

Single equality scheme

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1.0 INTRODUCTION

The Pensions Regulator is the UK regulator of work-based pension schemes. The Pensions Act 2004 gives the Pensions Regulator a set of specific objectives:

- to protect the benefits of members of work-based pension schemes;
- to promote good administration of work-based pension schemes; and
- to reduce the risk of situations arising that may lead to claims for compensation from the Pension Protection Fund.

We work to promote high standards of scheme administration, and to ensure that those involved in running pension schemes have the necessary skills and knowledge.

Our principal aim is to prevent problems from developing. Where possible, we provide support and advice to trustees, administrators, employers and others where potential problems are identified.

An important aspect of the regulator's work is to publish guidance for the regulated community. This includes codes of practice providing practical guidelines for trustees, employers, administrators and others on complying with the requirements of pensions law and setting out the standards of conduct and practice that we expect.

1.1 Our approach to equality & diversity

The Pensions Regulator is committed to valuing diversity and promoting equality of opportunity. Our approach to equality and diversity covers everyone. We aim to ensure that staff and job applicants have equality of opportunity for employment and advancement on the basis of ability, qualifications and suitability for the work, no matter what their age, colour, disability, ethnic or national origin, marital status, race, sex, sexual orientation or religion, or other factors that do not relate to job performance. We are committed to providing a flexible environment in which, wherever possible, individual needs can be met.

We also seek to ensure that the guidance and support we provide for customers is accessible and appropriate to their needs. In support of this, we place a great deal of emphasis on assessing the perceptions, needs and expectations of our stakeholders. We aim to ensure that in our dealings with all sections of the pensions community we make clear our commitment to promoting equality of opportunity and meeting diverse needs and that we reflect this commitment in the way we do our work.

1.2 The equality scheme

New legal duties have been placed on all public bodies to promote equality in employment and in the delivery of services, in relation to race, gender and disability and to develop programmes of action in support of this. These duties are called the ***Gender Equality Duty, the Race Equality Duty and the Disability Equality Duty***. Key elements of these Duties are summarised in Appendix 1.

In order to meet these duties, and to ensure that the Pensions Regulator brings together all of the work we are doing on equality and diversity, we have developed this **Single Equality Scheme** setting out our objectives and priorities for all aspects of equality and diversity – both in the workplace and in our external work with customers and other stakeholders. This Scheme builds on the work we have already carried out and the achievements we have made. Its overall aim is to maintain a culture that is fair and inclusive and that promotes respect for all, regardless of their race, gender, disability, faith, age and sexual orientation.

1.3 How the scheme was developed

In order to provide the foundations for the Scheme we commissioned an independent review of our current approach and achievements. This review included:

- discussions with senior managers on the Pensions Regulator's approach to human resource management, training and development and service delivery in order to identify opportunities and priorities for reflecting our equality and diversity objectives;
- consultation with all staff, by means of an electronic survey seeking their views on main priorities and objectives for the Equality Scheme;
- an assessment of current human resources, communications and other customer focused policies and their practical application.

We used the findings of this review as the basis for further discussions designed to ensure that our priorities and actions are practical and relevant, both to the work of the regulator and to the main goals that have been identified. As part of this approach we held:

- a leadership meeting with the chief executive and directors to discuss the findings and their implications for the organisation as a whole;
- a forum discussion with a group of staff with different remits and roles within the Pensions Regulator, including trade union and disability interests, HR, communications and customer relations.

The forum discussion, which was chaired by the chief executive, covered the findings of the review, the Pensions Regulator's overall equality and diversity aims and key elements of the Equality Scheme.

2.0 WHERE WE ARE NOW

2.1 Our staff

The Pensions Regulator was established in 2005, having taken over from a predecessor body, the Occupational Pensions Regulatory Authority. We have developed an HR strategy with an accompanying people plan, and a learning and development strategy designed to ensure that our approach to human resources matches the strategic and operational requirements of the new organisation. As part of our approach, we use a competency framework based on key behaviours that provide the foundation for performance management, recruitment and selection criteria, learning and development. The framework contains eight competencies:

- Focusing On Customers
- Interpersonally Effective
- Effective Delivery And Accountability
- Adapting To Priorities And Risks
- Learning Developing And Applying
- Solving And Improving
- Collaborative Working
- Understanding The Organisation

Each of these competencies is supported by a set of behaviours for each of four levels of staff responsibility.

