurrences.

## **C.55 Promoting equality of opportunity between men and women**

C.55.1 Our impact assessment tool helps us ensure that nothing in our policies or procedures detracts from our ability to offer equality of opportunity or equality of service. Impact assessment also helps us identify where we what we do contributes positively to the promotion of equality and good practice which we identify is shared across the Agency and, as far as possible, with colleagues in the wider MOD.

C.55.2 We actively look for opportunities to work with groups which are set up to promote good relations between people, such as local crime and disorder reduction panels, hate crime fora and domestic violence groups. We also recognise that women may have different expectations of the police service and try to meet these wherever possible – for example, we have work in partnership with Thames Valley Police on Project Home Front, an initiative to deter cold callers on the Service family accommodation at a large garrison, an issue which was mainly affecting women and causing significant amount of concern for them.

C.55.3 We are members of Opportunity Now and participate in their regular benchmarking exercises which enable us to compare our performance on gender against other police forces. We also gain access to good practice in place in other member organisations and we share this across the Agency. We have membership of the British Association for Women in Policing, an organisation which developed the police service Gender Agenda and which also helps spread good practice. Our benchmarking activity and identification of good practice helps us develop our gender action plan and we also believe that our membership of these two organisations clearly and publicly demonstrates our commitment to gender equality.

C.55.4 We aim to increase the number of female MDP officers and we take positive action to encourage women to join the MDP. To date this has principally involved targeted advertising campaigns but our Minority Representation Working Group recently commissioned a study to consider other options.

C.55.5 There is also work in hand to consider how we might encourage more female officers to apply for promotion and to take up specialist work, such as offering specific mentoring or other development programmes. The MDP currently provides the renowned Springboard women's development programme

to staff and in autumn 2008 will, for the first time, offer the companion Navigator men's development programme.

C.55.6 Our female staff also have access to a positive action training programme for women provided by the MOD's training organisation.

C.55.7 Our WSA helps ensure that we properly understand the specific needs and concerns of our female staff. A number of our women officers are at locations where they are the only female officer and we particularly value the networking and support the WSA offers such officers. The WSA is regularly consulted on policies and procedures to ensure that gender issues are taken into account in decision making. Interestingly, the WSA has a good number of men amongst its membership and we regard this as a positive sign that gender equality is valued through the organisation.

## **SPECIFIC DUTIES**

C.56 The legislation also imposes a series of specific duties on listed public authorities, designed to ensure that the general duty is met. These specific duties include the requirement for the MDP to publish, review and implement a gender equality scheme, and to report on its implementation. We set out below how these duties are met.

### **C.57 Consultation in development of Scheme**

C.57.1 Women were involved in the development of this Scheme and our gender action plan through the WSA. More broadly the overall MOD EDS, of which the MDP Scheme forms a part, was developed following involvement of major stakeholders which include the MOD Women focus group and the TUs. The MDP does not have any arrangements for consulting with transgender staff in the Agency, but the MOD EDS was prepared after consultation with the MOD LGBT Forum.

C.57.2 A major external public consultation and involvement exercise was carried out by the MOD using external consultants during the summer of 2007 as part of the development of the EDS and the MDP was specifically included in this work. The results of that consultation and involvement work informed the development of this Scheme and there are further details of the involvement work below, in the section on "Cross Cutting Activities".

C.57.3 We are currently looking at how women and transgender people to whom we provide a service can be further involved in the future development of our gender plans.

### **C.58 Gathering information on effect of policies and practices in service delivery**

C.58.1 We intend to consider how we might more effectively gather information on other key service delivery activities.



C.58.2 The gender of those to whom we deliver a service is recorded and analysed, in the main using generic forms used across the police service. In particular, we monitor people's gender for the following:

- all recordable police stops and searches;
- arrests;
- the use of force by police officers;
- Police complaints.

C.58.3 We also monitor the gender of victims of crime and victims and perpetrators of domestic violence.

C.58.4 Our impact assessment arrangements provide for us to gather information on the impact of our policies and practices where this is deemed necessary as part of a full assessment. If a full impact assessment of a particular policy identifies an adverse impact, we will take steps to mitigate that impact.

C.58.5 We also obtain information in relation to the services we deliver through feedback from our customers. We conduct regular satisfaction surveys with our primary customers, who are the heads of the establishments we police these surveys consistently show a high level of satisfaction with our services. We recognise that these surveys may not be completed in consultation with women at the establishments about their experiences of our services and we are looking at how we might gather more information from service users.

C.58.6 We are also looking at how our Women's Staff Associations links with other women's support network around the MOD might be exploited to give us a better picture of the impact of our activities on women in the MOD, and at the extent to which the MOD LGBT Forum might help us gather information on service delivery issues facing transgender staff.

## **C.59 Gathering information on effect of policies and practices in employment**

C.59.1 We use the MOD HRMS to monitor a range of employment activities including the number of people who are in post (including breaking this down to the type of work carried out and the use of alternative working patterns), apply for promotion, benefit or suffer detriment from the MDP performance assessment procedure, are involved in grievances, or leave the MDP. The capability to use the same system to track applications for and take up of training has recently been made available to us and we will be working to develop our monitoring in this area.

C.59.2 Monitoring by gender of those who are subject to disciplinary procedures is carried out by our Professional Standards Department, in accordance with the police misconduct regulations.

C.59.3 The recruitment of police officers by the MDP is carried out through a national police recruitment process overseen by the NPIA and they monitor the

gender of applicants and provide us with information on the comparative success rates of women and men.

C.59.4 There is further commentary on our employment monitoring arrangements in the section on “Cross Cutting Activities” below.

C.59.5 We periodically carry out anonymous staff care surveys which give us information on the impact of our policies and practices on our staff. Those responding are asked to identify their gender to enable us to compare the experiences of women and men. We also gather less quantitative information is through exit interviews and from anecdotal evidence supplied through our WSA.

## **C.60 Taking into account information gathered in preparation of Scheme**

The information we gather is used to develop our gender action plan and to decide on priorities. A six-monthly diversity information report is prepared which includes the statistical information we gather and this report is seen by the Agency DPB.

## **C.61 Need for objectives to address gender pay gap**

C.61.1 The MDP does not truly set its own pay arrangements. MDP officers are paid at 95% of Home Department Police Forces pay, less a Net pay Deduction which allows for the different pension arrangements for the MDP (MDP officers are covered by Civil Service pension arrangements whilst Home Department police officers are members of a police pension scheme which requires significantly higher members' contributions). However the MDP recognises that it has liability under the Equal Pay Act for the pay system's implementation.

C.61.2 There is also a significant limitation on the ability of the MDP to undertake an equal pay review, since pay details are not kept by the Agency but by the MOD's PPPA, which has responsibility for pay administration across the MOD. However, the MDP is satisfied that where women and men have been recruited to the same jobs or jobs of equal value, they have been appointed on the same starting salary.

C.61.3 Pay scales are set by the Home Office and so the MDP's ability to amend its pay scales is extremely limited.

C.61.4 Two bonus payments are available to MDP officers, both of which are linked to other Home Office police pay arrangements and so are difficult for the MDP to influence. The Competency Related Threshold Payment (CRTP) is linked to length of service and so may disproportionately affect women, who may be less likely to have reached the maximum of their pay scale (at which point CRTP may be payable).

C.61.5 The Special Priority Payment Scheme (SPP) is linked to the type of work carried out and, given that there are some roles in the MDP in which women are under represented, it is possible that less women may be eligible for this payment. However, in some roles which are eligible for the SPP, women are

“over-represented” by comparison with the proportion of women in the MDP as a whole. The MDP has work in hand to examine both of these payments in more detail to determine whether these potential disproportionate impacts are, in fact, occurring.

C.61.6 As outlined above, the MDP is also currently looking at taking positive action to encourage more women to take up the specialist roles in which there is evidence of a degree of job segregation.

## **C.62 Using information to review implementation of Scheme objectives**

The statistical information report prepared at six-monthly intervals is supplemented by quarterly progress reports against the Agency diversity action plan. That plan includes our main gender goals. The progress reports are seen by the DPB and also by the MDP Police Committee, ensuring that there is regular and effective scrutiny of progress against our gender and other diversity goals and thus this Scheme.

## **C.63 Assessing impact of current and future policies**

There is routine assessment of MDP policies, functions and procedures using the EDIAT in use across the whole of the MOD. The EDIAT covers all the major diversity strands and there is further commentary on the EDIAT below, in the section on “Cross Cutting Activities”.

## **C.64 Consulting employees and service users**

C.64.1 Our arrangements for consulting employees and service users in the preparation of this Scheme are identified above. We recognise that there is scope for us to carry out more consultation with service users in the future and, as mentioned earlier, we are looking at how we can further involve women and transgender people to whom we provide a service.

C.64.2 We also outline how we consult with our staff above. We have formal arrangements for consulting with the Defence Police Federation, which is the staff association which represents MDP officers, and with the Chief Police Officers Association (which represents the most senior officers) and they provide us with useful input on the views of their members on gender issues.

C.64.3 Our WSA is also routinely consulted on policy proposals and is represented on a number of key committees including the DPB, the MRWG and our Clothing Committee, in each case ensuring that women’s needs are considered in decision making.

## **C.65 Implementing Scheme objectives**

As outlined above, there are robust arrangements in place to ensure that our Scheme objectives – in the form of goals in our gender action plan – are implemented and that progress is reported regularly and considered at the most senior level.

**C.66 Gender Goals**

Our gender goals are set out in a gender action plan which is at C-45 to this MDP EDS. This includes the specific improvement work which is mentioned in these sections relating to the general and specific gender duties.

## **CROSS CUTTING ACTIVITIES – ALL STRANDS**

### **C.67 FAIR EMPLOYMENT : NORTHERN IRELAND**

C.67.1 We are required under the Fair Employment and Treatment (Northern Ireland) 1998 Order to monitor our workforce in Northern Ireland and provide a return (known as an Article 52 Return) to the Equality Commission for Northern Ireland containing prescribed information about our employees. In addition, as a public authority, we are also required to monitor the composition of those applying to fill vacancies for employment, the number of appointees, the number of promotees and the number of leavers. At least once every three years we are required to review our recruitment, training and promotion practices in order to determine whether fair participation in employment is being secured by both Protestants and Roman Catholics. This review is known as an Article 55 Review. Where fair participation is not being provided to either community we are required to consider the implementation of appropriate affirmative action measures, including the setting of goals and timetables for all applicants and appointees.

C.68 However, since the MDP employs very few staff in Northern Ireland, the monitoring of our staff there and preparation of returns and reviews required by the Order is not carried out separately by the MDP. Instead, the MDP staff in Northern Ireland are counted in the statistics prepared by the wider MOD.

### **C.69 IMPACT ASSESSMENT**

C.69.1 In response to the legislation requiring public authorities to assess policies and services in respect of race, disability and gender an EDIAT was developed by MOD. The MDP contributed to the development of the original tool and its subsequent refinement. The EDIAT provides a simple but effective method of carrying out impact assessments to ensure that they not only comply fully with the Duties placed upon us, but also ensure equal treatment for all our workforce and members of the public (where applicable).

C.69.2 It is MOD policy that all new policies, relating to employment and non-employment issues, must be impact assessed as they are developed and that existing policies, functions and procedures be impact assessed as part of a continuous rolling programme of review so that equality-proofing becomes embedded into all aspects of our business. Significantly, impact assessment is carried out by the author and owner of each policy, which contributes to our overall aim that equality and diversity should become “mainstreamed” – in other words part of the normal activity of staff across the organisation rather than something which is the sole preserve of those with formal responsibility for diversity.

C.69.3 As policies are developed or reviewed, they will contain an “Equality & Diversity Impact Assessment Statement,” and will be placed on a forward review

programme. Policies will initially be screened, to assess the potential impact of diversity issues to determine relevance and proportionality. If this screening shows that diversity issues are relevant to the policy, policy holders will carry out a full impact assessment to ensure that any adverse impact is identified and that it is fully justified, removed, minimised or managed. Where an adverse impact is deemed to be justifiable, this must be confirmed by seeking advice from our legal advisors.

## **C.70 TRAINING**

C.70.1 The MDP recognises that it is essential that our officers treat everyone in the communities they serve with respect and dignity and so we place very high importance on diversity training.

C.70.2 We provide our own training for our officers, which has been developed by the Agency Training College, drawing on national police service training materials. The College has involved the Agency's DEU in its design work and this collaboration continues as the training is developed to remain up to date and as new training products are designed.

C.70.3 Equality and diversity plays an important part in the training of new recruits and as well as completing a discrete Module within their initial training, recruits are exposed to diversity threads in every aspect of the Initial Police Learning and Development Programme. A two day diversity awareness course is also completed by all MDP officers and diversity is threaded through almost all police training, including specialist training.

C.70.4 The MDP is currently working on a diversity awareness briefing pack, which will be issued to every new member of staff on their first day, which will ensure that they are clear about the Agency and MOD policies on equality, diversity and dignity at work in advance of them undertaking the formal classroom based training. There is also work in hand to develop a series of training packages covering six major diversity strands – age, disability, gender and gender orientation, race, religion or belief and sexual orientation.

C.70.5 Diversity training is also available to MDP staff from the MOD's main civilian training provider, dblearning. Aside from classroom based training they offer electronic learning which is available at various walk-in locations around the country and also through the MDP intranet.

C.70.6 The MDP's senior officers all complete leadership training, generally through national police training arrangements. This training gives high priority to diversity issues, but senior officers are also encouraged to attend the training for senior staff provided by the MOD's JEDTC at Shrivenham.

## **C.71 MONITORING AND GATHERING INFORMATION**

C.71.1 All MDP staff are invited to declare details about aspects of their identity in their personal record which forms part of the MOD HRMS. This declaration is entirely voluntary for details of the individual's ethnicity, disability status, sexual orientation, religion or belief and gender identity (although records of whether staff are female or male are not the subject of self-declaration, staff can identify themselves as being transgender or not or choose not to declare).

C.71.2 Access to this sensitive data is extremely restricted – managers and colleagues cannot access it. The data is aggregated for the purpose of statistics which are available so protecting the privacy of the individual. These aggregated statistics enable us to analyse by diversity strand and related factors such as work pattern the whole range of employment activities from recruitment through to exit.

C.71.3 These analyses enable us to identify diversity issues we need to focus on, to decide on priorities and to develop initiatives.

C.71.4 We also gather information from staff surveys and exit surveys and these contribute to our decision making. Our staff care survey is anonymous and asks respondents to give details of their ethnicity, disability status, gender, religion or belief, sexual orientation and work pattern, enabling us to consider the impact of our policies and practices on people from a wide range of diversity strands. We are currently looking at the possibility of introducing a continuous and specific diversity survey to complement the broader staff care survey.

