

Single equality scheme for the Competition and Markets Authority

Four-year scheme: 2015 to 2019

Background to the Competition and Markets Authority

1. The Competition and Markets Authority (CMA) was created on 1 April 2014 and took over many of the functions of the Competition Commission and the Office of Fair Trading.
2. We work to promote competition for the benefit of consumers, both within and outside the UK. Our aim is to make markets work well for consumers, businesses and the economy.
3. We are an independent non-ministerial department with over 600 members of staff mainly based in London, and also with a small number of representatives in Scotland, Wales and Northern Ireland.
4. We are responsible for:
 - investigating mergers that could restrict competition;
 - conducting market studies and investigations in markets where there may be competition and consumer problems;
 - investigating where there may be breaches of UK or EU prohibitions against anti-competitive agreements and abuses of dominant positions;
 - bringing criminal proceedings against individuals who commit the cartel offence;
 - enforcing consumer protection legislation to tackle practices and market conditions that make it difficult for consumers to exercise choice;
 - cooperating with sector regulators and encouraging them to use their competition powers; and
 - considering regulatory references and appeals.

5. Our five strategic goals are:

- delivering effective enforcement – to deter wrongdoing, protect consumers and educate businesses;
- extending competition frontiers – by using the markets regime to improve the way competition works, in particular within the regulated sectors;
- refocusing consumer protection – working with our partners to promote compliance and understanding of the law, and empowering consumers to make informed choices;
- achieving professional excellence – by managing every case efficiently, transparently and fairly, and ensuring all legal, economic and financial analysis is conducted to the highest international standards; and
- developing integrated performance – through ensuring that all staff are brought together from different professional backgrounds to form effective multi-disciplinary teams and provide a trusted competition adviser across government.

6. Our [Prioritisation Principles](#) specifically state that we may prioritise work because the direct effects would specifically benefit disadvantaged consumers:

Disadvantaged consumers may be particularly vulnerable to exploitation within markets or may simply not share in the benefits of greater competition. Disadvantaged consumers may be served less well by markets because, for example, they may be more expensive to serve, they have less market access, they are in debt, or they cannot afford the higher risk that often accompanies better value. While the CMA has no legal or other mandate to redistribute wealth or power to intervene in individual disputes, we may sometimes favour projects that would benefit disadvantaged consumers, in order to build overall consumer confidence in markets.¹

¹ [CMA Prioritisation Principles](#), 1 April 2014.

Background to the CMA's legal duties: general and specific duties

7. As a public body the CMA has a legal requirement under the Equality Act 2010 (EA2010) to:
 - eradicate discrimination, harassment and victimisation; and
 - promote equality in terms of the protected characteristics.
8. The protected characteristics covered by the equality duty are:
 - (a) age;
 - (b) disability;
 - (c) gender reassignment;
 - (d) marriage and civil partnership ;
 - (e) pregnancy or maternity;
 - (f) race;
 - (g) religion or belief;
 - (h) sex; and
 - (i) sexual orientation.
9. EA2010 requires all public organisations to comply with the Public Sector Equality Duty ('general duties') and two specific duties.
10. The Public Sector Equality Duty or 'general duties' requires public authorities to:
 - eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
11. In addition, many public bodies – including the CMA – have two specific duties under the Act. These are to:
 - prepare and publish on the CMA webpages equality objectives at least every four years that are specific and measurable; and

- publish information to demonstrate compliance with the Equality Act 2010 on an annual basis.

