

Cross-Cutting Themes Guidance for European Social Fund (Sustainable Development and Equality)

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Sustainable Development Policy and Implementation / Action Plan

Introduction

1. Sustainable development is a regulatory cross cutting theme for all Structural Fund programmes.
2. The UK Government is committed to sustainable development. The Government aims to stimulate economic growth and tackle the deficit, maximise wellbeing and protecting the environment, without negatively impacting on the ability of future generations to do the same.
3. This refreshed vision and commitment builds on the principles that underpinned the UK's 2005 Sustainable Development strategy, by recognising the needs of:
 - the economy;
 - society; and
 - the natural environment,
4. The ESF England Operational Programme explains that the objectives of the European Social Fund programme will be pursued in line with the principle of sustainable development, including the aim of preserving and improving the quality of the environment as well as the need to prepare for expected changes to the environment and climate.
5. Sustainable development in the European Social Fund Programme has an **environmental focus** – to help provide some balance to the European Social Fund's strong social and economic focus (its main mission). The European Social Fund programme therefore welcomes applications from projects that have a strong environmental focus whilst also supporting either: jobs; skills; or social inclusion in a way that addresses local strategic needs. The programme also welcomes complementary training support for specialist sustainable development activities delivered by other programmes such as the European Regional Development Fund.
6. All projects, whether they have an environmental focus or not, must take the environment into account when delivering their services. The Operational Programme explains that Managing Authority and Opt-In organisations will



require all programme providers to have sustainable development policies and implementation plans.

7. The purpose of the sustainable development policy is to provide a statement – a public commitment – to promoting sustainable development and to comply with relevant environmental legislation whilst delivering European Social Fund activities.
8. The purpose of the implementation /action plan will be to turn the above policy commitment into action.
9. **It should be noted that this regulatory theme is subject to monitoring, audit and evaluation.**
10. Your sustainable development policy and plan will undergo a basic initial assessment at full application stage to ensure that a basic policy and plan exist and that the key elements of the policy and plan have been drafted. **Passing the basic initial assessment should not be considered as a full endorsement of the policy / plan.**
11. The policy and plan are working documents and developmental in nature and are therefore expected to be subject to **continuous improvement**. This means that the policy and plan may well need to be amended / improved / updated on an on-going basis should your application be approved. This will be discussed in the context of future contract management and monitoring of your project.

The Basic Requirements

Sustainable Development Policy

12. The provider's sustainable development policy should provide a firm commitment to promoting sustainable development whilst delivering the European Social Fund activity that is being funded and provides an assurance that any sub-contractors delivering European Social Fund activities will also support sustainable development. The plan should list sub-contractors used / to be used (if known at application stage).
13. The sustainable development policy statement should confirm that each organisation involved in delivery of the contract (the provider and any sub-contractors) will: (a) dispose of its waste using a registered waste collector and (b) observe and comply with the Waste Electrical and Electronic



Equipment (WEEE) regulations (and in particular, to ensure that WEEE is not mixed with general waste and is disposed of legally).

14. The sustainable development policy should be specific to the European Social Fund contract being delivered and should include details of any subcontractors involved in the delivery of the contract provided (where this is known). However, more 'generic' equality policies will be acceptable if the organisation already has an equality policy in place **which meets ESF requirements**. Any 'generic' policy should have an addendum or an annex which confirms that the policy applies to the ESF project / contract or list of ESF projects / contracts. This addendum / annex should have the ESF logo on it as well.

Sustainable Development Implementation / Action Plan

15. (i) The sustainable development implementation / action plan should explain what specific action it will take to ensure that each organisation involved in delivery of the contract will:
 - (a) minimise waste;
 - (b) minimise energy consumption;
 - (c) minimise use of travel and promote use of public or green transport where travel is unavoidable.
16. (ii) The sustainable development implementation / action plan should include a commitment to researching and producing a simple 'baseline' estimate of its own environmental impact in terms of: waste minimisation; recycling; and energy consumption. The plans should also explain how this will be assessed for any other organisations helping to deliver the contract. Having established the simple baselines, the plan should then explain how they will monitor reduced energy consumption, increased volumes of recycling and improvements in waste management (where required) against the original baseline. The aim of this exercise is to demonstrate that, **as far as possible**, efforts are being made to reduce waste, increased recycling and reduce energy consumption during the life of the project. **The baselines and subsequent measurements can be set in very simple terms** (e.g. number of toner cartridges used / volumes of paper consumed / electricity consumed etc). Some projects may prefer to use 'carbon usage' estimates. The methodology used for setting baselines and measuring progress against the baselines will be a matter of choice for each project. (There are various

websites available which can offer ideas and approaches that can be taken – although none of these are prescriptive.)