## **C.72 CONSULTATION AND INVOLVEMENT**

C.72.1 This MDP Scheme is included as an integral part of the overall MOD EDS and during the development of the overall EDS many of the MDP's stakeholders were involved, through broad consultation with MOD TLB Holders, the MOD DCP, the TUs and the MOD staff support groups.

C.72.2 There was also involvement by the Agency's DPB, the Defence Police Federation (DPF) and the Agency's staff support groups.

C.72.3 In addition to specifically involving the DPF and the support groups on this Scheme and our action plans, they are regularly involved in our diversity activity with representation on the DPB and the MRWG and they are consulted on proposed policies, including, where appropriate, those going to the Agency Management Board.

C.72.4 It has been more challenging to properly involve those whom we serve in the preparation of this Scheme. At any of the establishments we police there will be a diverse community – men and women of all ages, people from many ethnic groups, people with a wide range of disabilities, people with varied (and no) religious beliefs and lesbian, gay and bi-sexual people. This diversity is replicated in the other people with whom we come into contact such as

contractors, official visitors, members of the general public, protestors and trespassers. This is the same sort of picture every police force faces.

C.72.5 However, whereas most police forces will have established community groups which they can involve and consult with, this is generally not the case for the MDP. With the exception of the MOD's staff support groups, it is very difficult for the MDP to identify and establish contact with groups which represent the great diversity of our service users.

C.72.6 We were, therefore, extremely pleased to be able to be involved in an involvement exercise which was organised and run on behalf of the MOD by external consultants, Minty and Friend. We worked with the MOD Diversity Team which led the project to develop terms of reference for the work which sought to involve external stakeholders representing gender, ethnic minority groups and disability by focus groups, telephone interviews, email questionnaires and face-to-face interviews.

C.72.7 It had been hoped that focus groups might take place in four locations where there is a significant MOD and military presence, namely Faslane, Norwich, Aldershot and Portsmouth. However, due to time constraints, it was decided that just two focus groups would be organised, in Aldershot and Portsmouth. The MDP has a strong presence at both.

C.72.8 In order to bolster the focus group findings and capture the views of as many people as possible, a number of other people were involved using e-mail questionnaires, and telephone and face-to-face interviews.

C.72.9 More than 90 organisations were approached and asked to invite their members to complete the questionnaires or attend the focus groups. In addition to so-called single interest groups, Minty & Friend contacted its own database of ethnic minority and disabled individuals and women and men.

C.72.10 The focus groups were well attended although most who attended were primarily interested in disability issues. Only one person represented the ethnic minority community and she herself was White/British and Minty & Friend found that contacting and engaging ethnic minority organisations was more difficult than anticipated.

C.72.11 A number of race organisations were contacted on the telephone and invited to take part in the research. Whilst some agreed to take part, the majority agreed to participate only if their contribution was acknowledged and a copy of the report was sent to them. Although notification of the publishing of any final MOD EDS was promised, many organisations decided not to contribute.

C.72.12 After the investment of considerable time, effort and expense and without any constructive outcome it was decided to concentrate on contacting individuals from minority ethnic communities to get their experiences, perceptions and expectations.



C.72.13 Encouraging involvement from disabled individuals and groups representing disabled people proved to be the easiest process of all the three strands. It was extremely useful to be reminded that, although physical access is often seen by organisations to be a priority, those with visual, hearing or learning impairments also face barriers in accessing services.

C.72.14 Since those who participated represented an even balance between men and women, no attempt was made to involve specific women's (or men's) organisations. Few initially reported any experience of discrimination, unfair treatment or general discomfort because of their gender although with prompting by the facilitators a number of women were able to describe differences in the services they expected, particularly at open days or public events.

C.72.15 The involvement exercise concentrated on issues such as attending an open day or public event such as an air show, concert or naval dockyard tour; accessing MOD information via help lines, printed information, websites or presentations; visiting MOD establishments; and using MOD leisure facilities such as gyms, swimming pools or stadiums, or MOD managed countryside (for walking or horse riding).

C.72.16 The involvement specifically addressed issues concerning the MDP, in particular the provision of policing services, including security, crime reduction and detection, community safety, searches and the policing of events; and the reporting of incidents on MOD property to the MDP or assisting with investigations. However, there was generally very little awareness of the MDP and some confusion between us and our colleagues in the Service police forces.

C.72.17 As a result of this work the MDP is currently considering how it might build on-going external relationships in a way which is both effective and proportionate, given that many of the places we police do not have community groups and, since most are work environments, may not see themselves as communities at all.

### **C.73 HARASSMENT AND BULLYING**

C.73.1 In line with broader MOD policy, the MDP has a Dignity At Work Policy that makes it clear that all of our staff and those we serve have a right to protection from harassment, and that all staff have a responsibility to ensure that the working environment is free from harassment and that the dignity of others is respected. This policy has been widely advertised and is reviewed and re-published every year and is supported by a range of posters which make it clear that MDP adopts a zero tolerance stance on harassment and bullying.

C.73.2 The MDP's harassment procedure offers a range of informal options which staff can follow if they wish, which includes the possibility of participating in mediation. Formal complaints of harassment or bullying are referred to the MDP's Professional Standards Department and dealt with under the police misconduct regulations. Generally, such complaints will be the subject of a formal misconduct investigation, conducted by trained police investigators.

C.73.3 Support for those involved in harassment complaints is available from a network of trained volunteer Contact Officers, whose role is to help the individual consider the options open to them and reach a decision about which they might pursue.

## **C.74 OCCUPATIONAL WELFARE SERVICE (OWS)**

C.74.1 The MOD OWS helps keep people effective at work by providing specialist professional support for staff and management on any matter that could affect an employee's effectiveness at work. The OWS gives independent and impartial advice and assistance on a wide variety of issues which include death in service, harassment and bullying, illness, injury and medical retirement, bereavement, relationships and addiction. The OWS offers two levels of assistance: a Helpline Response Centre, which can help in situations where an individual needs either a straightforward discussion of practical remedies or factual information to tackle their particular issue. In addition to the Helpline, a network of professionally trained Welfare Officers can provide face to face discussion on more complex issues.

C.74.2 The OWS has a wide range of contacts, both local and national, with organisations that can provide help and support with a variety of issues including debt and financial problems, domestic matters and healthcare.

## **C.75 DEFENCE POLICE FEDERATION**

The Defence Police Federation is the staff association which represents the interests of MDP officers and which negotiates and participates in formal consultation with the official side. Its main aims are:

- to protect and improve the conditions of employment of its members
- to enhance the efficiency and raise the status of the MOD's police force
- to offer a welfare service to Federation members
- to provide members with legal advice and assistance
- to make available to members a wide range of insurance and other benefits
- to liaise with the representative bodies of other police services, when this is judged to be in the best interests of members

## **C.76 Procurement - Disability, Gender and All Other Diversity Strands.**

MOD intends to extend the arrangements for race described above to ensure that statutory obligations in respect of disability and gender are met, either by appropriate amendments to DEFCON 516 or by introducing new Standard Conditions of Contract. The new arrangements will also cover all other diversity strands.

## C.77 RECRUITMENT

C.77.1 We recognise that there are sound business reasons why the MDP should be as representative as possible of the community it serves. We understand that:

- service users may themselves prefer to deal with a more diverse workforce;
- a more representative workforce will lead to greater confidence in us in the communities we serve which will, in turn, lead to greater cooperation, participation and involvement and better intelligence gathering
- a more diverse workforce will give us additional skills and experience, for example, enhanced cultural awareness, wider language skills and different approaches to work
- we need to attract the best applicants in a highly competitive recruiting environment and can't afford to miss out on good people because we are perceived as an organisation they don't want to join;
- people from groups which have not traditionally joined the police service or other uniformed organisations, especially women and people from minority ethnic groups, form a consistently increasing proportion of the working population

C.77.2 The MDP has worked for several years to a Key Target on recruitment of women and ethnic minorities and we continue to take positive action to encourage people from both these groups to join the organisation.

C.77.3 We have recruited since 2004 using the national Structured Entrance Assessment for Recruiting Constables Holistically, (SEARCH) assessment centre process which assesses applicants against the competencies for the role of a police officer. The SEARCH process is owned by the NPIA and is used by all 43 Home Office police forces.

C.77.4 Candidates are assessed via an interview, several role play scenarios and a number of written tests and processes. The assessment centre is run in the MDP's own assessment centre facility under the supervision of NPIA who provide assessor training, yearly exercise updates and provide the results and feedback for all candidates.

C.77.5 Whilst there is no bar to disabled people joining the MDP, the strict medical and fitness standards required for entry to the police service do mean that people with some disabilities are unlikely to be able to be recruited. However, the MDP seeks wherever possible to make reasonable adjustments to enable disabled people to participate in the recruitment process, most notably for candidates with dyslexia.

C.77.6 Positive action has also been taken to encourage gay men and women to join the MDP, including advertising in the "pink" press. The MDPs' recruit intakes generally include people from a wide range of age groups and no specific action has been considered necessary to attract older, or younger, candidates. There is a minimum age for appointment of police constables (18 years) in line with

national police service arrangements and an upper age limit governed by current civil service pension rules.

## **C.78 ORGANISATIONAL EVENTS & FEATURES**

C.78.1 We have regularly used the annual Senior Police Officers' Conference, which the senior officer from every one of our police stations and CID offices attends, together with Divisional Commanders and Unit Beat Officers, to promote our work on diversity and to engage with operational police officers.

C.78.2 Our in-house magazine "Talk Through" is used to raise awareness on a wide range of diversity issues and to promote positive images of the diversity of our workforce. We continue to hold seminars at both national and local level and support conferences organised by our support groups. Articles on the MDP have appeared in publications aimed at the ethnic minority and gay communities and in the magazines of organisations such as the British Association for Women in Policing and the Employers' Forum on Disability.

C.78.3 We were delighted to receive very positive publicity when one of our Divisional Commanders (and the President of our WSA) won the first Civil Service Diversity Award for Leadership. We regularly uses our involvement in community events to promote our positive approach to diversity issues and are particularly involved in various multi-agency initiatives, such as crime and disorder partnerships, community safety groups and domestic violence fora

C.78.4 MDP staff have access to MOD publications such as "Focus", a Defence-wide newspaper, and "Paperclips" a civilian in-house magazine covering personnel issues and these have been used to raise awareness of a range of diversity issues. Although few MDP officers have a computer allocated to them, all have access to shared facilities and we have increasingly used the Diversity and Equality Unit's intranet pages to share information and good practice.

## **C.79 REPORTING**

An annual report of progress against this Scheme will be made and this report will be included in an overall report against the MOD EDS. Copies of the annual reports against the MOD EDS will be distributed at senior levels throughout the MOD and copies will be placed in the House of Commons library. They will also be available on the MOD's internal and external websites. Alternative formats will be made available.

## OTHER DIVERSITY STRANDS

### INTRODUCTION

C.80 We recognise that there are Government proposals to introduce a single equality duty and whilst this Scheme concentrates on meeting the general and specific duties placed upon the Chief Constable on race, disability and gender, we do wish to consider how the duties might be met for other diversity strands.

C.81 The race, disability and gender general duties are each slightly different from the other, but we believe that they can be reasonably summarised as being:

- to eliminate unlawful discrimination relating to the specific diversity strand
- to promote equality of opportunity for people in the specific diversity strand and people from other groups

C.82 We show in this section how, for other diversity strands, we eliminate discrimination and promote equality of opportunity.

C.83 The race, disability and gender specific duties are sufficiently different from each other to make it quite difficult to determine which we might consider when looking at other diversity strands and we do not attempt to do this here. However, we believe that this section puts us on a sound footing for meeting statutory duties which are introduced in the future and our Scheme will be amended to take any new legislation into account as and when it arises.

### SEXUAL ORIENTATION

#### **C.84 Eliminating discrimination**

C.84.1 Our impact assessment procedure requires us to identify possible discrimination on the grounds of sexual orientation (or perceived orientation) in our practices and procedures and to take steps to make changes to remove any discriminatory element, unless we can justify not doing so.

C.84.2 Sexual orientation issues are included as part of our diversity training and we are considering how best to deliver more specific training on sexual orientation, including discrimination, in future.

C.84.3 Respect for diversity is tested in the police recruitment process and as part of the MDP annual appraisal process.

C.84.4 The MDP Diversity Policy Statement is displayed at all our locations and specifically refers to sexual orientation discrimination. Our grievance procedure is available to any member of staff who believes they have been discriminated against because of their sexual orientation or perceived orientation.

C.84.5 Our Dignity At Work Policy is widely publicised and specifically prohibits harassment on the grounds of sexual orientation. The zero tolerance stance on harassment and bullying is included as part of diversity training and there are clear guidelines for making complaints of harassment or bullying.

### **C.85 Promoting equality of opportunity**

C.85.1 Impact assessment helps us identify potential barriers to equality of opportunity and also factors which positively contribute to the promotion of equality.

C.85.2 We work with various groups to promote good relations between people, such as local crime and disorder reduction panels, hate crime fora and domestic violence groups, many of which work to support the LGB community. We have given advice to the MOD LGBT Forum on reporting homophobic hate crime and are looking to continue to work with the forum to increase awareness of this issue across the MOD and in our customer base.

C.85.3 We are members of the Stonewall Diversity Champions Programme and participate in their regular Workplace Equality Index benchmarking exercises which enable us to compare our performance on sexual orientation against other police forces. In the 2008 WEI we achieved a ranking of 24<sup>th</sup> out of 241 organisations which took part. Our membership of the Programme gives access to good practice in place in other member organisations and we share this across the Agency. Our benchmarking activity and identification of good practice helps us develop our sexual orientation action plan and our membership of Stonewall clearly and publicly demonstrates our commitment to equality for LGB people.

C.85.4 We take positive action to encourage LGB people to join the MDP by advertising in the “pink” press.

C.85.5 We have work in hand to consider whether development programmes for LGB staff should be provided in-house. Staff currently have access to such programmes offered by the two main national police training providers.

C.85.6 LGB staff have a support group – LGB Unite – which is strongly supported by the Agency. LGB Unite helps ensure that we properly understand the specific needs and concerns of our LGB staff and is regularly consulted on policies and procedures to ensure that LGB issues are taken into account in decision making. The group is also represented on our DPB and MRWG.

## **RELIGION OR BELIEF**

### **C.86 Eliminating discrimination**

C.86.1 Impact assessment of our policies and procedures includes identifying potential discrimination on the grounds of religion or belief – or the absence of belief. We will seek to remove any discriminatory element, unless we can justify not doing so. For example, our policy on the use of respirators can discriminate against Sikhs, because of a requirement for men to be clean shaven, but our legal advice is that this can be justified on the grounds of health and safety.