Our HR strategy includes the following aims:

- *There is an ethical approach to managing people that is based on a concern for people, fairness and transparency.*
- *People are valued and rewarded for what they do and achieve.*
- *Real value is placed on having a diversity of capabilities, backgrounds and contributions within the organisation. Individual and group differences in employment needs, work style and aspirations are taken into account.*

Our learning and development strategy is designed to identify the approaches that will deliver policy and procedures that:

- match human resources to the strategic and operational requirements of the Pensions Regulator;
- increase individual and group adaptability and improve functional flexibility to maximise the range of deployment options within the organisation;
- improve performance to meet organisational needs;
- extend the skills base and competency levels;
- increase commitment and motivation;
- are inclusive by valuing diversity;
- encourage everyone to take ownership of their learning in line with the Pensions Regulator's business objectives.

The Pensions Regulator has a total of 264 permanent and fixed term staff (March 2007).

The diversity monitoring exercise introduced in March 2007 produced a 71% response rate (187 staff provided information). Additional work will be carried out during 2007 with the aim of achieving a fuller picture. A broad profile of those who responded is provided below, but it is recognised that this cannot provide a complete picture of the staffing profile:

- Gender: 55.6% of those responding are female; 37.4% male and 7% data not provided.
- Ethnic origin: 91.4% white; 7% black and minority ethnic; 1.1% other; 0.5% data not provided.
- Disability: 5.3% said they have a disability; 94.7% have not.
- Age: 11.2% are 54 and over; 8.6% are aged 47 -53; 29.4% are aged 33-46; 38.5% are aged 19-32; 12.3% data not provided.
- 70.1% are on a permanent contract; 12.8% are on a fixed term contract; 4.3% are on secondment from another organisation; 4.8% are temporary agency staff.

As part of the review of our achievements and approaches, a full review of our current HR and learning and development policies was carried out. The findings of this review form the basis for the priorities and actions outlined in Section 4. This identified the need for equality and diversity issues to be brought out more explicitly within key HR related policies, in order to support the detailed guidance already provided for staff. Broad recommendations included:

- developing a clear vision for equality & diversity, with senior managers in the lead;
- promoting a positive image of equality & diversity within the Pensions Regulator through learning opportunities;
- making improvements to the recruitment process, and the performance development process;
- building equality and diversity actions need to be explicitly drawn out in the behaviours that underpin the competency framework;
- evaluating methods of communicating, in particular for people with disabilities;
- defining clear standards of behaviour and developing a dignity at work policy;
- specific recommendations on different aspects of equality and diversity (as reflected in the priorities and actions in Section 4).

2.2 Equal pay

A review of the then current pay system was undertaken in 2005, as part of the process of introducing a new system based on job evaluation, market rates and the competency framework. One of the criteria for this review was to consider whether it complied with the EOC's recommended requirements for job evaluation systems. An external equal pay audit was also carried out at this stage. A full equal pay audit will be included as one of the Equality Scheme's key element.

2.3 Our customers

The regulator interacts with a wide range of individuals and organisations involved in occupational pension schemes. These include in-house scheme managers and administrators; actuaries, auditors, lawyers and consultants; professional and lay trustees; third-party managers and administrators as well as employers (finance or pensions directors) and other government bodies.

We carry out regular research into the perceptions of our stakeholders. The Pensions Regulator has carried out an annual 'perceptions tracker', covering a wide range of individuals, and designed to evaluate stakeholders' attitudes towards the regulator and ratings of specific services, including publications, guidance

and front office service. The main areas for measurement are summarised as:

- overall awareness and perceptions of the Pensions Regulator;
- overall rating in terms of transparency, consistency, targeting, accountability;
- overall usage and ratings of levels of service;
- overall rating of service;

Stakeholder research was carried out with key organisations in October 2006, designed to:

- gauge current satisfaction with and opinions/perceptions of the regulator;
- assess the impact and views on codes of practice;
- assess needs and expectations of the regulator either from individual or collective key stakeholder organisations;
- identify development needs.