17. The sustainable development implementation plan should provide details of how staff and trainee awareness of sustainability will be increased / improved in order to support the policy and plan (for example , how with policy and plan be communicated? Will training be provided? Will the projects have a `switch it off' campaign, will public transport / green transport be promoted for staff and participants etc?).

Some beneficiary organisations will be delivering **multiple ESF projects / contracts** within the same shared building(s) and/or using shared resources. Under such a scenario, expecting an organisation to produce separate action plans and `apportion' environmental factors / measurements between separate action plans would be disproportionate. Beneficiary organisations delivering multiple ESF projects can choose to use a `generic' action plan covering all ESF projects. The plan should however list the ESF contracts / projects covered (this could include a web-link or similar to a shared list of projects).

Some organisations will have **existing Environmental Management (EMS) Systems** already in place (these will usually be accredited by ISO standards or other recognised green standards). To be acceptable, the EMS policy and related plan(s) must, as a minimum, cover waste disposal / waste reduction, energy consumption and green transport requirements as described earlier in this guidance. There should be an annex or addendum attached to the organisation's existing EMS policy and action plans explaining:

(i) that their accredited EMS will cover ESF activities being delivered by projects within the organisation ;

(ii) how the staff / participants delivering the ESF activity will contribute to the wider EMS plan – e.g. through planned training / awareness raising / involvement in any switch – off campaigns, educating them about waste disposal arrangements etc. broadening awareness of green / public transport benefits etc. (NB this is not a prescriptive list).

(iii) the names and any contract reference numbers of the ESF projects being covered by the EMS policy and plan (these should be listed in the annex).

A monitoring and review process will still need to be in place for `generic' sustainable development action plans and the process should, as a minimum,

report on progress being made – including progress against baselines set for waste disposal / waste reduction / energy consumption and promoting green / public transport.

Projects that hire their training rooms **for temporary / limited periods of time** to help deliver their projects – may have a lack of control over some of the ‘environmental’ aspects of their delivery. Such projects may have to produce more limited plans (for example, base lining and measuring energy consumption may be unrealistic under such circumstances). In these situations the organisation should at least:

- Check with the organisation they are using to hire the room from as to whether an authorised waste disposal company / organisation will get rid of their waste (they need to keep a copy of the letter / email(s) they use to check for this as well as any responses they receive. It may also be confirmed in a contract agreed between the project and the organisation hiring the room(s) / facilities.
- As a minimum, the action plan should explain the delivery arrangements of the project and set out some measureable objectives which it could pursue to reduce waste being created in the first place and also and promote use of public or green transport / reduce transport use age. They should still have a simple base lining and reporting mechanism for these two aspects of environmental performance.



Gender Equality and Equal Opportunities Policy and Implementation Plan

Introduction

18. All European Social Fund providers will be expected to have an equality policy and an implementation plan. The Managing Authority requires this in order to:
 - (i) help embed 'due regard' to the Public Sector Equality Duty / Equality Act 2010 into programme delivery; and
 - (ii) help meet EU structural fund regulations to promote gender equality and equal opportunities.
19. It should be noted that ESF-funded private and voluntary sector organisations, including sub-contractors, come under the scope of the Public Sector Equality Duty
20. The policy and implementation plan will not only help projects / providers meet regulatory requirement – but should also be used as a tool to help provide a quality service to participants.
21. The purpose of the equality policy is to provide a statement which acts as a public commitment to promoting equality in-line with the Public Sector Equality Duty (Equality Act 2010). This commitment need to be put in writing and communicated to staff and participants and other service users.
22. The purpose of the implementation plan is to set out the action that will be taken by the providers and its staff to enable equality to be promoted in line with the Public Sector Equality Duty. The plan should be set out as an action plan.
23. Background information on the Equality Act 2010 and the Public Sector Equality Duty is available from the EHRC website:
24. <http://www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010>
25. Your equality policy and plan will undergo **an initial basic assessment** at application stage to ensure that a basic policy and plan exist and that the key elements of the policy and plan have been drafted. **Passing the basic assessment is not, in itself, a full endorsement of the policy / plan.** The



policy and plan are working documents and are expected to be subject to **continuous improvement**. The policy and plan may well need to be amended / updated should your application be approved. This will be discussed in light of contract management and monitoring of your project.