C.86.2 Religion and belief is included in our diversity training and we are looking to introduce more specific training on religion and belief in future. We have published a guide to culture and beliefs which covers a wide range of religions and which is designed specifically to help MDP officers carry out policing roles with respect for different religious beliefs. This is supplemented by a monthly calendar of religious festivals and other key days, which is published and made available to all staff to help plan for religious festivals.

C.86.3 Respect for diversity, including religious beliefs is tested in the police recruitment process and as part of the MDP annual appraisal process.

C.86.4 Our Diversity Policy Statement is widely displayed and specifically refers to discrimination on the grounds of religion or belief. Any member of staff who believes they have been discriminated against on the grounds of religion or belief can raise this through our grievance arrangements.

C.86.5 The MDP Dignity At Work Policy specifically prohibits harassment on the grounds of religion or belief. Our diversity training includes harassment and bullying and there is a clear MDP procedure for dealing with harassment or bullying.

### **C.87 Promoting equality of opportunity**

C.87.1 Potential inequality of opportunity should be picked up as part of our impact assessment process.

C.87.2 Our participation in groups such as crime and disorder reduction panels, hate crime fora and domestic violence groups is geared towards ensuring and promoting equality of opportunity and service to people from different religions or beliefs. We are looking at how we can increase awareness of hate crime, including religious hate crime, amongst MOD staff and our customers.

C.87.3 The monthly calendar we produce and publish enables line managers to make more informed decisions when approached by staff requesting time off to celebrate religious festivals and holidays which are not catered for by the standard public holidays.

C.87.4 Our Agency Training Centre has a room set aside as a multi-faith facility for prayer and meditation, which is open to all students and to staff and visitors to our Headquarters. We also have training departments in each of our divisions and they are looking at the possibility of offering similar facilities, although the MDP are “lodgers” at all of the sites where Divisional training is carried out. Guidance has been issued to training staff about the need to provide for the observance of religious customs during training courses, including the need to take into account fasting and its potential impact when students are carrying out physical activities.

C.87.5 Although we do not have any in-house support groups for particular religious groups staff do have access to national police groups such as the Christian Police Association and the Metropolitan Police Sikh Association, which is open to non-Metropolitan Police officers.

## **AGE**

### **C.88 Eliminating discrimination**

C.88.1 As with other diversity strands, age discrimination in our policies or functions should be identified through our impact assessment arrangements and any discriminatory element removed, unless we can justify not doing so.

C.88.2 We cover the issue of age discrimination in our diversity training and are examining how best to we provide more specific training on age in the future.

C.88.3 The testing of respect for diversity in the police recruitment process includes age diversity and officers are assessed on this competence and in the MDP annual appraisal process.

C.88.4 We have published and display our Diversity Policy Statement which specifically refers to discrimination on the grounds of age. If a member of staff believes they have been discriminated against on the grounds of age they can seek to resolve this through our grievance arrangements.

C.88.5 Our Dignity At Work Policy specifically identifies age as a factor in harassment which we will not tolerate. Guidance on harassment and bullying is included in our diversity training and the MDP procedure for dealing with harassment or bullying is widely available.

### **C.89 Promoting equality of opportunity**

C.89.1 Impact assessment is designed to identify potential barriers to equality of opportunity, including specifically on age grounds as well as to identify factors which contribute to the promotion of equality.

C.89.2 A key feature of the work of local crime and disorder reduction panels, hate crime fora and domestic violence groups to which we belong is a recognition of the impact of crime on older people and the different experiences which may exist between people in different age groups of crime. We look to participate fully



in local initiatives to reduce crime generally, but also specifically where the age of victims is a factor.

C.89.3 Although we have not yet taken up membership of the Employers' Forum on Age, we share good practice which is identified on their website, or through the MOD membership of the organisation, across the Agency.

## **ALTERNATIVE WORKING PATTERNS AND FAMILY LEAVE**

### **C.90 Eliminating discrimination**

C.90.1 Our impact assessment arrangements should ensure that our policies and practices do not disadvantage staff who wish to work alternative work patterns or who have caring responsibilities, given that our operational resilience must always be preserved.

C.90.2 We have provided briefings for senior police officers and Defence Police Federation representatives on flexible working to help them overcome negative attitudes amongst their staff or members about this.

### **C.91 Promoting equality of opportunity**

C.91.1 We have clear guidelines on flexible working and family leave arrangements. For the most part, these are identical to those in place for staff across the MOD but some of the conditions of service of the MDP are those which apply to police officers in Home Department forces. For example, there are separate arrangements for maternity leave for police officers. However, all working pattern and family leave arrangements for MDP officers meet statutory requirements and in practically every case exceed these by some way.

C.91.2 Staff are encouraged to consider flexible working opportunities and line managers to view requests positively, albeit it is not always possible to agree requests because of the need to retain operational resilience.

**MDP RACE ACTION PLAN**  
**MDP RACE ACTION PLAN**

	<b>OBJECTIVE</b>	<b>ACTION</b>	<b>TIMESCALE</b>	<b>MEASUREABLE OUTPUT/ OUTCOME</b>	<b>RESPONSIBILITY</b>
1	To demonstrate progress made against this RESand to ensure relevancy.	Publish annual progress report. Review scheme.	Annually April 2011	Progress made towards equality of opportunity for all regardless of race.	Director Personnel & Professional Development
2	Encourage more ethnic minority officers to apply for promotion	Analyse proposals for improving female applications in collaboration with ASME to identify crossover options	30 Sep 08	Percentage of promotion applications by ethnic minority officers at least equals proportion of ethnic minority officers in MDP	Director Personnel & Professional Development
2	Consider introduction of mentoring scheme for ethnic minority police officers	Carry out research and present paper for AMB decision	31 Dec 08	Decision made by AMB on introduction of scheme	Director Personnel & Professional Development
4	Examine possibility of offering specific development programmes for ethnic minority staff	a. Publicise MOD and police service development opportunities for ethnic minority staff  b. Consider need for in-house programmes to be developed	Ongoing  31 Dec 08	a. Development opportunities published in Agency Notices as they become available  b. Needs analysis and demand level research completed	Director Personnel & Professional Development  Director Personnel & Professional Development
5	Further involve ethnic minority people to whom we provide a service in future	Develop options to formally consult and involve ethnic minority service users	31 Mar 09	Involvement strategy complete and in place	Director Resources & Planning

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
	development of race plans				
6	Regularly review reporting mechanisms on service delivery to meet local and national requirements.	Conduct annual review of reporting mechanisms	31 Mar 09 and annually thereafter	Suite of reporting mechanisms in place enabling sound decision making by AMB and senior managers	Director Resources & Planning
7	Include service delivery monitoring data in six-monthly diversity statistical report	Service delivery data provided to DEU for inclusion in report	Within 4 weeks from 31 Mar and 30 Sep annually	Diversity statistical report enables more informed decision making	Director Resources & Planning (provision of data)  Director Personnel & Professional Development (provision of report)
8	Improve access to information on impact assessments and consultation exercises	Consider how information on impact assessments and consultations carried out as part of assessment or monitoring activity can best be published	31 Mar 09	Information more readily available outside of MDP	Director Resources & Planning/ Director Personnel & Professional Development
9	Audit printed documents to determine appropriateness of extending general availability of alternative language documents as opposed to providing this on request	Carry out audit of all Agency publications available in print form to people outside the Agency and determine which should be offered in alternative languages	30 Jun 08	Audit completed and findings available  Enhanced communications with public	Director Resources & Planning

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
10	Develop a formal policy on the use of translators and interpreters.	Publish policy and guidance on the use of, and arrangements for provision of, translators and interpreters	31 Dec 08	Policy published and all staff know how to access translators or interpreters	Director Operational Support
11	Develop use of HRMS to track, by ethnicity, applications for and take up of training	Achieve full ability to track MDP specific training activity by ethnicity	31 Mar 09	MDP provided training is monitored by ethnicity	Director Personnel & Professional Development

## MDP DISABILITY ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this DESand to ensure relevancy.	Publish annual progress report. Review scheme.	Annually April 2011	Progress made towards equality of opportunity for all regardless of disability.	Director Personnel & Professional Development
2	Ensure that host establishments provide MDP with accommodation which is accessible.	Ensure plans exist to confirm that all MDPGA 'public' premises are accessible to disabled people and maintain central list of outstanding works	30 Sep 08	All Divisional Commanders confirmed with Heads of Establishments that MDP premises have been considered in establishment access audits and work outstanding identified  Accessibility of MDP premises enhanced	Director Divisional Operations  Director Operational Support
3	Consider how specific disability awareness training might be provided	Develop revised diversity training policy and strategy, based on the "Working in a Diverse Environment" principles	31 Mar 09	Revised diversity policy and strategy prepared and initial training products rolled out  Quality of service to disabled people enhanced	Director Personnel & Professional Development
4	Improve the sharing of good practice and guidance on service delivery to disabled people	Make good practice guide on delivery of police services to disabled people available to MDP staff	30 Sep 09	Good practice guide developed and available to all MDP staff  Quality of service to disabled people enhanced	Director Personnel & Professional Development

5	Review the accessibility of MDP graduation ceremonies to ensure we have taken all steps we can to enable disabled people to fully participate	Complete accessibility review of graduation events	30 Sep 08	Review completed and plan prepared to progress any changes required	Director Personnel & Professional Development
6	Further involve disabled people to whom we provide a service in future development of race plans	Develop options to formally consult and involve disabled service users	31 Mar 09	Involvement strategy complete and in place	Director Resources & Planning
7	Develop use of HRMS to track, by disability status, applications for and take up of training	Achieve full ability to track MDP specific training activity by disability status	31 Mar 09	MDP provided training is monitored by disability status	Director Personnel & Professional Development
8	Regularly review reporting mechanisms on service delivery to meet local and national requirements.	Conduct annual review of reporting mechanisms	31 Mar 09 and annually thereafter	Suite of reporting mechanisms in place enabling sound decision making by AMB and senior managers	Director Resources & Planning
9	Gain clearer picture of the impact of our activities on disabled people in the MOD	Develop relationship with the MOD DSC	30 Sep 08 and ongoing	Regular interface between MDP, through DSF and DEU, and MOD DSC	Director Personnel & Professional Development

10	Audit printed documents to determine appropriateness of extending general availability of alternative format documents as opposed to providing this on request	Carry out audit of all Agency publications available in print form to people outside the Agency and determine which should be offered in alternative formats	30 Jun 08	Audit completed and findings available  Enhanced communications with public	Director Resources & Planning
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## MDP GENDER ACTION PLAN

	OBJECTIVE	ACTION	TIMESCALE	MEASUREABLE OUTPUT/ OUTCOME	RESPONSIBILITY
1	To demonstrate progress made against this GES and to ensure relevancy.	Publish annual progress report. Review scheme.	Annually April 2011	Progress made towards equality of opportunity for all regardless of gender.	Director Personnel & Professional Development
2	Consider how specific gender awareness training might be provided	Develop revised diversity training policy and strategy, based on the "Working in a Diverse Environment" principles	31 Mar 09	Revised diversity policy and strategy prepared and initial training products rolled out  Quality of service to women enhanced	Director Personnel & Professional Development
3	Encourage more female officers to apply for promotion	Analyse proposals for improving female applications in collaboration with WSA	30 Sep 08	Percentage of promotion applications by female officers at least equals proportion of female officers in MDP	Director Personnel & Professional Development
4	Consider introduction of mentoring scheme for female police officers	Carry out research and present paper for AMB decision	31 Dec 08	Decision made by AMB on introduction of scheme	Director Personnel & Professional Development



5	Make specific development programmes for female staff available	a. Publicise MOD and police service development opportunities for female staff	Ongoing	a. Development opportunities published in Agency Notices as they become available	Director Personnel & Professional Development
		b. Support women's development by running a minimum of two internal Springboard programmes annually	Ongoing	b. Number of programmes run in-house in each financial year	Director Personnel & Professional Development
		c. Consider need for in-house programmes to be developed	31 Dec 08	c. Needs analysis and demand level research completed  d. More women apply for promotion or specialist posts	Director Personnel & Professional Development
6	Provide specific development programme for men	Run a minimum of one internal Navigator men's development programme each year	Ongoing	Number of programmes run in-house each year  Positive support for women's development by men	Director Personnel & Professional Development
7	Further involve women and transgender people to whom we provide a service in future development of race plans	Develop options to formally consult and involve female and transgender service users	31 Mar 09	Involvement strategy complete and in place	Director Resources & Planning

8	Gain clearer picture of the impact of our activities on women and transgender people in the MOD	a. Further develop relationship between WSA and MOD women's groups	30 Sep 08 and ongoing	Regular interface between MDP, through WSA and DEU, and MOD women's groups	Director Personnel & Professional Development
		b. Identify through MOD LGBT Forum what service delivery issues there are for transgender staff in MOD	31 Mar 09	Information gleaned from transgender staff in MOD on expectations of MDP's service	Director Resources & Planning
9	Develop use of HRMS to track, by gender, applications for and take up of training	Achieve full ability to track MDP specific training activity by gender	31 Mar 09	MDP provided training is monitored by gender	Director Personnel & Professional Development
10	Determine whether bonus payments to MDP officers are disproportionately made by gender	a. Review gender of recipients of SPP to determine gender impact	30 Sep 08	Proportion of women receiving SPP in 2007 compared with proportion of men	Director Personnel & Professional Development
		b. Review gender of recipients of CRTP to determine gender impact	30 Sep 09	Proportion of women receiving CRTP in 2008 compared with proportion of men	Director Personnel & Professional Development
		c. If disproportionality found identify changes to payments which might be made within Home Office arrangements	31 Dec 09	If appropriate, changes implemented for payments to be made in 2010	Director Personnel & Professional Development

11	Take positive action to encourage more women to take up specialist roles in which there is evidence of a degree of job segregation	Positive action taken to encourage women to take up specialist posts in SEG, OSU, Marine Units and Dog Sections	31 Mar 11	Increase in women in specialist police posts from baseline figure at 31 Mar 2008	Director Divisional Operations  Director Operational Support
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**MDP EQUALITY AND DIVERSITY ACTION PLAN COVERING ALL DIVERSITY STRANDS**

	<b>OBJECTIVE</b>	<b>ACTION</b>	<b>TIMESCALE</b>	<b>MEASUREABLE OUTPUT/ OUTCOME</b>	<b>RESPONSIBILITY</b>
1	Provide a diversity awareness briefing pack to all staff	Produce and distribute to all staff a diversity information pack	31 Dec 08	Pack distributed on day staff join Agency	Director Personnel & Professional Development
2	Further involve diverse community to whom we provide a service in future development of plans	Develop options to formally consult and involve service users	31 Mar 09	Involvement strategy complete and in place	Director Resources & Planning
3	Consider how specific sexual orientation awareness training might be provided	Develop revised diversity training policy and strategy, based on the "Working in a Diverse Environment" principles	31 Mar 09	Revised diversity policy and strategy prepared and initial training products rolled out  Quality of service to LGB users of services enhanced	Director Personnel & Professional Development
4	Increase awareness of homophobic, religious and other hate crime across the MOD and in our customer base	Develop and agree hate crime awareness campaign for MOD and, if possible, Armed Services and external customers	31 Mar 09	Hate crime awareness raised amongst users of services	Director Operational Support

5	Examine possibility of offering specific development programmes for LGB staff	a. Publicise MOD and police service development opportunities for LGB staff	Ongoing	a. Development opportunities published in Agency Notices as they become available	Director Personnel & Professional Development
		b. Consider need for in-house programmes to be developed	31 Dec 08	b. Needs analysis and demand level research completed	Director Personnel & Professional Development



Ministry of Defence

## Equality and Diversity Impact Assessment Tool

**Version:** 2.1 2008

**Effective Date:** 10 March 2008

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INVESTORS IN PEOPLE

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This tool has been equality and diversity impact assessed in accordance with Departmental policy. This resulted in a:

- Part 1 screening only completed (no direct discrimination or adverse impact identified). This tool is due for review in March 2011.

## EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL

### CHAPTER 1 - BACKGROUND

#### Introduction

1. This equality and diversity impact assessment tool (EDIAT) is jointly sponsored by DG SP Pol, DGCP and The Chief Constable, MDP (MDP). It **must** be used by all policy makers, Service, Civilian and MDP, when initiating and developing new policies and procedures and by policy sponsors when reviewing existing (formal or informal, written or customary) policies and procedures (referred to in this document as 'policies') in line with the directions detailed below. In view of the very large number of MOD policies, DGLS, the Department's legal advisers, have agreed that it is reasonable for priority to be accorded to those that are 'significant' together with all those on which the Trade Unions/Staff Federations should be consulted. Further details of this advice are at paragraph 12 below.

2. The tool formalises what we should already do when we develop or review our policies. It requires you as a policy lead or project manager to consider, from the outset, what implementing your policy entails for different groups of people and whether this is likely to have an adverse impact on a particular diversity group or groups, or on good relations between them and their counterparts. If the impact assessment process highlights any adverse impact then you must consider what (if any) changes can be made to remove or minimise this, or to counterbalance it, before the policy is finalised and implemented. For example, if you are considering closing a site where a large percentage of the workforce belongs to a particular ethnic group, you should look at other options to redundancies, such as relocation.

#### MOD Policy

3. Apart from the law, it is MOD policy to ensure that all our personnel are treated fairly and that their reasonable needs are met. The main aims of this policy are to:

- Meet current and proposed legislative requirements.
- Be an employer of choice to recruit and retain the best staff.
- Apply good management and business practices.

#### Benefits

4. The benefits of equality and diversity impact assessment include:

- Increasing confidence in public services among the general public by having a Civil Service, Armed Forces and MDP that is an employer of choice that has the reputation of treating staff fairly with structures in place to ensure that all staff benefit equally from employment practices. This should enable us to attract and retain the personnel we need.
- Improving our ability to meet the needs of our own personnel and those members of the general public who use our services or facilities.
- Ensuring that policies are properly targeted.



- Encouraging greater openness about policy-making.
- Anticipating problems, making informed decisions and dealing quickly with unintended consequences.
- Avoiding resources being misdirected or wasted.
- Helping to avoid unlawful discrimination.
- Demonstrating that we have complied with our legal duty to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and diversity when developing or reviewing our policies.

### **Training**

5. An e learning tool will be available via dblearning to help policy leads and sponsors in this process. The mandatory equality and diversity training for civilian staff from dblearning will include a session on impact assessments and a session will also be included in some business management courses.

### **Dispute Resolution**

6. If a Trade Union or one of its members disagrees with the results of an impact assessment the disputes resolution procedure detailed in the Employee Relations Policy Rules and Guidance must be followed. If an individual disagrees with the results they should take the issue up with the policy lead/project manager in the first instance and then through the line management/chain of command of the policy lead/project manager.

### **Why Must I Carry Out An Impact Assessment?**

***As a Department and the Armed Forces we have a legal requirement under current race relations, disability and sex discrimination legislation to publish our arrangements for assessing and monitoring the impact of our policies on the promotion of race, disability and gender equality. It is likely that a single public sector duty, covering age, sexual orientation and religion or belief too, will follow in due course.***

7. We are required by law to carry out race, disability and gender equality impact assessments as follows:

- Since May 2002 under the Race Relations Act 1976.
- Since December 2006 under the Disability Discrimination Act 1995.
- Since April 2007 under the Sex Discrimination Act 1975.

8. It is also MOD policy to carry out equality impact assessments in relation to the other three main diversity strands, in order to promote equality and inclusion across the workforce:

- Age.
- Religion or belief.

- Sexual orientation.

Service policy sponsors are reminded that, whilst the Armed Forces are currently exempt from some part of the equalities legislation, many Service policies impact on civil servants, contractors and members of the public so should be assessed in accordance with paragraph 12 below.

9. If we cover these strands now we will not have to review our policies again to consider the relevant diversity groups between the introduction of likely new legislation and the rolling review that is mandated by current legislation.

### **What Must I Impact Assess?**

***All significant MOD policies must be equality and diversity impact assessed for all diversity strands and records of such assessments must be maintained as a part of normal day-to-day business. Policy makers and sponsors must familiarise themselves with the requirements set out below.***

10. As a MOD policy maker or sponsor you are responsible for considering from the outset the potential impact of your policy on MOD Service and/or civilian personnel and members of the public, particularly on minority or under-represented groups, and take appropriate action at the development or review stage to eliminate or minimise any adverse impact on such groups. All policies, whether new or revised, that are submitted for approval at TLB Management Board Level or above (including Ministers, Service Boards, etc.) **must** clearly state that they have been equality and diversity impact assessed. This requirement does not apply only to personnel policies.

11. Where policies are intended simply to reflect statutory requirements, it is unlikely that they will require a full equality and diversity impact assessment since this will have been the responsibility of the sponsoring Department. However, they should be cleared by DGLS (or the Crown Solicitor's Office in Northern Ireland), to ensure they correctly reflect the statutory requirements, and include an equality and diversity impact assessment statement.

12. In view of the very large number of MOD policies, DGLS, the Department's legal advisers, have agreed that it is reasonable for priority to be accorded to those that are significant. In this context, a 'significant' policy is defined as one that is approved at TLB or Trading Fund Management Board level, by the Chief Constable, MDP (MDP) or above (including Service Boards and Ministers). Consideration should also be given to including within this definition new and existing policies approved at two-star level and above which are likely to have an adverse impact on diversity groups and which should accordingly be subject to formal impact assessment. It is not recommended that policies approved at lower levels of the command/management chain are routinely included, given the need to concentrate resources on more significant policies. However, all policies which necessitate consultation with Trade Unions and/or Staff Federations **must** be impact assessed. Accordingly:

- All significant new policies and existing policies being reviewed or updated and any policy which requires Trade Union/Staff Federation consultation must first be screened (Part 1) and, where necessary, be subjected to a full impact assessment (Part 2). A list of the policies screened must be maintained and placed on a rolling review programme. TLBs and Trading Funds (TF) will be asked for this information by the DGCP diversity team on an annual basis to inform the reporting against the Department's EDS (EDS).

- By 31 March 2007, each TLB and TF should have produced a list of significant extant policies, military and/or civilian, for which it is responsible and where such policies are subject to routine review, to screen and where necessary impact assess those policies.
- By 31 March 2008, each TLB and TF should have identified, and placed in order of priority, those significant extant policies, military and/or civilian, that still require equality and diversity impact assessment.
- TLBs and TFs which have not met these deadlines should make every effort to catch up immediately.
- Thereafter, each TLB and TF must equality and diversity impact assess all significant extant policies on a three-year rolling programme, with priority being given to those policies most likely to have an adverse impact on diversity groups.

Although it is not intended at this stage to impact assess other policies at lower levels formally, the general principles contained in this document must be borne in mind by policy makers or sponsors at these levels.

13. The outcomes of policies, in terms of their impact on equality and diversity, must be monitored and recorded in accordance with statutory requirements (Annex C).

### **How Do I Impact Assess?**

14. The equality and diversity impact assessment process comprises one or two parts depending on whether or not you identify an adverse impact: screening and a full assessment. In order to determine whether there is an adverse impact on one or more of the diversity groups you should consider what exists now and what will happen once the proposed change takes place i.e. you should be looking at the difference that your policy will make to the diversity groups. Is there a predictable outcome (such as a reduction in part time posts which could have an adverse impact on women as more women than men work part time)? If so, how would you justify or mitigate this? You should also be considering what you can do to promote equality and diversity when formulating your policy. All this should be recorded on the form at Annex A.

15. You should assess your policies on the basis of:

- Relevance: how far a policy affects people from the diversity groups, as members of the public or as Service or civilian personnel; and
- Proportionality: to give such weight to equality and diversity considerations as is proportionate to their relevance to a particular function. Consider the number of people likely to be affected by the policy, the degree of any adverse impact it is likely to have, the size of the budget or the amount of money involved, the wider policy implications, etc.

## CHAPTER 2 – SCREENING

### The Process – Part 1

16. All significant policies as described in paragraph 10, whether new or existing, must be screened as they are being developed or reviewed. To do this you must:

- Screen the policy, during the formative stages and as you progress to the final version, to determine whether there is any potential equality and diversity impact.
- Complete Part 1 of the proforma at Annex A.
- Include an equality and diversity impact assessment statement in the policy in accordance with Annex C and enter the policy into the rolling review programme to monitor any adverse impact that may have arisen in the intervening period.
- Ensure that a proper record of your assessment is recorded as detailed at Annex C.

### Impact on Diversity Groups

17. As a first step, you, as a policy maker or sponsor, must decide, in the early stages of policy formation, whether implementing the policy under consideration is likely to have an adverse impact on any diversity groups and/or good relations between them and their counterparts. You are responsible for the decision you make. In this context, the following questions may be relevant:

- What is the purpose of the policy? What should it achieve? What are the desired outcomes?
- Who is the policy for, what benefit is intended and who else could it affect, e.g. Service and/or civilian personnel, their families or dependants, veterans, contractors' personnel or the general public?
- Is the policy directly discriminatory (see Annex D)? A policy will be directly discriminatory if implementing it treats, for example, citizens of one country less favourably than those of another "on grounds of" nationality, which includes a stereotypical assumption about them or their behaviour. Such a policy should normally be shelved, as direct discrimination cannot as a matter of law be justified (unless it is on grounds of age) or, with very limited exceptions, excused. (If in doubt, consult DGLS or the Crown Solicitor's Office in Northern Ireland).
- Is the policy likely to have an adverse impact on women or men, married people or civil partners, a particular racial or age group, people of a particular sexual orientation, religion or belief, or transsexuals? If so, a full impact assessment must be carried out.
- Is the policy likely to have an adverse impact on good relations between women and men, people of different racial or age groups, disabled people or transsexuals and others, or people of different sexual orientations, religions or beliefs? If so, a full impact assessment must be carried out.
- Where contractors are involved, does any contractual requirement have an adverse impact on any diversity groups? *(Further advice on how this issue*

*should be addressed is contained in the Commercial Toolkit which can be found in the Acquisition Operating Framework).*

**Process Complete or Full Assessment?**

18. If you or your stakeholders have identified no direct discrimination or no likelihood of an adverse impact on any diversity group and/or good relations between them and their counterparts, the assessment is complete. (You, as the policy lead, are ultimately responsible for ensuring that the assessment is correct). Otherwise, you must conduct a full equality and diversity impact assessment, as described in chapter 3.

## CHAPTER 3 – FULL EQUALITY AND DIVERSITY IMPACT ASSESSMENT

### The Process - Part 2

19. Where as a result of screening under Part 1 of the assessment process you have identified some likelihood of an adverse impact on any diversity group and/or good relations between them and their counterparts, further action is required. You must:

- Complete Part 2 of the assessment form at Annex A, taking into account the additional guidance at Annex B, immediately.
- Include an equality and diversity impact assessment statement in the final version of your policy as described at Annex C and enter the policy into the rolling review programme for reassessment at a future date to ensure that no further adverse impact on diversity groups has arisen in the intervening period.
- Include the results of your IA with the above-mentioned statement (i.e. provide details of the potential adverse impact, how you have mitigated it or grounds for justification and any positive results of your IA).
- Keep a proper record of the assessment in accordance with Annex C. Attach it to the final version of the policy so that it is published with that policy, either internally or externally. Remember, courts or tribunals may require equality and diversity impact assessments to be disclosed and the Equality and Human Rights Commission may also ask to see these.

20. In this context, the following questions may be relevant:

- Is the policy indirectly discriminatory (see Annex D)?
- Can the aims of the policy be achieved without disadvantaging any diversity group at all or as much? If so, the policy should be revised accordingly.
- If not, can implementing the policy be objectively justified? Indirect discrimination can be justified if it is “a proportionate means of achieving a legitimate aim”. (Again, if in doubt, consult DGLS or the Crown Solicitor’s Office in Northern Ireland.)
- Could the policy damage good relations between any diversity group and their counterparts?
- Does it include stereotypical assumptions?
- Is the policy equally accessible to all? Consider IT options, Braille, audio, non-English language, appropriate print fonts, etc., as necessary.
- Is the policy understandable to all? Use plain English.
- Are there barriers to disabled people or other diversity groups enjoying the benefits of the policy, or which might prevent it from being effective for them?
- Is the policy well presented, i.e. will it gain acceptance and support from the target audience?

- Where diversity groups have particular needs, etc in relation to the policy and does it address these?
- Does the contract cover the conduct of contractors/sub-contractors and require them to comply with the MOD's equality and diversity policies?

Remember, policies which are directly discriminatory should be shelved (see paragraph 17, 3<sup>rd</sup> bullet).

21. Where implementing the policy justifiably puts a diversity group at a particular disadvantage when compared with their counterparts, you must record the reasons for this, including relevant legal advice, on file as well as in the final version of the policy (see paragraph 19, 3<sup>rd</sup> bullet). Such records will provide a vital part of the Department's evidence if the policy is the subject of a legal challenge.