Our initial review of research findings has identified some broad issues that are potentially relevant to our equality and diversity objectives, including:

- guidance for trustees is generally well received, and there are positive perceptions of our codes of practice although some feel that codes can be too wordy;
- support for better relationships with consumer groups and small business organisations;
- small businesses are among those seen to be missing from the current stakeholder agenda;
- some suggestion that more emphasis on smaller schemes would be useful.

Currently, there is no data on the profile of our customers by racial or ethnic origin, gender, disability or other factors that may be relevant to our Equality Scheme, and it is our intention to obtain sufficient information to enable us to identify whether there are any specific needs to be met. SME led companies and their pension schemes, for example may be areas in which black and minority ethnic groups, women and disabled people are relatively well represented among trustees, with corresponding potential needs for information to be readily accessible.

2.4 Feedback from consultation with staff

We obtained feedback from staff through the following main channels:

- an electronic survey of all staff inviting suggestions or comments:
 - for promoting or improving opportunities within the Pensions Regulator (in the context of an Equality Scheme);
 - on actions that the Pensions Regulator should take in order to ensure that they are responding to diversity among their stakeholders;
 - on any other observations with regard to equality and diversity and the development of an Equality Scheme;
 - comments were received from 47 staff (nearly 18% of the total).
- individual interviews with directors, managers and staff responsible for specific elements of the Pensions Regulator's work;
- interview with the trade union representative;
- a Forum session with staff, including those with trade union and disability interests;
- discussion with the senior executive team.

Although views varied considerably, with some perceptions that no particular initiatives were needed, the following themes were particularly relevant in providing the foundation for the Equality Scheme:

In relation to staff:

- the aim should be for the Pensions Regulator to operate fairly and for all staff to be treated equally;
- the need to raise the profile of equality and diversity. Linked to this, the need to ensure that practical implications are brought out more explicitly in relation to staff in key HR and other internal policies;
- the important role of secondments, and the corresponding need to ensure that these opportunities are widely promoted;
- the important role of competencies;
- the need to continue to support and develop flexible working;
- the diversity profile of the organisation;
- a variety of specific suggestions in relation to particular issues, including age, sexual orientation and the ethnicity profile;
- on disability, suggestions included outreach to relevant local organisations and in promotional activities; measures to increase disability awareness and interaction between staff and for staff development.

In relation to customers and external stakeholders:

- promoting the Pensions Regulator's approach to equality and diversity;
- the need for more information on the profile of customers as the basis for identifying any relevant, specific needs – particularly in relation to trustees and small businesses;
- a review of communications in order to ensure that information and guidance is fully accessible, including methods of communicating with disabled customers.

3.0 IMPLEMENTING THE EQUALITY SCHEME

3.1 Responsibility for the Equality Scheme

The chief executive has overall responsibility for ensuring that the Scheme is implemented and will report on progress to the board. The executive management team will receive annual reports of progress. Progress on specific elements of the Scheme will be overseen and reviewed at business leader level:

- Human Resources Business Leader : HR related and learning and development actions;
- Communications Business Leader : communications and information actions;
- Facilities and Procurement Business leader : procurement actions.

The equality & diversity forum will meet regularly to review and monitor progress and will highlight issues that need addressing.

3.2 Establishing baseline data & diversity monitoring processes

3.2.1 Staff & job applicants

A robust process for establishing the diversity profiles of staff and job applicants is under way. The Pensions Regulator is a relatively new authority (with many of its functions having been undertaken by OPRA in previous years) and has developed a range of new HR and training and development related processes designed to reflect its aims and priorities. In order to ensure that we can assess the staff diversity profile on a year on year basis, and identify the extent to which our recruitment, selection and management processes continue to promote equality of opportunity, we have introduced a new diversity monitoring programme – covering both staff in post and job applicants.