26. **It should be noted that the gender equality / equal opportunities regulatory theme is subject to monitoring, audit and evaluation.**

The Basic Requirement for the Equality Policy and Implementation Plan

27. Equality Policy:

The equality policy has a clear title linking it to the project / provision.

However, we will accept `generic` equality policies if the organisation's existing equality policy meets ESF requirements. However, any generic policy should have an addendum or an annex which confirms that the policy applies to the ESF project / contract or list of projects / contracts. This addendum / annex should have the ESF logo on it as well.

- (i) **The policy has a clear general statement which recognises the importance of the Equality Act 2010 and the related Public Sector Equality Duty** and commits the organisation to have due regard to the need to the three aims of the general duty i.e.:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

28. **To note:** The Equality Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;



- encouraging people from protected groups to participate in public life or in **other activities where their participation is disproportionately low.**
29. The Equality Act states that meeting different needs includes taking steps to take account of disabled people's disabilities.
30. The Act describes fostering good relations as tackling prejudice and promoting understanding between people from different groups.
- (iii) **The public commitment should be endorsed by the chief executive** (or a similar senior figure within the organisation) – so, reflecting commitment from a high level within the organisation.
- (iv) **There should be a clear revision history** – indicating when the plan was agreed and who approved it.
- (v) scope:
- The policy should cover the nine protected characteristics of the Equality Act 2010 i.e.: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
 - **The policy should cover staff and participants alike.**
 - **The policy should cover the ESF funded activity and explain how the provider will ensure that any sub-contractors will promote equality in line with legal requirements. If action is required this should be reflected in the implementation plan.** If sub-contractors are being used by projects to help deliver ESF then these should, if possible, be listed / tagged in the policy document. However, it is possible that sub-contractors may be numerous and/ or change over time and it would be an acceptable alternative if the policy included a web-link or other reference to a central / shared file which lists the sub-contractors being used to help deliver the ESF project. The policy should give a **commitment to communicate to staff and participants** and suppliers as necessary.



- The policy should give a **commitment to monitoring of progress towards any key objectives – including monitoring representation and performance of different groups (sex, race, disability, and age).**

The Implementation / Action Plan

31. The equality implementation / action plan should set out how the project will turn its equality commitment into action.
32. **We will not accept generic implementation / action plans for equality under ANY circumstances** (whereas, we may accept generic action plans for the sustainability theme under specific circumstances described earlier in this guidance.)
33. A single organisation delivering multiple ESF contracts could have a single generic policy (with appropriate addendum / annex listing projects). In addition to the policy, there could be attached additional action plan sections or action plan worksheets etc. covering each separate ESF project. There may be some 'commonality' between actions – especially if the action is to be undertaken by same staff etc. BUT the individual project-specific action plans must not be generic / the same – because they will ultimately relate to supporting different people / target groups.
34. The implementation / action plan should cover:
 - (i) staff
 - how they will be trained in equality and diversity / how training will be reviewed
 - annual monitoring of staff by characteristics – sex, race, disability, age (with a view to identifying any significant under-representation)
 - actions to help ensure that staff have equality objectives in personal development and appraisal processes.
 - (ii) participants
 - how they will be informed of anti-harassment policy / anti bullying policy etc. – e.g. induction
 - how they will learn about importance of good relations
 - (iii) performance

- how the project(s) will monitor its performance in terms of representation of different groups and effectiveness in supporting different groups (results)
- action that the project(s) will take in light of any underperformance (this to be added as required once the project(s) has been running for a period of time)

(iv) arrangements for reviewing the policy and implementation plan

The plan should be reviewed on a regular basis and in line with any contractual requirements set by the CFO organisation or Managing Authority.

(v) Communication

How the policy and plan will be communicated to staff, participants and where necessary, other suppliers.