22. You might take this opportunity to consider if there has been any positive impact on one or more of the diversity groups as a result of your policy. Does it promote good relations between the diversity groups and others? Have you identified opportunities for improvement? These benefits should be recorded on the form at Annex A.

## ANNEX A

**EQUALITY AND DIVERSITY IMPACT ASSESSMENT RECORD**

One form to be used per policy or procedure.

**Part 1 – Screening**

<b>Policy Sponsor/Lead: Name, Post Title &amp; Contact No</b>	
<b>Name of Policy or Procedure</b>	
<b>Type</b>	New Policy/Review of Existing Policy (delete as applicable)
<b>Next Review Date</b>	

<u>Diversity Strand</u>	<u>Adverse Impact Identified (Y or N)</u>
Age	
Disability	
Sex	
Gender Reassignment	
Marital Status or Civil Partnership	
Race, Colour, Nationality or Ethnic or National Origins	
Religion or Belief	
Sexual Orientation	
Community Background (NI only)	
Other (please specify)	

If you have determined that there is no adverse impact in your policy you must sign the statement below.

I have identified no adverse impact in this policy.	
Signed:	Date:
Name:	

If you have identified an adverse impact you must conduct a full equality and diversity impact assessment and complete Part 2 of this form.

For new policies and those that are being reviewed or updated, and in relation to which an adverse impact has been identified, you must conduct a full impact assessment immediately by completing Part 2 of this form.

For existing policies in relation to which an adverse impact has been identified you must decide when to undertake a full impact assessment by taking account of proportionality and deciding on priority by completing the box below.

What Priority have you afforded this policy and why?
--

When will you complete Part 2?
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**EQUALITY AND DIVERSITY IMPACT ASSESSMENT RECORD**

One form to be used per policy or procedure.

**Part 2 – Full Impact Assessment**

<b>Policy Sponsor/Lead: Name, Post Title &amp; Contact No</b>	
<b>Name of Policy or Procedure</b>	
<b>Type</b>	New Policy/Review of Existing Policy (delete as applicable)
<b>Next Review Date</b>	

Diversity Strand	Adverse Impact Identified (Y or N)
Age	
Disability	
Sex	
Gender Reassignment	
Marital Status or Civil Partnership	
Race, Colour, Nationality, Ethnic or National Origins	
Religion or Belief	
Sexual Orientation	
Community Background (NI only)	
Other (please specify)	

**ADVERSE IMPACT IDENTIFIED:** If the policy was amended to mitigate or remove the adverse impact, include a brief explanation, including measures taken to mitigate the impact. Alternatively, if the adverse impact remains, provide a full justification and confirm that you have taken legal advice.

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**EVIDENCE:** What information has been gathered and used in conducting this assessment? If none, provide a brief explanation.

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**INVOLVEMENT:** Which stakeholders did you consult and involve in developing or reviewing this policy and assessing its impact on diversity groups? If you did not consult involve any stakeholders provide a brief explanation.

--

**PROMOTING EQUALITY AND DIVERSITY:** Does the policy promote equality of opportunity and/or good relations between diversity groups and their counterparts (i.e. women and men, disabled people and others, and people of different racial or age groups, faiths or sexual orientations)? Does it do anything to eliminate harassment? If so, how? Use this section to promote good news and details of any favourable or positive

impact on one or more of the diversity groups that the policy might have. Have you done anything to improve representation of one or more diversity groups when formulating this policy?

--

Signed:	Date:
Name:	
Branch:	File No:
Please forward a copy to your TLB focal point or follow local instructions and also attach a copy to the final version of the policy.	

### **PROMOTING EQUALITY AND DIVERSITY COLLECTING AND ANALYSING INFORMATION AND CONSULTING AND INVOLVING.**

An equality and diversity impact assessment comprises a number of key stages:

- Promoting equality and diversity.
- Collecting information (evidence) and analysing it.
- Consulting and involving internal and external stakeholders, including Trade Unions.
- Making changes to proposed policy in the light of analysis, consultation and involvement.
- Publishing the final policy and impact assessment.
- Reviewing and monitoring the policy on a regular basis.

#### **Promoting Equality and Diversity**

Ministers, the MOD, the Armed Forces and the Chief Constable of the MDP each have a statutory duty, when developing or reviewing policies, to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and diversity. As a policy maker or sponsor, you must therefore consider:

- Whether the policy promotes equality of opportunity and/or good relations between diversity groups and their counterparts within the MOD and/or the Armed Forces and the MDP and, if appropriate, in the wider community.
- Whether the policy takes positive action (or affirmative action in Northern Ireland) to promote equality of opportunity and tackle under-representation of diversity groups. (Any positive or affirmative action measures should be cleared by DGLS or the Crown Solicitor's Office in Northern Ireland to ensure they are lawful. Positive discrimination in, say, recruitment to favour, for example, one sex is unlawful. There are limited exceptions however, allowing positive action in training or to encourage, for example, women to apply for jobs in which they are under-represented.).

#### **Collecting and Analysing Information**

In order to assess accurately the impact of the policy on diversity groups you may need to collect detailed statistical and other background data. The information required will depend on the nature of the policy, e.g. is there any evidence that diversity groups have different needs, experiences and priorities in relation to the policy under consideration? Depending on the policy, you might require all or some of the following data (the list is not exhaustive):

- Demographic data and other statistics (the quarterly DASA civilian personnel monitoring report, CPS 30, and Tri-Service Publications (TSPs) contain a great deal of useful information).

- Recent research findings.
- Equality and Diversity monitoring data.
- Analysis of complaints of discrimination.
- Recommendations of recent inspection or audit reports.
- Results of any recent surveys or consultations.

When you have collected the information you must analyse it to determine whether there is an adverse impact and what actions can be taken to eliminate or mitigate it.

### **Consultation and Involvement**

It is important that you involve policy end-users and stakeholders as early as possible in the development/review process so that you can identify and address any potentially adverse effects of the policy at an early stage. Involvement should be proportionate to the potential impact and you must record it. For new policy development you **must** follow the normal Departmental rules for consulting Trade Unions/Staff Federations. You should also involve the Departmental diversity focus groups and TLB staff networks and any other internal stakeholders who might have an interest. You should also consider whether it is necessary to consult or involve external stakeholders such as Other Government Departments, community representatives and other end-users.

Consultation and involvement may be carried out in a number of ways, including:

- Meetings.
- Written questionnaires.
- Interview surveys (all end-users or a cross section).
- Customer complaints/feedback.
- Surveys.
- Advisory groups for regular discussion and consultation with members chosen for their special skills or experience.
- Audits.

You **must** record and place on file details of those you have consulted and involved and the results of that consultation and involvement.

## ANNEX C

**EQUALITY AND DIVERSITY IMPACT ASSESSMENT STATEMENT AND RECORD KEEPING.****Statement**

Once a policy has been assessed, you must include a statement in the policy and any submission as follows:

“This policy has been equality and diversity impact assessed in accordance with Departmental policy. This resulted in a:

- Part 1 screening only completed (no direct discrimination or adverse impact identified/policy is a reflection of statutory requirements and has been cleared by a Legal Adviser). This policy is due for review on.....

**or**

- Part 1 screening completed and adverse impact identified, Part 2 assessment to follow in .....

**or**

- Part 1 screening and Part 2 full equality and diversity impact assessment undertaken. This policy is due for review on.....”

You **must** also record when the policy should next be reviewed to ensure that no further adverse impact on diversity groups has arisen in the intervening period i.e. three years after the initial IA and every three years after that. Where you identify an adverse impact during the review you must carry out a full impact assessment and take action in accordance with chapter 3 of this tool.

Where a full IA has been undertaken you **must** include details of the results in the final version of the policy (i.e. provide details of the potential adverse impact, how you have mitigated it or grounds for justification and any positive results of your IA).

**Record Keeping**

Equality and diversity impact assessment is an integral part of the development and review of the Department's policies and the results of every assessment must be recorded on the proforma at Annex A. These records must be kept for a minimum of 5 years. A copy must be kept by the policy sponsor on local Departmental paper or electronic files, as appropriate. The Department can be asked to produce the results of equality and diversity impact assessments by a court or tribunal, the Equality and Human Rights Commission and others. Your TLB Equality and Diversity Officer or Service Equality and Diversity Adviser will advise on instructions regarding local arrangements for holding completed assessments at TLB level.

## ANNEX D

**DIRECT AND INDIRECT DISCRIMINATION**

<p><b>Examples of Direct Discrimination</b></p> <p><b>i.e. less favourable treatment of a diversity group than their comparators on prohibited grounds</b></p>	<p><b>Examples of Indirect Discrimination</b></p> <p><b>i.e. the application of a provision, criterion or practice which puts a diversity group at a particular disadvantage when compared with their counterparts</b></p>
<ul style="list-style-type: none"> <li>• Women (including girls) than men (including boys), or vice versa, on the ground of their sex. (NB Special treatment afforded to women in connection with pregnancy or childbirth is lawful.)</li> <li>• Those of a particular race, colour, nationality or ethnic or national origins than others, on racial grounds. (NB Segregating a person from others on racial grounds is treating him or her less favourably than them.)</li> <li>• Those of a particular religion or belief (or none) than others, on grounds of religion or belief. (NB “Belief” means any religious or philosophical belief.)</li> <li>• In Northern Ireland, those who are Catholic or Protestant or because they are presumed to be from one of these communities; or because they are presumed to be nationalist, republican, loyalist or unionist.</li> <li>• Those who are married or in a civil partnership than others who are not, on the ground of their status. (NB Discrimination against unmarried people on the ground of their status is not of itself unlawful.)</li> <li>• Those who have or have had a disability (particular consideration needs to be given to people who may have a “hidden” disability such as those with a mental illness, epilepsy, diabetes, dyslexia, etc.) than others who are not or have not been disabled, for a reason which relates to their disability.</li> <li>• Those of a particular age group than others</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum height, physical fitness or strength requirements (women or older people).</li> <li>• A requirement to work full time (women, who are more likely than men to have childcare responsibilities).</li> <li>• A mobility obligation (women, who are more likely than their partners to be the ‘second earner’ and thus less able to relocate).</li> <li>• Recruitment practices which exclude job seekers from inner city areas (ethnic minority groups).</li> <li>• Selection or promotion criteria stipulating language ability, place or length of residence or domestic qualifications (foreign nationals)</li> <li>• Refusing time off work on Sundays, Saturdays or Fridays (Christians, Jews or Muslims, respectively).</li> <li>• A ban on headwear (Sikh or Jewish men, who may wear a turban or skull cap, respectively, and Muslim women, who may wear a headscarf.)</li> <li>• Requiring men to wear their hair short or to be clean-shaven (Sikhs, Rastafarians or Hindus, some of whom wear a small knotted tuft of hair at the back of the head, or Shika, as a symbol of their belief).</li> <li>• A requirement that all applicants for a job must have served in an organisation associated particularly with either the Protestant or Roman</li> </ul>

<p>who are older or younger, on grounds of age. (NB Direct discrimination on grounds of age, such as a maximum or minimum age limit on entry to training, can be justified.).</p> <ul style="list-style-type: none"> <li>• Women who are pregnant or on maternity leave, who need no comparator, on the ground of their pregnancy or taking maternity leave.</li> <li>• Those who are lesbian, gay or bisexual than those who are heterosexual, or vice versa, on grounds of sexual orientation.</li> <li>• In-transition or post-transition (including pre or post-operative) transsexual people on grounds of gender reassignment. (NB: a post-operative transsexual must be treated for all purposes as being a woman or a man, as the case may be.)</li> </ul>	<p>Catholic community in Northern Ireland (members of the other community).</p> <ul style="list-style-type: none"> <li>• A job advertisement stipulating a low upper age limit for applicants (married people, who are less likely than unmarried people to be under the age in question.)</li> <li>• A telephone information service (deaf people).</li> <li>• Banning animals from a particular area or premises (blind people who rely on guide dogs or those with hearing difficulties who have dogs to help them).</li> <li>• Requiring a driving licence to do a job ( could adversely affect some disabled people).</li> <li>• Health screening (disabled and older people).</li> <li>• A redundancy policy that has sickness absence (which may disadvantage disabled people) or length of service (which may disadvantage young people of women – the latter because they are more likely to take career breaks) as a selection criterion.</li> <li>• Job advertisements seeking applicants who are “energetic”, with a given number of years’ experience (which may disadvantage older, younger or disabled people) or specific qualifications (which may disadvantage those with equivalent qualifications).</li> </ul>
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## *EXTERNAL STAKEHOLDER INVOLVEMENT*

In preparing our EDS we arranged a specific involvement exercise organised and run by consultants Minty & Friend.

Minty & Friend were asked to develop and implement an involvement strategy for the MOD.

Together with those responsible for diversity within the Armed Forces, the wider MOD and the MDP, it was agreed that Minty & Friend would seek to involve external stakeholders representing gender, ethnic minority and disability groups using a variety of methods:

- Focus groups;
- Telephone interviews;
- E-mail questionnaires; and
- Face-to-face interviews.

Initially it was suggested that focus groups might take place in four areas of the UK where there is a significant MOD (military) presence and the areas selected were Faslane, Norwich, Aldershot and Portsmouth. However, due to time constraints, it was decided that just two focus groups would be organised, in Aldershot and Portsmouth.

In order to bolster the focus group findings and capture the views of as many people as possible, a number of other people were involved using e-mail questionnaires, and telephone and face-to-face interviews.

More than 90 organisations were approached and asked to invite their members to complete the questionnaires or attend the focus groups. In addition to so-called single interest groups, Minty & Friend contacted its own database of BME and disabled individuals and women and men.

In order that Minty & Friend could raise their own awareness of issues faced by MOD 'service users', site visits were made to three MOD facilities and a basic access audit was carried out to see how these cater for the needs of disabled visitors.

- HMS Victory was selected because it is owned by the MOD and because it is an extremely popular attraction.
- RAF Lyneham because it is where the repatriation ceremony takes place of Servicemen and women killed in action. Repatriation ceremonies are attended by families and friends, some of whom may be disabled.
- The Aldershot Army Show was also visited as a good example of a large show attracting many thousands of visitors over a short time period.

*Take-up of the involvement invitation*



The focus groups were well attended but those attending came with an interest in disability issues. Only one person represented the BME community and she herself was white/British.

Contacting and engaging ethnic minority organisations in the project turned out to be more difficult than was anticipated.

A number of race organisations were contacted on the telephone and invited to take part in the research. Whilst some agreed to take part, the majority agreed to participate only if their contribution was acknowledged and a copy of the report was sent to them. Although notification of the publishing of any final MOD EDS was promised, many organisations decided not to contribute.