The CMA's equality commitments

12. The CMA leadership is committed to promoting equality and diversity amongst our workforce and – in so far as we are able – to positively influence the approach of the stakeholders with whom we have a commercial relationship.
13. The purpose of the published single equality scheme is to demonstrate that the CMA is complying with its public sector duties. However, in our ways of working we seek to go beyond compliance. The CMA is committed to equality for anyone working here, and expects fairness and respect for diversity to be a feature of its culture and general approach to creating a great place to work.
14. The CMA's commitment to equality starts with our employment practices. We are committed to promoting equality of opportunity and diversity throughout our organisation.
15. Getting issues of equality and diversity right within the CMA will increase levels of engagement and a sense of inclusion for everyone. There is not one person who is not impacted by these issues, either by having a protected characteristic themselves or by working closely with someone who has. Issues of equality, diversity and inclusion are relevant to everyone, both in how we behave towards each other and our stakeholders and in how we approach our work.
16. Diversity is about respecting individuals. We should each be valuing the differences between our colleagues, investing time getting to know them and valuing their unique experiences, knowledge and skills. We should be checking ourselves for assumptions, stereotypes and other unintended negative treatment, and actively and deliberately treating everyone well.
17. We want the CMA to strive to become an organisation where individuals are treated with fairness and respect, and where staff are able to develop and contribute to the CMA vision of putting consumers and consumer protection at the heart of our work.
18. The CMA has made it clear that it is interested in promoting the interests of a wide range of consumers in its core work. As it states in the [Annual Plan 2015/16](#), the CMA is developing new ways of working, which include:
 - applying a 'consumer lens' to all of our work by ensuring that we understand the impact on consumers of everything we do throughout the lifecycle of projects; and

- reaching out to a more diverse network for consumer insights to include more of those who have expertise on the consumer perspective, and those with specific knowledge of vulnerable, hard to reach or less obvious groups of consumers.
19. This is the first equality scheme for the CMA, developed in its first year after being established in April 2014. The scheme will be reviewed as required, but no later than 2019. The document complies with the CMA's specific duty to publish equality objectives. The CMA will publish a report on its progress towards meeting these objectives in spring each year, covering the previous April to March. The first report is expected in spring 2016.
 20. The accompanying action plan will be updated on an annual basis. These updates will include equality data, as well as providing a general account of our progress in meeting our statutory duty and organisational commitments set out in this scheme.