This monitoring process will be developed fully during the first year of the Equality Scheme, building on the revised data collection system introduced in March 2007. This will enable the Pensions Regulator to assess:

- the profile of staff in post showing distributions by ethnic origin, disability, gender and age, and by executive function, job group and employment status;
- staff progression and experiences in relation to key aspects of their employment within the Pensions Regulator (using the specific requirements of the Race Equality Duty as a base) including access to training and promotion; impact of performance assessment, discipline and grievance procedures; staff exits.
- the extent to which our recruitment and employment related practices are fully responsive to the needs of disabled people, including a review of facilities, communication and accessibility (see paragraph 4.1.4);
- the diversity profile of job applicants;
- the progress of job applicants at key stages of selection: shortlisting, telephone interview (where appropriate), interview and selection decision;
- pay and reward comparisons.

We will also be taking steps to establish the diversity profile of our customers, particularly with regard to lay trustees and small businesses, as part of our regular initiatives designed to obtain feedback on stakeholder perceptions and satisfaction levels.

3.2.2 Continuing consultation & involvement

The Equality & Diversity Forum, established in April 2007, has supported the development of the Equality Scheme, including identifying priorities for the next three years. The forum, which includes trade union and disability interests, will continue to meet periodically and will invite views from staff.

The Pensions Regulator holds regular staff satisfaction surveys and will obtain feedback on staff perceptions of equality and diversity issues through these surveys.

Customer profile data will be developed so that feedback on issues that affect particular groups of customers can be identified through the regular stakeholder surveys or similar channels.

3.2.3 Impact assessments

A series of impact assessments will be carried out as part of the Equality Scheme's first three years of operation. These are described in more detail under Actions. Broadly, they will cover:

- key HR policies: recruitment and selection; performance development and secondments;
- job evaluation scheme, including equal pay review;
- flexible working policies;
- procurement policies;
- communications and research strategy.

The aim of impact assessments will be to identify the extent to which key elements of the Pensions Regulator's policy and practice provide fair access to opportunities within the organisation, or to the services it provides. Areas for impact assessment have been chosen because they are important elements of our work both internally and externally, and because they have a clear impact on people, whether staff or customers. We see the role of impact assessments as helping us to be effective in what we do. They will help us to ensure that our policies or the ways in which they are delivered do not unintentionally disadvantage or discriminate against some groups, for reasons that cannot be lawfully justified by business necessity, for example because they are not appropriately accessible or because processes are not consistently applied.

The process for carrying out impact assessments will be based on that recommended in the codes of practice attached to the three statutory duties and will have a clear focus on **outcomes**. Questions will include:

- Is there evidence of different outcomes for different groups of staff or customers? For example – does diversity monitoring data show patterns of outcomes in that some groups are less likely to apply for jobs or to access our services, to be shortlisted or selected?
- Is there scope to promote our opportunities or services more widely?
- Is there evidence of particular needs or factors among some groups of staff or customers that should or could be met?
- Where there is evidence of barriers to equality of opportunity or access, what changes can be made to address these?

Data sources will include:

- Staff and job applicant monitoring data;
- Stakeholder surveys;
- Staff perception surveys;
- Feedback to the equality and diversity forum;
- Benchmarking data eg in relation to diversity profiles in appropriate recruitment pools/labour markets.

3.2.4 Responsibility for the equality scheme, measuring & reporting on progress

The chief executive has overall responsibility for ensuring that the Scheme is implemented and will report on progress to the board. The executive management team will receive annual reports of progress. Progress on specific elements of the Scheme will be overseen and reviewed at business leader level:

- Human Resources Business Leader: HR related and learning and development actions;
- Communications Business Leader: communications and information actions;
- Facilities and Procurement Business Leader; accommodation and procurement actions

Indicators of progress will be developed during the first year of the Scheme. In broad terms these will be:

- diversity profiling data fully established for staff and job applicants;
- progress towards obtaining diversity profiling data, with accompanying need assessment, in relation to customers/stakeholders;
- impact assessments completed and corresponding measures in place, where appropriate;
- appropriate training and guidance established for managers and staff;
- equality and diversity objectives reflected in procurement strategies;
- progress towards increasing the diversity profile of job applicants, and where appropriate, staff in post;
- positive feedback from customers;
- positive feedback from staff on employment related practice.