Some of the organisations expressed no interest and had no knowledge of what an EDS was. Most of these organisations were set up to provide cultural and social networks and advice on benefits and welfare issues.

From the conversations with a few, it transpired that the views expressed might be loaded towards a political agenda and may not help towards the objective of the research which was to consider the issues.

After the investment of considerable time, effort and expense and without any constructive outcome it was decided to concentrate on contacting individuals from minority ethnic communities to get their experiences, perceptions and expectations etc. This would be more useful in order to inform the development of an Involvement Strategy than zero attendance at focus groups etc.

Encouraging involvement from disabled individuals and groups representing disabled people proved to be the least problematic process of all the three strands. As is often the case, physical access is seen to be a priority and it is sometimes forgotten that those with sight, hearing or learning impairments also have real 'access' needs. These issues were discussed and in the main were well represented.

In an attempt to side-step the 'usual suspects' syndrome it was decided to invite responses from a broad range of organisations for the views of women and men.

It is also difficult to attract respondents who have not experienced any discrimination, unfair treatment or general discomfort, with regard to their gender without a substantial amount of awareness-raising beforehand, something which, due to the limited time available, was not possible. That said, however, it is interesting to note how many women, when asked the survey questions – said something along the lines of *"I never thought about that before, but now you come to mention it....."*

#### *Topics considered in the involvement exercise*

The involvement exercise concentrated on the following issues:

- Attending a MOD open day or public event e.g. air show, concert, naval dockyard tour.
- Accessing MOD information via: Help Lines, printed information, websites, presentations.

- Visiting MOD establishments e.g. RAF Lyneham, Portsmouth Historic Dockyards, Sandhurst Military Academy.
- Using their leisure facilities: sports e.g. gyms/swimming pools/stadiums, MOD managed countryside (for ramblers, horse riding).

The involvement also addressed issues concerning the MDP:

- When providing policing services, including security, crime reduction and detection, community safety, searches and the policing of events.
- When reporting incidents on MOD property to the MDP or assisting them with their investigations.

Invitations to take part in the involvement exercise conducted by consultants Minty & Friend were sent both to individuals and to the following organisations:

### *Disability*

Asian Deaf Community Services  
Cardiff and Vale Coalition of Disabled People (Cardiff)  
Carers Together  
deafplus South  
Disability Arts Cymru (Swansea)  
Dorset County Association for the Blind  
East Hants Disability Forum  
Farnborough Talking Newspapers  
Farnham Ramblers Association  
Hampshire Association for the Care of the Blind  
Hampshire Coalition of Disabled People  
Hampshire Deaf Association  
Hart Access Group  
Havant Access Group  
Havant and Chichester Shopmobility countryside access  
Havant Borough Council  
Horizon Resource Centre, Portsmouth City Council  
Horsham District Council and Crawley Borough Council  
Southampton Centre for Independent Living  
JobCentrePlus Farnborough  
Mencap Cymru

Mencap Fareham  
National Association of Disabled Professionals (Cardiff)  
New Forest Access For All  
Open Sight East  
Police Link Officer for Deaf People, Hampshire Police  
Portsmouth Association for the Blind  
Portsmouth City Council  
Portsmouth Deaf Association  
Portsmouth Disability Forum  
Portsmouth HF Rambling Club  
Portsmouth Shopmobility  
Ramblers Association  
RNIB Scotland (Edinburgh)  
Royal Strathclyde Blindcraft Industries, Glasgow City Council (Glasgow)  
Rushmoor Borough Council Access Officer  
Rushmoor Voluntary Services  
Sensory Direct CIC  
Southampton Society for the Blind  
Speakeasy Advocacy  
The CP Centre  
UNISON, National Disabled Members Committee (Glasgow)  
Warren Park Residents Panel  
West Berks Council Access Officer  
Wokingham District Council Access Officer

*Race*

Acton Asian Association  
African Caribbean Initiatives  
Asian Muslim Association  
Asian Welfare Association  
Black & Minority Ethnic Awareness Project  
Black Community Development Project  
Bridge Project - Scotland  
Central Scotland Chinese Association

Commission for Racial Equality - Wales  
Commission for Racial Equality - Scotland  
Council for Ethnic Minority Voluntary sector Organisations - Scotland  
Ealing Council for Racial Equality  
Economy Culture and Community Safety - Portsmouth City Council  
Ethnic Minorities enterprise Centre  
Ethnic Pride  
Harrow Council for Racial Equality  
Indian Association of Harrow  
Khalsa National Council  
Portsmouth Ethnic Minority Achievement Service  
Portsmouth Race Equality Network Organisation  
Positive Action for Housing

*Gender*

Anderson Fraser Web Design  
Astra Zeneca  
Benenden School  
Blackfriars Settlement  
British Horse Society  
British Library  
Campaign for Nuclear Disarmament  
Children's Heart Foundation  
Citizen's Advice Bureau  
Coffee, Chill & Chat Zone  
Cooltan Arts  
Faslane Peace Camp  
Greater Manchester Police  
Inner Wheel  
International Greenbelt Movement  
Leeds Metropolitan University  
Manchester Women's Project  
National School of Government  
North York Moors Country Park  
North Yorkshire Police

Parents Action Group for Special Play  
 Parents of recent Sandhurst graduate  
 Peterborough Borough Council  
 Press for Change  
 Rotary Club  
 Royal Shakespeare Company  
 St John's Ambulance  
 Women's Media Network  
 Women's Resource Centre  
 WWF  
 York University  
 Youth Aid

*SUMMARY OF RESPONSES TO THE QUESTIONNAIRE COMPLETED BY  
EXTERNAL STAKEHOLDERS*

**How did you hear about the event? Newspaper / local advertising / website**

- *All had heard via local advertising.*

Did the advertising material / advance information include information to assist disabled visitors?

- **None of the visitors had been able to find any information about access.**
- **One had visited the website and the only information for wheelchair users was recommending the route that they took to the show itself.**
- **One wheelchair user and her husband had done a 'recce' of the area the day before.**

Visual impairment

How accessible was the information for you?

- **Not at all. The show programme was totally inaccessible. The font size was too small and the way the programme content was mixed up with advertising material made it very difficult to follow.**

What would you suggest the MOD could do to improve access to information for you? Phone / website / printed information / signage/information at the event / event support staff

- **Keep all advertisements in one section and the entire programme in another. For the programme information, use a larger font, which will benefit everyone. Really 14 point size should be used but realise this probably would not be possible for the whole programme. Print off some of the programme content as a Word document in size 14 and have this available for visitors with sight impairments.**
- **The website should be designed so that it can be used with screen readers and the facility to enlarge the font size.**

- Have more event support staff around the showground. The event is so spread out that clearly sign posted and signed Information points would be helpful. There was no one to ask.

### Physical impairment

How accessible is the showground and event for you?

- Good because the ground is hard and dry. No clear signage indicating the location of disabled parking.
- Some of the tented displays/stalls had narrow aisles and were difficult to enter.
- The event support staff were all very good and had an appropriate attitude to me as a disabled visitor.

Is there anything in particular that has made your visit difficult?

- Not 'difficult', but advance information for disabled visitors would be helpful and concessions for carers/personal assistants (Pas).

Is there anything related to your impairment, that could be done to improve your access to and enjoyment of the event?

- Offer a concession for carers/Pas accompanying disabled visitors. I could not come without someone to accompany me and I did feel it was wrong to offer no concessions.
- Whilst it was appreciated that the roads and pavements are outside the MOD's remit, could Shopmobility assist with the supply/loan of power chairs and scooters for people with mobility difficulties? If this facility was promoted in advance, those wishing to use one of these could book in advance with the show organisers or with Shopmobility. This visitor would have been able to travel to the event by car and then transfer into a scooter.
- Offer disabled visitors access to stands or reserve a ringside area for wheelchair users. With spectators standing 5 or 6 deep it was difficult enough for those standing at the back to see. Wheelchair users would not stand a chance.
- Provide a leaflet at the entrance for visitors with mobility impairments, showing the location of wheelchair accessible toilets, reserved ringside areas etc

## RELEVANT LEGISLATION

Equal Pay Act 1970  
Equal Pay Act (Northern Ireland) 1970  
Sex Discrimination Act 1975  
Sex Discrimination (Northern Ireland) Order 1976  
Race Relations Act 1976  
Statutory Maternity Pay (General) Regulations 1986  
Employment Act 1989  
Social Security Contributions and Benefits Act 1992  
Pensions Act 1995  
Occupational Pension Schemes (Equal Treatment) Regulations 1995  
Disability Discrimination Act 1995  
Disability Discrimination (Meaning of Disability) Regulations 1996  
Disability Discrimination (Employment) Regulations 1996  
Employment Rights Act 1996  
Protection from Harassment Act 1997  
Race Relations (Northern Ireland) Order 1997  
Working Time Regulations 1998  
Fair Employment and Treatment (Northern Ireland) Order 1998  
Northern Ireland Act 1998  
Human Rights Act 1998  
Employment Relations Act 1999  
Maternity and Parental Leave etc Regulations 1999  
Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000  
Equality (Disability, etc) (Northern Ireland) Order 2000  
Race Relations Act 1976 (Statutory Duties) Order 2001  
Race Relations Act (Statutory Duties) (Scotland) Order 2002  
Employment Act 2002  
Paternity and Adoption Leave Regulations 2002  
Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002  
Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations 2002  
Flexible Working (Procedural Requirements) Regulations 2002  
Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002  
Social Security Contributions and Benefits Act 1992 (Application of Parts 12ZA and 12ZB to Adoptions from Overseas) Regulations 2003  
Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003  
Employment Rights Act 1996 (Application of Section 80B to Adoptions from Overseas) Regulations 2003  
Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003  
Statutory Paternity Pay (Adoption) and Statutory Adoption Pay (Adoptions from Overseas) (No 2) Regulations 2003

Employment Equality (Religion or Belief) Regulations 2003  
Employment Equality (Sexual Orientation) Regulations 2003  
Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003  
Race Relations Act 1976 (Statutory Duties) Order 2003  
Race Relations Act 1976 (Statutory Duties) Order 2004  
Gender Recognition Act 2004  
Civil Partnership Act 2004  
Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005  
Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005  
Employment Equality (Age) Regulations 2006  
Equality Act 2006  
Work and Families Act 2006  
Maternity and Parental Leave etc and the Paternity and Adoption Leave (Amendment) Regulations 2006  
Race Relations Act 1976 (Statutory Duties) Order 2006  
Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006  
Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) (Scotland) Order 2007



## **Section 4**

### **CIVILIAN EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL**

#### **MOD POLICY DOCUMENT FOR MOD CIVILIAN FUNCTIONS, POLICIES, PROCEDURES AND SERVICES**

### **INTRODUCTION**

1. All MoD civilian functions, policies, procedures and services must take full account of both the legal and MoD Policy requirements in respect of Equality and Diversity issues. This Tool enables those responsible for developing and providing civilian functions, policies, procedures and services to Equality and Diversity Impact Assess their relevant areas of responsibility and so meet these statutory responsibilities and to maximise the business potential that is derived from the effective application of equality and diversity in the workplace and business.

2. This is relevant to **all** aspects of the Department's work from information services to procurement, supply to employment and to research and development. This is **not** just an HR issue or a one-off exercise but must be part of the developing, monitoring and review process of all the Department's business. Nor is it just about complying with equality legislation, although that is an issue. What it is about is the reasonable and lawful treatment of our employees and customers. There is a similar Tool for Armed Forces policies that can be obtained from SP Pol.

3. This guidance is not designed to be exhaustive or prescriptive but it is intended to ensure that diversity issues are properly considered and to help the reader develop an understanding of diversity requirements so that policies are considered in the round.

4. For ease of reading, the term "policies" will be used throughout this document to include policies, procedures, functions and services.

5. This guidance must be read before completing Annex C.

### **WHY DO I NEED TO EQUALITY AND DIVERSITY IMPACT ASSESS OUR POLICIES ?**

6. To:

- Take account of legal requirements
- Take account of MoD policy on Equality and Diversity
- Ensure the Department's business is as inclusive as possible

## The Law:

7. There is a legal requirement under current race relations legislation for the Department to publish its “arrangements” for, among other things, assessing, consulting and monitoring the likely impact of its proposed policies on the promotion of race equality. This is on the basis of relevance – which is about *how far a function or policy affects people, as members of the public or as employees* – and proportionality – *to give such weight to race and disability equality as is proportionate to its relevance to a particular function*.

8. However, recent legislation in respect of disability and future legislation in respect of gender will require similar undertakings and it is also likely that other equality legislation will follow suit in due course.

9. Full details can be found at:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/>

10. The Department also has a legal obligation to make reasonable adjustments both in relation to its disabled employees and, where it is a service provider, disabled members of the public; and this must be taken into account as part of the Equality and Diversity Impact Assessing exercise – See:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBalIncINI/FindOutAboutTheDisabilityDiscriminationAct/>

And:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBalIncINI/LearnAboutDisability/>

And:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBalIncINI/LearnAboutTheGuaranteedInterviewScheme/>

## MOD Policy:

11. It has been MoD policy for some time, as part of our Departmental Equality and Diversity work, that the Department's business should be Equality and Diversity Impact Assessed to ensure reasonable and lawful treatment for all our employees and customers. This guidance seeks to formalise the process.

12. The main aims of MoD policy are to:

- Meet current and proposed legislative requirements

- Recruit and retain the best staff
- Mainstream equality and diversity in all MoD business to optimise outputs
- Have good management and business practices
- Promote best practice
- Improve the perception of MoD as a fair employer and service provider for all
- Be an employer of choice

13. In view of the legal and policy requirements, ***it is MoD policy that all MoD civilian policies must be Equality and Diversity Impact Assessed for all diversity strands and that records must be maintained accordingly as a part of normal day to day business.***

14. The Department is also required to report progress on Equality and Diversity Impact Assessing exercises to the Cabinet Office in respect of ethnic minority issues and under fair employment legislation in Northern Ireland, to periodically review our recruitment, training and promotion practices. It is likely that similar schemes will be required for other diversity groups as the legislation changes.

#### **WHAT ARE THE BENEFITS OF EQUALITY AND DIVERSITY IMPACT ASSESSING?**

15. The benefits from Equality and Diversity Impact Assessing include:
- Increasing confidence in public services especially amongst diverse communities by having a civil service representative of the communities it serves
  - Improving the ability to deliver suitable and accessible services that meet varied needs
  - Making sure that policies are properly targeted
  - Encouraging greater openness about policy making
  - Encouraging anticipation of problems and making informed decisions
  - Encouraging esprit de corps by making all team members feel included, valued and accommodated
  - Helping to develop good practice
  - Helping to avoid claims of unlawful discrimination and possible Employment Tribunals (ITs and FETs in Northern Ireland).