The CMA's objectives and action plan: 2015 to 2019

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|--|---|--|---|
| (a) | Eliminate unlawful discrimination, harassment and victimisation. | Ensure all HR policies and procedures are considered for unintended consequences that could disadvantage someone with a protected characteristic. | All new CMA policies and procedures will be considered by SURE (Staff and Union Representative Executive) and by relevant CMA committees to test them for unintended issues. | All new policies and procedures have been discussed at an SMC (Staff and Management Council) meeting and feedback provided to SURE about how their input has been taken into account. |
| (b) | | | Review the CMA's Equal Opportunities policy to ensure that it is an accurate statement of the CMA's approach to safeguard staff from unlawful discrimination. | The policy has been reviewed, discussed at an SMC meeting (or relevant sub-committee) and republished. Staff have been notified of the new policy. |
| (c) | | | Review all the core HR policies developed during transition period to check for clear statements regarding the CMA's approach (including recruitment, flexible working, grievance, disciplinary, bullying and harassment). | Amendments discussed and agreed with SURE and new policies published. |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|------------------------------------|---------------------------------------|--|---|
| (d) | | | HR will work with relevant stakeholders across the CMA to design a process for ensuring decision-makers consider the potential impact of their decisions across internal CMA work on people with different protected characteristics. | Proposals for new initiatives include a statement on the impact on staff with protected characteristics and suggestions on how the impact can be mitigated. |
| (e) | | Collect and use equality information. | <p>Collect and use equality information to help the CMA identify equality priorities and to understand the impact of its decisions and proposals on people with protected characteristics.</p> <p>Help senior managers to spot any worrying trends emerging around the recruitment and retention of staff with a protected characteristic.</p> | <p>Raise the awareness of the benefits of disclosure amongst staff (and give guidance on how to update their personal details) to improve the disclosure of information on staff with protected characteristics.</p> <p>Capture the data of all new starters as part of their pre-employment arrangements.</p> <p>Send a reminder to staff each year to update their data.</p> <p>Provide a mid-year update to XCo including equality and diversity</p> |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|---|---|--|---|
| | | | | <p>statistics and update them on progress towards delivering the objectives set out in this scheme.</p> <p>Review with XCo the annual report of progress against equality objectives which will be published on the CMA webpages.</p> |
| (f) | | Use any influence that the CMA may have to steer any stakeholders with whom we have a commercial relationship to work towards meeting equality standards. | Encourage members of SLT, commercial staff and Corporate Service Directors to promote good practice with third party suppliers by ensuring commitment to good practice is included in tendering documents and forms part of the discussion on selecting suppliers. | The progress report in 2016 shows that work has been undertaken to integrate good practice around equality and diversity into the commercial decisions of the CMA and to support those procuring services in understanding their responsibilities to the delivery of this action. |
| (g) | Advance equality of opportunity between people who share a protected characteristic and those who do not. | The CMA is proactive in ensuring that opportunities are communicated widely to all potential candidates. | Make sure that all managers are aware of their own unconscious bias in making decisions by making mandatory at the start of employment with the CMA the | Report annually on how many staff have undertaken the course. |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|------------------------------------|---|--|--|
| | | | CSL unconscious bias e-learning course. | |
| (h) | | | Ensure staff managers are aware of their obligation to bring job and learning opportunities to the attention of staff who have a protected characteristic and who are not currently working in the office. | Publish guidance on CMALive for managers on their role in keeping in touch with staff who have a protected characteristic and are not currently in the office. |
| (i) | | | Make efforts to offer opportunities in a way that takes account of different working patterns and other individual circumstances in so far as is practicable. | Learning opportunities that are available in a variety of different ways, times of day and days of the week. |
| (j) | | Ensure that reasonable adjustments are considered promptly and all possible adjustments that could support someone in reaching their full potential are | Ensure process for reasonable adjustments is well understood and there is awareness across all services and staff managers of the roles and responsibilities. | There is clear guidance published on CMALive on the CMA's approach to reasonable adjustments. |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|---|---|--|---|
| | | considered and implemented. | | |
| (k) | Foster good relations between people who share a protected characteristic and those who do not. | Introduce initiatives that enhance feelings of inclusion within the CMA and help the CMA's management to understand staff's experience of working in the CMA. | Meet with people who have a protected characteristic and explore with them actions the CMA could take to improve their sense of inclusion. Capture what the CMA is already doing well to see if it could be expanded. | Suggestions and a plan for implementation considered or reasons for not taking them forward reported to those affected. |
| (l) | | | Set up a CMA Equality Group to meet with the CMA Management and raise issues of concern. Ask the Equality Group to consider the benefits and value for money of membership to interest groups outside of the CMA that might be able to offer support and guidance, and send a positive message to staff about the CMA's approach. | The group has been established and meets at least quarterly. The CMA publishes a list of the groups of which it is a member and makes relevant resources available to staff through CMALive. |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|------------------------------------|--|--|---|
| (m) | | | Help staff-led networks that are appropriate to the staff of the CMA and fitting with its culture to operate within the CMA by offering them space on CMALive and allowing the use of rooms, etc. | Suitable and applicable staff-led networks operate within the CMA. |
| (n) | | Promote awareness of all managers about issues of equality and diversity and their obligation to ensure that all staff are treated with dignity at work. | Ensure awareness of the importance of understanding and respecting equality and diversity forms part of the people objective for all managers. The objective must set out the actions they intend to take in-year to reflect or review their approach. | Equality and Diversity forms part of mandatory people objective for all managers as part of the CMA's performance management system. |
| (o) | | | All staff are required to undertake the mandatory equality and diversity course on Civil Service Learning every four years. | Monitor compliance with e-learning and report to Learning Governance Board and in the annual review of this scheme on percentage of staff who have undertaken the course. |

| | Public Sector Equality Duty | CMA objectives | Action | Measure |
|-----|------------------------------------|-----------------------|---|---|
| (p) | | | Review the CMALive equality section and enhance it with links to useful materials, training and groups. | CMALive is refreshed and kept up to date. |