The Action Plan (see page 15) outlines timescales for action and accountabilities for each of the key elements of the Equality Scheme. The equality & diversity forum will meet regularly to review and monitor progress and will highlight issues that need addressing.

The Scheme will be fully reviewed after three years.

3.2.5 Reporting on progress

The Equality Scheme will be published on the Pensions Regulator website and annual reviews of progress, including the results of reviews and assessments will also be made available.

The Scheme will also be promoted to external stakeholders, including recruitment agencies, financial organisations, and through channels for inviting applications for secondments.

4.0 EQUALITY SCHEME: KEY PRIORITIES & ACTIONS

This Scheme covers all aspects of equality and diversity within the Pensions Regulator. Many of the actions are designed to promote equality and diversity across the board, while some have a particular relevance to race or gender, or to staff or customers who are disabled. In making these distinctions, however, we are aware that in many cases actions designed with a particular group or need in mind will have a wider beneficial effect. Steps to ensure that approaches to communication are appropriate for disabled staff or customers, for example, will often promote good communications for all.

In the following sections we set out our priorities and actions. In Section 4.2, we outline an action plan, showing how these will be incorporated in our three year programme:

1. those that reflect our overall commitment to a fair and inclusive working environment and service delivery;
2. those that are particularly relevant to the Gender Equality Duty;
3. those that are particularly relevant to the Race Equality Duty;
4. those that are particularly relevant to the Disability Duty.

4.1 Promoting a fair & inclusive business

4.1.1 Objectives

- we aim to promote a positive image of the regulator's commitment to equality, diversity and inclusion;
- we aim to ensure that our policies and practices in relation to staff recruitment, management and working environment are fair and transparent and that real value is placed on diversity;
- we aim to ensure that our services to customers are responsive to diverse needs and backgrounds.

4.1.2 Practical actions

Customers and external relations

We will:

- Make clear the Pensions Regulator's approach to equality, diversity and inclusion in our external communications, through website and other publicity channels; in recruitment literature;
- Make sure that our procurement policies enable us to meet our equality objectives, including guidance for staff on stages at which equality and diversity considerations need to be considered;
- Review our communications policies and mechanisms to ensure that information (and its presentation) is fully accessible to all our customers, including a focus on trustees and small businesses;
- Use our research channels to obtain a diversity profile of our customers and potential information needs.

Staffing

- Take practical steps to ensure that the working environment and the application of HR policies is fair and inclusive in relation to age, religion, sexual orientation and transsexual individuals, as well as to disabled people, those from all ethnic backgrounds and both women and men.
- Review our channels for promoting job opportunities and recruiting staff (including recruitment

agencies) to ensure that they encourage applications from a diverse applicant pool, where possible.

- Incorporate relevant guidance in recruitment, selection and management training for managers (and in requirements of external agencies) designed to ensure that the Pensions Regulator's commitment to equality, diversity and inclusion is translated into action, including:
 - developing inclusive recruitment channels;
 - appropriate assessment of competencies and behaviours in selection and performance development;
 - promotion of opportunities for staff learning and development.
- Review the framework of competencies with a view to incorporating equality and diversity focused objectives within behaviours.
- Carry out a series of impact assessments on the impact of key HR policies:
 - recruitment and selection;
 - policies in relation to secondments;
 - performance development.
- Establish the diversity monitoring system to enable diversity monitoring of staff in post, as well as staff progression and experiences (covering the categories outlined under the Race Equality Duty actions).
- Establish a revised system for monitoring recruitment and selection based on the approach used for staff in post.
- Produce and promote a Dignity at Work policy, designed to define clear standards of behaviour and to ensure that any harassment or other cases are effectively addressed.
- Ensure that the flexible working policy supports diverse needs, including caring responsibilities, as well as those of the business and that managers take a consistent approach to requests.
- Continue to consult staff on progress through the equality and diversity forum.