#### **WHO IS THIS TOOL FOR ?**

16. It is for **all** MOD civilian policy makers (policy sponsors), and service providers (those responsible for delivering a service) who must consider the likely/potential impact of their policies and procedures on MOD employees and customers (members of the public), particularly on minority or under-represented groups, and take appropriate action from the outset, at the development stage, through to monitoring and measuring achievement. This Tool is designed to help staff to do this.

17. This Tool is also relevant to TLB EDOs/Business Partners to map TLB progress.

### **WHAT ARE POLICIES, FUNCTIONS, PROCEDURES AND SERVICES ?**

18. Functions are the full range of the Department's duties and powers. Policies are the formal and informal decisions about how the Department carries out its duties and uses its powers insofar as these affect its civilian staff, applicants for employment, contract workers and members of the public including service delivery, regulation, inspection and enforcement.

### **WHAT POLICIES ARE COVERED BY THIS TOOL ?**

19. **All** civilian policies are covered by this requirement i.e. new and existing policies relating both to employment and non-employment issues. This is not just a personnel issue but relates to **all** MoD policies and business. Clearly, those policies that have a public interface, provide a service or are related to employment will have a greater impact on diversity.

20. Where policies are a direct reflection of legislative requirements it is unlikely that they will require full Equality and Diversity Impact Assessing but they should be cleared by DGLS (Crown Solicitor's Office in Northern Ireland) to ensure they correctly reflect the legal requirement and an appropriate Equality and Diversity Impact Assessing statement must be included – see below.

21. Any local policies derived from central policies will only need Equality and Diversity Impact Assessing if you have changed or added to the original policy.

### **DO I HAVE TO EQUALITY AND DIVERSITY IMPACT ASSESS ALL POLICIES IMMEDIATELY ?**

22. It would be impractical to expect that all the Department's civilian policies could be fully Equality and Diversity Impact Assessed at the same time. That said, all policies will have to be checked at some point. To start with:

- Each TLB must hold a **List** of all the policies they are responsible for (each policy area must hold their own list and send a copy to their TLB for central co-ordination) – co-ordination of this list within the TLB is the responsibility of the EDO/Business Partner.
- **New Policies and policies being reviewed for amendment or updating** must comply with these **full** procedures **immediately** and then placed on the rolling review programme (see "Reviewing Policies" below)
- **Existing Policies**, using the **List**:

- **where a single policy area has a large number of policies** (in excess of 50), they may have a “Backlist” of existing policies and assess them against **Part One of the Equality and Diversity Impact Assessment Tool** within a maximum period of 2 years with effect from 1 April 06 (clearly, those that are likely to have a diversity impact should be assessed first). If this action is taken, it must appear on TLB Action Plans and monitored closely
  - once assessed against Part One of the Tool, if a diversity impact is identified, they are then placed in priority order (see **Proportionality** below) on the rolling review programme (a maximum 5-year rolling review) and assessed, in turn against **Part Two of the Tool**. Following final assessment they should be placed back on the rolling review programme
- **where policy areas do not have an excessive number of policies**, a “Backlist” is not required and policies must be assessed immediately against **Part One** of the Tool and go straight on the rolling review programme in priority order waiting to be assessed against **Part Two** of the Tool. Again, following a Part Two assessment they should be placed back on the rolling review programme
- **Even where no diversity impact has been identified after a Part One Assessment**, the policy should still be included in the rolling review programme so that at its normal review time or when a change in policy occurs, a further Part One assessment is undertaken to ensure no diversity impact has arisen during the intervening period

### **POLICIES SUBMITTED TO PUS AND MINISTERS**

23. All policies submitted to Ministers, PUS and other senior staff must clearly state that they have been Equality and Diversity Impact Assessed against this Tool.

### **HOW DO I EQUALITY AND DIVERSITY IMPACT ASSESS OUR POLICIES, PROCEDURES, FUNCTIONS AND SERVICES ?**

#### **THE EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL**

24. The following steps are required:

- **Identification** Each TLB must hold a list of all civilian policies for which they are responsible – this list must be held by the EDO/Business Partner.

- **Part 1 Assessment – Screening**

This is for all new policies and existing policies on the review programme (or “Backlist”):

- Understanding Equality and Diversity Impact Assessing
- Use the Equality and Diversity Impact Assessment Tool (Part 1) Checklist at Annex A
- Ensure there is an “Equality and Diversity Impact Assessing Statement” in your policy, see below
- Complete the Part 1 Assessment form at Annex C
- See Monitoring, Reviews and Record Keeping below

- **Proportionality** – Where an impact or likely impact has been identified See Annex A. Complete Proportionality section in Annex C

- **Part 2 Assessment – Full Equality and Diversity Impact Assessment**

This is for all policies where you have determined an impact or likely impact on diversity groups under the Part One Screening Assessment. New policies will follow this process immediately, existing policies will follow this process after the “proportionality” test:

- Use the Equality and Diversity Impact Assessment Tool (Part 2) Checklist at Annex B which includes:
  - Collecting information (Evidence)
  - Consultation
  - Promoting Diversity
  - Development
- Ensure there is an “Equality and Diversity Impact Assessing Statement” in your policy, see below
- Complete the Part 2 Assessment Form at Annex C

- **Monitoring, Reviews and Record Keeping** – see below

## **EQUALITY AND DIVERSITY IMPACT ASSESSING STATEMENT**

25. Once policies have been assessed, you must use the following statement in your policy to show that it has been Equality and Diversity Impact Assessed in accordance with this Tool:

**“This policy has been Equality and Diversity Impact Assessed in accordance with the Department’s Equality and Diversity Impact Assessment Tool against:**

**Part 1 Assessment Only (no diversity impact found or the policy is a reflection of legal requirements and has been cleared by a Legal Adviser)\***

**or Part 1 Assessment (diversity impact identified, Part 2 Assessment to follow in .....)\***

**or Part 1 and Part 2 Assessment (full Equality and Diversity impact assessment undertaken)\*.**

**This policy is due for review on.....”**

\*Delete as appropriate.

## **MONITORING AND MEASURING EQUALITY AND DIVERSITY IMPACT ASSESSING**

26. To meet both the legal duties and MoD policy, monitoring and measuring the outcomes of your policies are an integral part of Equality and Diversity Impact Assessing to ensure that policies are working and so that MoD can monitor its business. You will, therefore, need to make arrangements to monitor the policy regularly. See Record Keeping and Review below. Again, monitoring arrangements should be proportionate to the impact of diversity already identified in your policies. You should consider the following:

- How are you going to monitor the effectiveness of the policy ?
- What information (quantitative/qualitative) do you need to hold or request, to monitor the success of your policy ?
- Put arrangements in place to collect such data
- What outcomes do you want to achieve ?
- Have you considered setting targets for outcomes ?
- Does consultation need to be undertaken as part of the monitoring exercise ? If so, see “Consultation” in Annex B.
- Should the policy or monitoring appear in your management plans ?
- Have you planned for policy reviews ?
- How and by whom will data be gathered ?

**Monitoring and measuring exercises are the responsibility of the policy sponsor and records held locally although individual TLBs may wish to make their own arrangements for holding data.**

## **REVIEWING POLICIES**

27. It is recommended that Equality and Diversity Impact Assessing reviews are undertaken within a maximum 5 year period on a rolling basis or when the policy requires amendment, whichever is the earlier. As discussed earlier, not all policies need to be reviewed at once but a programme of review (and, if appropriate, a “Backlist” as noted above) must be available to show that MoD has a considered programme of action. Annex C must be completed and updated accordingly. Any reviews can be used as part of local action plans in respect of equality and diversity. The policy sponsor is responsible for maintaining the review programme although individual TLBs may wish to make their own arrangements for holding data.

## **RECORD KEEPING**

28. A record of which policies have been Equality and Diversity Impact Assessed (Part 1 and 2) must be maintained locally by the policy sponsor. Annex C must be completed accordingly. Copies of Annex C should be kept on relevant local Departmental files (on electronic files where available) and a copy sent to your TLB EDO or Business Partner for central TLB co-ordination. The TLB EDO/Business Partner will collate this information and use it as part of the TLB input into the Department's overall Equality and Diversity Scheme on an annual basis. The information can also be used as part of local or TLB action plans. **Records must be kept for a minimum of 5 years.**

**IS THERE ANY TRAINING ON USING THE EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL ?**

29. The background knowledge required to think "Equality and Diversity" and how to apply that knowledge is included in the Department's mandatory Equality and Diversity training workshops. The use of the Equality and Diversity Impact Assessment Tool will also be part of that training.

**FURTHER INFORMATION/HELP**

30. Further details on the Department's Equality and Diversity policies and related legal requirements can be found at:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBallIncINI/>

31. Further information on Equality and Diversity Impact Assessing/impact assessment can be found on the CRE's and DRC's website at:

<http://www.cre.gov.uk/>

<http://www.drc-gb.org/>

A Guide for Reasonable Adjustments for Disabled staff:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/Library/BrowseDocumentCategories/Personnel/EqualOpportunitiesAndDiversity/Disability/ReasonableAdjustmentsAGuideForModStaffWithDisabilitiesAndTheirLineManagers.htm>

Your TLB EDO/Business Partner.

The Corporate HR Diversity Team

**ANNEXES:**

Annex A - Equality and Diversity Impact Assessment Tool Part One  
Assessment – Screening – Checklist

Annex B - Equality and Diversity Impact Assessment Tool Part Two  
Assessment – Full Equality and Diversity Impact Assessment –



Checklist

Annex C - Equality and Diversity Impact Assessing Impact Assessment Form

Annex D – Equality and Diversity Impact Assessment Tool – List of Actions

**CIVILIAN EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL**

**PART ONE ASSESSMENT - SCREENING**  
**CHECKLIST**

**EXAMPLES OF ASPECTS OF DIVERSITY**

- Gender
- Colour, Race, Nationality and Ethnic or National Origins
- Age
- Disability
- Sexual Orientation
- Gender Reassignment
- Religion or Belief
- Political or Other Opinion
- Marital status and Civil partnership
- Pregnancy and Maternity
- Language
- Birth
- Social Origin
- Temporary Employment, Part-time Working or Self-employed Status
- Place or Length of Residence
- Community background
- Trade Union Membership

**UNDERSTANDING EQUALITY AND DIVERSITY IMPACT ASSESSING:**

1. If you understand the principles of direct and indirect discrimination then you are a good way towards understanding how to Equality and Diversity Impact Assess. Whilst the following definitions of direct and indirect discrimination are legal definitions and, therefore only legally apply to those grounds which domestic anti-discrimination legislation prohibits e.g. race, sex, disability, sexual orientation and religion or belief, **it is MoD policy to use them as a guideline for all diversity areas where a particular group or groups may be disadvantaged even where no legal requirement yet exists.**

2. You must also bear in mind the Department's legal obligation to make reasonable adjustments both in relation to its disabled employees and, where it is a service provider, to disabled members of the public – See:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBallIncINI/FindOutAboutTheDisabilityDiscriminationAct/>

And:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/PeopleServices/BeingACivilServantInMOD/EqualityAndDiversityWkLifeBalIncINI/LearnAboutDisability/>

See the MoD's Unified Diversity Strategy for further details of MoD's Equality and Diversity policy for both Service and civilian personnel at:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/Library/BrowseDocumentCategories/Personnel/EqualOpportunitiesAndDiversity/Diversity/MinistryOfDefenceUnifiedDiversityStrategy.htm>

### **Direct Discrimination**

3. Direct discrimination, which cannot be justified, means treating one person less favourably than another in a comparable situation on the grounds of their sex (including pregnancy and maternity), marital status, civil partnership, gender reassignment, racial grounds (i.e. colour, race, nationality or ethnic or national origins), disability, sexual orientation, religion or belief and, in Northern Ireland only, political opinion, and from October 2006, age. In addition, part-time workers and fixed-term employees have the right not to be treated less favourably than comparable full time workers or permanent employees, respectively.

### **Indirect Discrimination**

4. Indirect discrimination occurs where an apparently neutral provision (of, say, a contract or policy), criterion or practice which is applied equally to everyone puts, for example, women or a racial group at a particular disadvantage compared with others, unless it is objectively justified.

5. It means that an organisation must not have selection criteria, policies, benefits, employment rules or any other practices which, although they are applied to all employees equally, have the effect of disadvantaging people of a particular ethnic origin, gender, disability etc, unless the practice can be objectively justified.

6. Indirect discrimination is unlawful whether it is intentional or not. Examples of indirect discrimination which may be unlawful might be:

- criteria relating to height, strength or working hours may impact adversely on women, or on older workers
- criteria stipulating language or place of residence or place where qualifications have been obtained may impact adversely on some ethnic groups
- a telephone information service can be accessible to people with a disability that limits their mobility but, unless special equipment is available, people with a hearing impairment would be less likely to be able to make use of it

- banning animals from a particular area or premises may adversely affect those blind or hard of hearing people who rely on guide dogs
- criteria using community background in Northern Ireland e.g. a requirement that all applicants for employment must have served in an organisation associated particularly with either the Protestant or Roman Catholic community i.e. asking for previous military experience.

### **Direct and Indirect Discrimination**

7. Domestic anti-discrimination legislation makes it unlawful to discriminate (directly or indirectly) on the prohibited grounds:

- by deciding not to employ someone
- in the arrangements made for selecting candidates
- in the terms of a job offer
- by dismissing an employee
- in pay or other terms of employment (eg time off work and dress codes) and working conditions
- in promotion, transfer or training arrangements and decisions
- by denying access to benefits, facilities or services

### **Exceptions**

8. A difference in treatment which is based on a characteristic related to any of the prohibited grounds is lawful where, by reason of the nature of the employment or the context in which it is carried out, such a characteristic constitutes a Genuine and Determining Occupational Requirement. **But** such exceptions are rare and must be cleared by DGLS where there is a legal requirement (or Crown Solicitor in Northern Ireland) and by the Diversity Team where it could be against MoD Equality and Diversity policy.

## **CHECKLIST – EQUALITY AND DIVERSITY IMPACT ASSESSING**

### **Identify Main Aims:**

9. Policy makers need to decide whether their policies are relevant to equality and diversity and then take a proportionate response. To do this you need to ask yourself the following questions:

- What is the purpose of the policy ?
- Who is it aimed at and who will it impact on e.g. Service and/or civilian personnel, their dependants, general public ?
- Does your policy affect people – either members of the public or MoD employees ?
- Who are the stakeholders ?
- What outcomes do you want to achieve with the policy ?
- Which diversity groups may be affected by this policy ?

