**Our diversity**



**Diversity is a fact - Inclusion is an act**

As soon as you have two people or more, you have diversity. Inclusion is the act of working together to utilise the potential of a rich collaboration.

The [Insolvency Service's values](https://intranet.insolvency.gov.uk/about-us/our-values-and-behaviours) underpin its diversity work. These values; people, pride and professionalism signal the commitment of the agency to treating everyone with dignity and respect; that we are inclusive and confident; and that we are committed to improving our services for all.

The agency has a resource dedicated to diversity, equality and inclusion, responsible for the promotion, implementation, and monitoring of the agency's diversity and equality strategy. Acting as a centre of excellence for diversity issues and providing help and support to managers in fulfilling their responsibilities under the strategy.

Notable days this year [can be found on the Events block](https://intranet.insolvency.gov.uk/all-events) on the home page.

**Diversity and equality in the Insolvency Service, what difference does it make to me?**

Diversity is not only about preventing unfair discrimination and improving equality but also valuing differences and inclusion. The Insolvency Service’s commitment to diversity and equality is a business decision, which reflects and upholds our values. It is a fundamental part of our structure as stated in our Corporate Plan, Customer Charter and the Diversity and Equality Continuous Improvement Plan. It is based on:

**Efficiency**

Do you want to feel valued and respected?  
We can make the most of the contribution that employees can bring to the Insolvency Service by valuing and supporting the diversity of people’s backgrounds and lifestyles, while ensuring we meet our legal equality duties

**Innovation**

Do you want to contribute your ideas and have a say in how things are done?  
If we create an environment of trust and openness, employees are more likely to be creative and to take appropriate risks, which will enhance the opportunities for the Insolvency Service to improve its business.

**Effectiveness**

Do you want to provide the best possible service to our customers?  
Through a better understanding of, and engagement with customers, the Insolvency Service can ensure that its policies and services reflect the needs and experiences of the people it serves.

**Planning - Diversity and equality in the Insolvency Service**

**Planning**

The Insolvency Service has a new Diversity and Inclusion Strategy which will be launched shortly. This plan aims to help achieve the civil service plan of being the most inclusive employer in the UK by 2020.

The Civil Service's Diversity Strategy can be found here.

The Insolvency Service has published its strategy Inclusion First. This built on previous diversity and equality strategies.

Our planned actions have the following four key themes:

* Capability
* Culture
* Representation
* Access to our services

**The Equality Act 2010 - Diversity and equality in the Insolvency Service**

The Equality Act 2010 replaced previous anti-discrimination laws such as the Disability Discrimination Act, Sex Discrimination Act and Race Relations Act and puts them together in one piece of legislation. It created a single streamlined approach, removed inconsistencies and made it easier for people to understand and comply with. It also strengthened the law in important ways, to help tackle discrimination and inequality.

The Public Sector Equality Duty (section 149 of the Act) came into force on 5 April 2011. The equality duty applies to public bodies and others carrying out public functions. The equality duty is supported by specific duties, set out in regulations which came into force on 10 September 2011. The specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the equality duty, and to set themselves specific, measurable equality objectives.

**Equality duty**

The public sector equality duty brings the three existing duties on race, disability and gender together into a single duty, and also extends to cover “protected characteristics”. The protected characteristics covered by the equality duty are:

* age
* disability
* gender reassignment
* marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
* pregnancy and maternity
* ethnicity (this includes race or national origins, colour or nationality)
* religion or belief (this includes lack of belief)
* sex/gender identity
* sexual orientation

The equality duty has three aims. It requires public bodies to have due regard to the need to:

* eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010
* advance equality of opportunity between people who share a protected characteristic and people who do not share it
* foster good relations between people who share a protected characteristic and people who do not share it

This equality duty is underpinned by a number of specific duties, which provide a framework to help public bodies meet the equality duty. The Insolvency Service is subject to the specific duties.