4.1.3 Gender equality

We will ensure that the measures outlined above support the Pensions Regulator's commitment to gender equality, and the requirements of the Gender Equality Duty by:

- Include gender equality within our strategies for external communications, relationships with customers and, where appropriate, our stakeholder research – so that any specific issues that affect women or men in particular can be identified.
- Include gender equality in our programmes of guidance and training on key HR related issues.
- Use our diversity monitoring data on staff and job applicants to check that recruitment, selection and management processes (including recruitment led by external agencies) are fairly applied between men and women.
- Make clear that our commitment to inclusion covers transsexual individuals.
- Carry out a full equal pay audit as part of the wider job evaluation review, including an analysis of the causes of any pay gap that is found (to include the impact of factors such as caring responsibilities).
- Make sure that approaches to maternity and paternity leave, and to return after such leave, reflects good practice and that flexible working policies are responsive to the needs of staff with caring responsibilities, both male and female.

4.1.4 Disability equality

- Include disability equality within our strategies for external communications, relationships with customers and, where appropriate, our stakeholder research.

- Review the extent to which the Pensions Regulator's information, guidance and other services are accessible to disabled customers and other stakeholders.
- Continue to consult with disabled staff on effective measures to reach out to disabled job seekers, and to support career development.
- Include disability equality issues in our programmes of guidance and training on key HR related issues, including training for selectors. As part of this, provide specific disability awareness training for staff.
- Use our diversity monitoring data on staff and job applicants to check that recruitment, selection and management processes (including recruitment led by external agencies) are responsive to the needs of disabled individuals, including a review of facilities for disabled job applicants.
- Continue to review office/physical facilities and internal communications to ensure that they meet the needs of disabled staff.

4.1.5 Race equality

- Consider race equality considerations within our strategies for external communications, relationships with customers and, where appropriate, our stakeholder research – so that any specific issues can be identified e.g. use of language; familiarity with relevant networks; issues for minority businesses.
- Include race equality in our programmes of guidance and training on key HR related issues, including training for selectors.
- Review our recruitment and selection channels, including secondments and recruitment exercises led by external agencies, to ensure that they are reaching minority ethnic groups.
- Use diversity monitoring data on staff and job applicants to check that selection and management processes (including recruitment led by external agencies) are fairly applied between different groups.

4.2 ACTION PLAN

| Action | Timescale | Location of accountability | Progress Indicator |
|---|-----------|---|--------------------|
| <p>Year 1</p> <p>Impact assessments on:</p> <ul style="list-style-type: none"> • Recruitment and selection • Performance Development • Secondments <p>Review of competency framework</p> <p>Review of disability policies</p> <p>Recruitment and selection training for managers</p> <p>Preparation of Dignity at Work Policy</p> <p>Promote the Dignity at Work policy</p> <p>Establish a diversity monitoring system for recruitment</p> <p>Develop a programme to raise staff awareness of Equality and Diversity including the implications of the equality duties and legislation</p> <p>Explore the Stonewall Benchmark</p> | | <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> <p>HR</p> | |
| <p>Year 2</p> <p>Impact assessment of the job evaluation scheme</p> <p>Carry out a full Equal Pay Audit</p> <p>Impact assessment of the procurement policy</p> | | <p>HR</p> <p>HR</p> <p>Facilities and procurement business unit</p> | |
| <p>Year 3</p> <p>Impact assessment of the flexible working policy</p> <p>Impact assessment of the communications and research strategy</p> <p>Review the Equality Scheme and identify priorities for the next three years</p> | | <p>HR</p> <p>Communications</p> <p>Executive Management Team</p> | |

APPENDIX 1

The public duties on gender, race & disability: A summary

The Pensions Regulator is covered by the requirements of the Disability Duty and the Gender Equality Duty (both general and specific duties) and the Race Equality Duty (general and employment duties)*. The main requirements of these Duties are summarised† below:

1. The Disability Duty

This was established by the Disability Discrimination Act 2005.

(a) The General Duty

This applies to all public authorities (with a few exceptions) and requires that every public authority 'shall in carrying out its functions have due regard to the need to:

- Promote equality of opportunity between disabled persons and other persons;
- Eliminate discrimination that is unlawful under the Act;
- Eliminate harassment of disabled persons that is related to their disabilities;
- Promote positive attitudes towards disabled persons;
- Encourage participation by disabled persons in public life;
- Take steps to take account of disabled persons' disabilities even where that involves treating disabled persons more favourably than other persons.