- Where contractual issues are involved, does the contract or consideration of contractual requirements impact on any diversity issues
- Does buying equipment have an impact on any diversity strands e.g. are there different requirements for men/women/different racial groups

Clearly, those policies that have a public interface, provide a service or are related to employment will have a greater impact on diversity.

### Is the policy relevant to any diversity strand ?

10. Does the impact of the policy **directly** or **indirectly** discriminate against or disadvantage a particular group or groups or does it affect a particular group or groups in a different way to others e.g. the following are examples only to help you identify whether your policy is likely to have an impact on diversity – it is not an exhaustive list:

EXAMPLES OF DIRECT DISCRIMINATION	EXAMPLES OF INDIRECT DISCRIMINATION
<ul style="list-style-type: none"> <li>○ Women or men</li> <li>○ People of a particular race, colour or particular origin</li> <li>○ Persons of different religious belief, community background, political opinion</li> <li>○ Someone's marital status/civil partnership</li> <li>○ People who have a disability (remember those who may have a hidden disability such as epilepsy, diabetes, dyslexia, mental health condition etc)</li> <li>○ People of different ages</li> <li>○ Persons who are lesbian, gay or bisexual</li> <li>○ Persons who are pre- or post-operative transsexuals</li> <li>○ People with alternative working hours</li> <li>○ Persons with dependants and persons without</li> </ul>	<ul style="list-style-type: none"> <li>○ Criteria relating to height, strength or working hours may impact adversely on women, or on older workers</li> <li>○ Unnecessary criteria relating to health may affect disabled people</li> <li>○ Criteria stipulating language or place of residence or place where qualifications have been obtained may impact adversely on some ethnic groups</li> <li>○ A telephone information service can be accessible to people with a disability that limits their mobility but, unless special equipment is available, people with hearing disabilities would be less likely to be able to make use of it</li> <li>○ Banning animals from a particular area or premises may adversely affect those blind people who rely on guide dogs.</li> <li>○ Advertising a post requiring a driving license may adversely affect some disabled people. Unless the requirement can be totally justified it would be better to say that travelling is required for the post</li> <li>○ Certain working hours may affect people with childcare or eldercare responsibilities – is there any flexibility in the policy</li> <li>○ Does the policy proposal make unfair or unreal assumptions about the needs of individual groups</li> <li>○ A requirement that all applicants for employment must have served in an organisation associated particularly with either the Protestant or Roman Catholic community in Northern Ireland</li> <li>○ Is there likely to be an unequal impact on individuals of differing ages</li> </ul>

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>○ Can you justify the necessity to have an upper or lower age restriction</li> </ul> |
|--|---|

## PROPORTIONALITY

11. The current legislation allows for greater consideration and resources to be given to those functions and policies that have most effect on the public, or on the Department's employees.

12. This means that having done the above assessment, you can prioritise those **existing** functions and policies that are most relevant to diversity groups and then do the Part 2 Assessment in accordance with your listed priorities. The priority list should have clear timescales for review. For **New Policies and policies being reviewed for amendment or updating**, you must continue with the Part 2 assessment immediately.

## IS THERE A DIVERSITY IMPACT ?

Y/N

## WHAT NEXT ?

13. Complete Annex C according to your findings. If no impact on equality and diversity has been found, your action has concluded and you must include the correct version of the **Equality and Diversity Impact Assessing Statement** noted earlier in this document. Remember, the policy must be returned to the rolling review programme so that it can be reassessed at its review date to ensure that no diversity impact has arisen in the intervening period.

14. If you have determined that your policy will have an impact on one of the diversity groups then you **must** undertake the Equality and Diversity Impact Assessment Tool (Part Two) Assessment – Full Equality and Diversity Impact Assessment at Annex B in line with the **Proportionality** test noted above.

ANNEX B

CIVILIAN EQUALITY AND DIVERSITY IMPACT ASSESSMENT TOOL

PART TWO ASSESSMENT – FULL EQUALITY AND DIVERSITY IMPACT  
ASSESSMENT  
CHECKLIST

1. This part of the process deals with all the policies you identified in The Equality and Diversity Impact Assessment Tool (Part 1) Screening Assessment, as having or likely to have an impact on diversity.
2. This part of the Tool covers the follow up full assessment and incorporates the following key areas:
  - **Equality and Diversity Impact Assessment** including:
    - **Collecting Information (Evidence)**
  - **Consultation**
  - **Promoting Diversity**
  - **Developing Diversity**

You **must** consider all these areas.

If you have any legal uncertainties, you must consult DGLS (or Crown Solicitor in Northern Ireland).

**New or Existing Policy:**

3. If you are assessing a **new policy or a policy that is being reviewed for amendment or updating** that you have identified as having an impact on diversity then you must follow these procedures **immediately**.
4. If you are assessing an **existing policy** that you have identified as having an impact on diversity you may first apply the “proportionality” test noted in Annex A before complying with these Part Two procedures (or you can continue without applying the “proportionality” test).

**EQUALITY AND DIVERSITY IMPACT ASSESSMENT**

5. Having identified that your policy has or is likely to have an impact on diversity, you now need to determine whether that impact is acceptable or is likely to have/will have an adverse effect. The following questions will help you make this decision:
  - Having said that your policy impacts on diversity, “How” ?
  - Is this lawful and in line with MoD Equality and Diversity policies ? (If in doubt consult DGLS in respect of legal aspects (Crown Solicitor in Northern Ireland) and the Diversity Team if MoD policy is unclear)

- Could the policy hinder equality of opportunity and/or damage good relations with these groups ?
- Is it fair to all groups ?
- Is it accessible to all groups ? E.g. IT options, Braille, audio, non-English language, in an appropriate font, if appropriate
- Is it understandable to all groups ?
- Does everyone have an equal chance to fulfil their potential ?
- Does it avoid stereotypical assumptions ?
- Does it avoid barriers to particular groups participation ?
- Are there any language or cultural barriers ?
- Be aware that certain policies and practices may inadvertently disadvantage individuals by them not feeling part of the working environment and therefore feeling less motivated and confident to perform
- Does buying equipment take into account diversity requirements ? E.g. types of seats (for different sizes), headgear, clothes etc where there may be important considerations of comfort, smartness or health and safety
- Where contractual issues are involved, does the contract or consideration of contractual requirements impact on any diversity issues, how do you ensure these issues are covered ? (See Commercial Manager's Toolkit).
- Is there an appropriate clause in the contract to cover diversity issues or the conduct of contractors/sub contractors expressing the MoD's diversity expectations
- Is the policy well presented i.e. will it gain acceptance and support from the target audience ?

Your answers to these questions will determine what impact your policy has on diversity.

6. In addition, whilst it may not be the purpose of the policy to address specific equality issues you should consider how it could contribute to the Department's aim to be inclusive of a diverse society. For example by:

- Making sure the language used appeals to all. Use plain English
- Ensuring that language does not imply a preference for any particular group e.g. the unnecessary use of words like: men/women, boy/girl, males/females, he/she, his/hers
- Make sure it is accessible

**Collect Information:**

7. You need to consider whether you need to collect or obtain any data to help you identify the extent of the diversity impact on your policy. The information you will need will depend on the nature of the policy. For example, is there any evidence that diversity groups have different needs, experiences and priorities in relation to this particular proposal ? Do you need to examine



available data and research (internal or external), or collect other information to ensure the policy is viable from a diversity perspective ?

8. Do you need:

- Any demographic data ?
- Any research findings ?
- Equality and Diversity monitoring data
- Any data regarding complaints against any diversity strands ?
- Recommendations of any inspection or audit reports ?
- Results of any surveys or consultation exercises ?

This list is not exhaustive, you must consider what is required, if anything, for your policy.

### **ADVERSE IMPACT:**

9. Where you have identified an adverse impact, you **must** seek to remove it. Where this is not possible you must be able to fully justify the adverse impact, obtaining legal advice as appropriate.

10. Where an adverse impact on diversity necessarily remains in your policy, the reasons, including legal advice, must be retained on file and be readily available.

### **CONSULTATION:**

11. It is important to involve end users at an early stage in the policy making and review process in order to mitigate any potentially negative factors. Consultation will not be appropriate in all circumstances e.g. where the law requires action or a process to be followed in a particular way.

12. You may therefore need to consider sharing information with the people who are likely to be affected by your policy. They will then be able to understand better the basis for the decisions you take. Any consultation should be proportionate to the potential impact and must be recorded. For existing policies you need to ensure that your policies are working and fulfil their required aim. There are existing Departmental regulations for consulting the Trades Union and these must be followed.

13. As part of the Equality and Diversity Impact Assessing process, you **must** consider and take and record action on, where appropriate, the following:

- Do you need to/must you consult any particular internal diversity group for a view ? (If in doubt contact the Diversity Team to see whether, for example, the Ethnic Minority Steering Committee, Disability Steering Committee etc should be approached)
- Do you need to approach a local TLB network ?

- Do you need to consult or involve other internal stakeholders in developing the policy ? E.g. The Diversity Team, those affected by the policy, TUs
- Do you need to consult or involve external stakeholders in developing the policy ? E.g. individual equality commissions (or single equality body when this comes into force), other Government Departments, community representatives, other end users etc.

Please note that the Diversity Team or diversity groups will not Equality and Diversity Impact Assess your policies, you must do this yourself but they will, of course, provide appropriate advice.

### **What consultation methods can be used ?**

- Meetings
- Written questionnaires
- Interview surveys (all end users or a cross section)
- Customer complaints/feedback
- Surveys
- Advisory groups for regular discussion and consultation, and choose members for their special skills or experience
- Trades Union – you should not assume that consultation with the TUs means that you do not also have to use one of the other consultation methods
- You need to ensure that you make your consultation **accessible** to all groups
  - Hold meetings in community venues (where external consultation is required), because this is the level at which most people who have concerns may be able to express them most comfortably
  - Ensure that venues are suitable for those with disabilities
  - Keep the meetings informal, as some people may feel uncomfortable and shy in formal situations
  - Hold meetings at convenient times for all, where possible
  - Does material need to be translated into any other language or medium ? E.g. Braille, Audio.

### **PROMOTING DIVERSITY:**

- Does the policy provide an opportunity to promote or provide an opportunity to do anything to promote equality of opportunity and/or good relations with diversity groups either within the organisation or in the wider community (where appropriate) ?
- Does it permit or encourage positive action (or affirmative action in Northern Ireland) to increase equality of opportunity and redress any existing or prior disadvantage ? (Any positive action measures must be cleared by DGLS to ensure they are lawful).

**DEVELOPMENT:**

- Is it able to deliver measurable improvements wherever possible in access and outcomes for all ?

**WHAT NEXT ?**

14. Having undertaken the full Equality and Diversity impact assessment, you must now:

- Complete Annex C according to your findings
- Include the correct version of the **Equality and Diversity Impact Assessing Statement** noted earlier in this document in your policy
- Place the policy back on the rolling review programme in line with its future review date
- Follow the monitoring/measurement, review and record keeping procedures detailed earlier in this document.

**EQUALITY AND DIVERSITY IMPACT ASSESSING IMPACT ASSESSMENT FORM**

**NOTES:**

- One Form to be used per policy, function, procedure or service
- To be completed by the policy sponsor, service provider etc
- These forms are to be used after you have completed the relevant parts of the Equality and Diversity Impact Assessing Tool Assessments at Annex A and Annex B as appropriate.

**KEY:**

**G** = Gender **R** = Race/Ethnicity **D** = Disability **SO** = Sexual Orientation

**RB** = Religion or Belief **A** = Age **CB** = Fair Employment Community Background (NI Only) **O** = Other

\* Delete as appropriate

\*\* Other please specify

**PART ONE ASSESSMENT – SCREENING**

**1. OVERALL INFORMATION**

NAME OF FUNCTION:	POLICY TYPE		IMPACT		DIVERSITY STRAND							REVIEW DATE	
TYPE: Policy, Procedure, Service *	NEW	EXISTING	YES	NO	G	R	D	SO	RB	A	CB	O**	
NAME/TITLE:													

If you have determined that there is no diversity impact in your policy, please sign and action the statement below.

If you have determined that there is a diversity impact then:

- For a new policy or a policy that is being reviewed for amendment or updating, you must continue with the Part Two Full Equality and Diversity Impact Assessment
- or

- For an existing policy you must decide on when to undertake the Part Two Full Equality and Diversity Impact Assessment by deciding on Proportionality below.

**2. PROPORTIONALITY**

**Y/N**

See Annex A.

What priority have you afforded this policy and why ?

**NAME OF POLICY SPONSOR:..... SIGNATURE.....DATE.....**

**FILE.....COPY FORWARDED TO TLB BUSINESS PARTNER.....**

**PART TWO ASSESSMENT – FULL EQUALITY AND DIVERSITY IMPACT ASSESSMENT**

This form is to be used after you have completed the Equality and Diversity Impact Assessment Tool Part One Screening Assessment and Equality and Diversity Impact Assessment Tool Part Two Full Equality and Diversity Impact Assessment – see Annex A and B

**1. OVERALL INFORMATION**

NAME OF FUNCTION:	POLICY		EQUALITY/ DIVERSITY IMPACT ASSESSED		ADVERSE IMPACT IDENTIFIED								CONSUL TATION		PROMO TION		DEVELO PMENT		REVIEW DATE
TYPE: Policy, procedure Service*																			
NAME/TITLE:	NEW	EXIST ING	YES	NO	G	R	D	S O	R B	A	C B	O **	YES	NO	YES	NO	YES	NO	

**2. EQUALITY AND DIVERSITY IMPACT ASSESSED**

Y/N

**3. COLLECTING INFORMATION/EVIDENCE**

Y/N

What evidence has been gathered or have you used as part of this assessment ? If none has been used, please provide a brief explanation why not.

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**4. IMPACT ACCEPTABLE**

Y/N

**5. ADVERSE IMPACT IDENTIFIED**

Y/N

What adverse impact has been identified ? If you have changed it, how ? If an adverse impact remains, you must provide a full justification and confirm legal advice has been obtained.

**6. CONSULTATION****Y/N**

See Annex B. What consultation method have you used ? Who have you consulted ? If not appropriate to consult, state why. If you have only consulted the Trades Union, why ?

**7. PROMOTING DIVERSITY**

See Annex B. Have you been able to promote diversity in developing/maintaining this policy ?  
If so, how ?

**8. DEVELOPING DIVERSITY**

Is it able to deliver measurable improvements wherever possible in access and outcomes for all ? If so, how ?

**NAME OF POLICY SPONSOR:**.....

**SIGNATURE**.....**DATE**.....

**FILE**.....

**COPY FORWARDED TO TLB**.....