**Specific duties**

The specific duties require public bodies to publish information to show their compliance with the equality duty, at least annually. The information published must include:

* information relating to employees who share protected characteristics (for public bodies with 150 or more employees)
* information relating to people who are affected by the public body’s policies and practices who share protected characteristics (for example, service users)

The specific duties also require public bodies to prepare and publish one or more specific and measurable equality objectives which will help them to further the three aims of the equality duty. All public bodies subject to the specific duties had to have published their first equality objectives by 6 April 2012. Subsequent objectives must be published at least every four years.

All information must be published in a way which makes it easy for people to access it.

**What does this mean for the Insolvency Service?**

The Insolvency Service’s on-going diversity and equality work means it is well placed to meet these duties, and will be meeting them in the following way:

1. Publish information to show compliance with the Equality Duty, at least annually:

* our existing annual Employee Data report is available on our internal and external website
* our existing ‘Annual Report’ describes the progression of our diversity and equality strategy and provides information on all our work that demonstrates how we meet our equality duties, and this is available on our external website

2. Prepare and publish specific and measurable equality objectives which will help them to further the three aims of the equality duty.

**What should I do?**

Within the Insolvency Service, we have standards and guidance in place to ensure we meet the new equality duty. These standards and practices will remain, but as a reminder:

* please ensure you complete your diversity data on HR Payroll. You need to enter the Diversity Information section and can then enter data on ethnic origin, disability status, sexual orientation and religion or belief. Please ensure that this information is saved as an update of your record not a new entry.
* provide an accessible service for all your customers and put in place reasonable adjustments for disabled customers
* compliance with the equality duty involves consciously thinking about the three aims of the equality duty as part of the process of decision-making. Therefore, all Insolvency Service policy decisions affecting people should include appropriate equality analysis. We keep a simple record of all decisions to help show how the Insolvency Service has considered the equality duty.

**Public Sector Equality Duty (PSED) – what does having due regard mean?**

The Equality Act 2010 maintains it is essential that a public body complies with the general duty by having due regard to the equality issues set out in the Act and that, in the event that the decision is challenged, it can demonstrate that it has had due regard.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of policy development and decision-making. This means that consideration of equality issues must influence the decisions made by the department – such as in how we act as an employer, how we develop, evaluate and review policy, how we design, deliver and evaluate services, and how we commission and procure from others.

The following established set of principles should help assist decision makers ensure they have due regard:

* knowledge – decision makers (including ministers) should be aware of their duty to have due regard to the aims of the equality duty
* sufficient information – decision makers must consider whether they have sufficient information in order to give proper consideration to the matters set out in the equality duty. This will assist decision makers to understand the potential impact of their proposed decisions on people with relevant protected characteristics
* timeliness – public bodies must have due regard “before and at the time that a particular decision is being considered”. This means that equality must form part of the decision making process as it happens and not after the event
* real consideration – consideration of the three aims of the equality duty must form an integral part of the decision-making process. The equality duty is not a matter of box-ticking. It must be exercised fully, rigorously and with an open mind
* no delegation – ministers, public bodies, and others carrying out public functions may use their employees and third parties to assist them to assess the impact of a decision on equality. However, where they make the ultimate decision they cannot delegate their responsibility to consider the aims of the equality duty to another person
* review – public bodies must have due regard to the aims of the equality duty, not only when a policy is developed and decided, but also when it is implemented and reviewed. The equality duty is a continuing duty

The equality duty is a legal obligation and there are significant risks in not complying with it, including legal challenge by way of judicial review. The remedies which the court may grant following a successful judicial review include:

* setting aside or cancelling a decision found unlawful
* forbidding the public authority from performing an act found unlawful
* declaring that a decision is unlawful
* ordering it not to do something
* (in limited circumstances) awarding financial compensation

This could prevent a department from operating or progressing a new policy, service or a proposed change and/or lead to a department incurring significant costs if they have to change their policies or services.

**Equality analysis**

Please click on the links below to access information related to equality analysis.

Public Sector Equality Duty and Policy Equality Statements  -Guidance

Policy Equality Statement (PES)- Equality Analysis. / Equality Impact Assessments

Completed PES example