'Due regard' contains 2 linked elements:

- Proportionality and relevance – i.e. authorities 'should give due weight to the need to promote disability equality in proportion to its relevance' (The DRC Code defines these concepts further).

(b) Specific duties

These require public authorities covered by the duties to:

- Produce a Disability Equality Scheme.
- Involve disabled people in developing this Scheme.
- Include within the Scheme a statement of:
 - The way in which disabled people have been involved in developing it.
 - Methods for impact assessment (covering the impact of policies and practices as well as the likely impact of proposed policies and practices).
 - Steps that will be taken to fulfill the general duty (the 'action plan').
 - An authority's arrangements for gathering information on employment, and where appropriate - its delivery of education and its functions.
 - Arrangements for putting the information gathered to use, in particular reviewing the effectiveness of its action plan and preparing subsequent Schemes.

*The Pensions Regulator is among a group of agencies that was included under the Duties at a later stage than others, due to its relatively new status and was therefore given later timescales for implementing the Race Equality and Disability Duties.

† Full details on the requirements of the Duties are set out in the Codes of Practice produced by the Disability Rights Commission, the Equal Opportunities Commission and the Commission for Racial Equality.

Within three years of the Scheme being published, the authority must:

- Take the steps set out in its Action Plan (unless unreasonable or impractical to do so) and put into effect the arrangements for gathering information and making use of it.
- Publish a report with:
 - a summary of the steps taken under the action plan;
 - the results of information gathering;
 - the use to which it has put the information.

2. The Gender Equality Duty

(a) The General Duty

The Equality Act 2006 amends the SDA to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- to eliminate unlawful discrimination and harassment;
- to promote equality of opportunity between men and women in all of their functions.

This is known as the 'general duty' and will come into effect on 6 April 2007. As with the race and disability duties there are principles of relevance and proportionality:

“The weight which public authorities give to gender equality should therefore be proportionate to its relevance to a particular function. The greater the relevance of a function to gender equality, the greater regard which should be paid to it.”

Gender Reassignment

As part of the duty, public authorities are also required to have due regard to the need to eliminate unlawful discrimination and harassment in employment and vocational training (including further and higher education), for people who intend to undergo, are undergoing or have undergone gender reassignment.

(b) The Specific Duties

The specific duties, as summarised in the Code, are to:

- Prepare and publish a Gender Equality Scheme showing how the authority intends to fulfill the general and specific duties and setting out its gender equality objectives
- In preparing the Scheme:
 - consult employees, service users and others (including trade unions);
 - take into account any information it has gathered or considers relevant as to how its policies and practices affect gender equality in the workplace and in the delivery of its services.
- In formulating overall gender equality objectives, consider the need to have objectives to address the causes of any gender pay gap.
- Ensure that the scheme sets out the actions the authority has taken or intends to take to:
 - gather information on the effect of its policies and practices on men and women, in employment, services and performance of its functions;
 - use the information to review the implementation of the scheme objectives;

- assess the impact of its current and future policies and practices on gender equality;
- consult relevant employees, service users and others (including trade unions);
- ensure implementation of the scheme objectives.
- Implement the scheme and their actions for gathering and using information within three years of publication of the scheme, unless it is unreasonable or impracticable to do so.
- Review and revise the scheme at least every three years.
- Report on progress annually.

3. The Race Equality Duty

This came into effect in April 2001, with specific duties operational from December 2001.

(a) The General Duty

This requires public authorities, in carrying out their functions, to have due regard to the need to:

- Eliminate unlawful racial discrimination.
- Promote equality of opportunity.
- Promote good relations between people of different racial groups.

(b) The Employment Duty

This applies to all those covered by the Specific duties and to an additional list of authorities and requires:

- For all sizes of employer - monitoring of staff in post and applicants for employment, training and promotion – by ethnic origin.
- For those with 150 staff or more (full time equivalent) – monitoring of grievances, disciplinary action, performance appraisal, those receiving training and those leaving employment.
- For all employers – annual publishing of monitoring results.

**The Pensions
Regulator
structure**

