

Single equality scheme

2010-2013

This is a consultation document on The Pensions Regulator's ('the regulator') single equality scheme 2010-2013. It asks for your views on our single equality scheme which sets 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.

**The Pensions
Regulator**

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Introduction

This is a consultation document on The Pensions Regulator's single equality scheme 2010-2013.

The single equality scheme covers a 3 year period from 1 April 2010 to 30 March 2013 and replaces our single equality scheme 2007-2010 and disability action plan, both published in May 2007.

This single equality scheme sets out our objectives and priorities for all aspects of equality and diversity – both in the workplace and in our external work with customers.

Background: legal framework

We have produced this single equality scheme to bring together all of the work the regulator is doing on equality and diversity and to ensure that we meet the obligations placed on us by equality legislation and the Public Sector Equality Duties. Our duties are set out in full in section 6 of this single equality scheme.

The law in relation to the public sector duties is due to be simplified and revised in 2011. This single equality scheme will be revised to reflect any changes.

Development of guidance

In developing our single equality scheme we used a range of internal and external sources which are documented in section 3 of the single equality scheme.

Format of guidance

The final single equality scheme will be a web-based document. Users will be able to access it online and download in pdf format, print a copy or request it to be produced in Braille, large print, on audio tape or in other languages.

Consultation questions

The regulator would like to hear from our external stakeholders, including:

- our industry bodies and partner organisations
- our third party service providers
- employers we have a relationship with through our secondment programme
- equality charities

on the areas covered in the single equality scheme.

We would welcome comments on the guidance in general, but would particularly welcome comments on the following specific areas.

General questions

1. Are there any improvements that the regulator can make to ensure that equality is embraced within the areas of our employment practices, policy making and service delivery that are not already covered in our action plan?

Specific questions relating to a section

Section 5: Our single equality scheme

This section sets out the equality priorities of the single equality scheme and how the scheme will be implemented including responsibilities, publication, promotion and progress reports.

1. Do you have any comments on the equality priorities of our 3 year single equality scheme?

Section 6: Our action plan

This section sets out our single equality scheme action plan which covers our employment practices, our policy making and service delivery and our methods of ongoing consultation and involvement with staff and stakeholders.

1. Are there any additional actions that we should include in our single equality scheme?

Responding to the consultation

Responses may be made in either of the following ways:

- By email to:
nicole.mclaren@thepensionsregulator.gov.uk
(documents should preferably be in Word format)
- By post to:
Nicole McLaren
The Pensions Regulator
Napier House
Trafalgar Place
Brighton
BN1 4DW

We may need to share the feedback you send us within our own organisation or with other Government bodies. We may also publish this feedback as part of our response to the consultation. If you wish your comments to remain anonymous, please state this explicitly in your response.

If you wish your response to be kept confidential, please make this known and we will take the necessary steps to meet your request. However, please be aware that, should we receive a formal request under Freedom of Information legislation, we may be required to make your response available. When responding, please advise whether you are responding as an individual or on behalf of an organisation (and if the latter, which organisation).

Closing date

This consultation document was published on **17 November 2010**. The closing date for responses to this consultation is **9 February 2011**.

The Government code of practice on consultation

This consultation is being conducted in line with the 7 criteria of the Government code of practice on consultation:

1. Formal consultation should take place at a stage when there is scope to influence the outcome.
2. Consultations should normally last for at least 12 weeks, with consideration given to longer timescales where feasible and sensible.
3. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence, and the expected costs and benefits of the proposals.
4. Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is designed to reach.
5. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. Officials running consultation exercises should seek guidance in how to run an effective consultation exercise, and share what they have learned from the experience.

Feedback on this consultation exercise

We value your feedback on how well we consult. If you have any comments on the process of this consultation (as opposed to the policy issues raised) please contact our consultation co-ordinator:

- By email to:
laura.butler@thepensionsregulator.gov.uk
(documents should preferably be in Word format)
- By post to:
Laura Butler
The Pensions Regulator
Napier House
Trafalgar Place
Brighton
BN1 4DW

In particular, please tell us if you feel that the consultation does not satisfy the consultation criteria. If you have any requirements that we need to meet to enable you to respond, please let us know.

Impact assessment statement

The Department for Work and Pensions (DWP) is responsible for conducting impact assessments for new legislation affecting the legislative framework for pensions regulation. In some circumstances, it may be appropriate for the regulator to conduct its own impact assessment and publish this as part of its consultation exercise, where proposals have additional costs for the regulated community above those already imposed by the legislative requirements.

In the majority of cases, our proposals will impose no significant additional costs above those already imposed by the legislation. Our 'comply or explain' approach means that where initial analysis suggests that there will be no significant cost impact on the regulated community (and an impact assessment is unnecessary), we should explain the reasons for this opinion clearly when we consult.

Single equality scheme

2010-2013

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Foreword

This year, The Pensions Regulator ('the regulator') completed its first single equality scheme¹ and carried out a 3 year review of progress. Encouragingly, the independent review found that our scheme has been a real success in getting equality related actions firmly on the agenda with considerable progress in many areas.

Building on this success I am pleased to introduce the regulator's draft single equality scheme for 2010-2013. It demonstrates our commitment to integrating equality and diversity into every aspect of our day-to-day business.

The next 3 years will present the regulator with many challenges – an increasing workload as the industry changes shape and prepares for automatic enrolment, and restricted budgets in an environment of constrained public expenditure. This scheme focuses on key outcomes we believe will deliver the most important results and maintain the momentum towards our equality and diversity goals.



Bill Galvin

Acting chief executive,
The Pensions Regulator

Section 1: Introduction to our single equality scheme

This is the regulator's second single equality scheme. The scheme is intended for all our staff, our customers and stakeholders. It sets out the regulator's objectives and priorities for all aspects of equality and diversity – both in the workplace and in our external work with customers and other stakeholders.

Its overall aim is to maintain a culture that is fair and inclusive and that promotes respect for all. Our policy making, service delivery and employment (and those services of functions which are contracted out via voluntary and private sector providers) should be fair and promote equality of outcome, regardless of race, gender, disability, religion or belief, age, sexual orientation and gender reassignment.

The scheme covers a 3 year period from 1 April 2010 to 30 March 2013 and replaces our single equality scheme 2007-2010 and disability action plan.

Our draft single equality scheme and action plan will open for public consultation for 12 weeks in November 2010 and can be found at:

www.thepensionsregulator.gov.uk/docs/single-equality-scheme-consultation-document-nov2010

¹ A full copy of our single equality scheme 2007-2010 can be viewed on our website: www.thepensionsregulator.gov.uk/docs/pensions-regulator-single-equality-scheme.pdf

Section 2: About the regulator

Our statutory objectives

The Pensions Regulator ('the regulator') is the UK regulator of work-based pension schemes. We are empowered by the UK government to regulate work-based pensions.

The Pensions Acts of 2004 and 2008 give us specific objectives:

- To protect the benefits of members of work-based pension schemes.
- To promote good administration and improve understanding of work-based pension schemes.
- To reduce the risk of situations arising which may lead to compensation being payable from the Pension Protection Fund (PPF).
- To maximise employer compliance with employer duties (including the requirement to automatically enrol eligible employees into a qualifying pension provision with a minimum contribution) and with certain employment safeguards.

Our role and functions

Our role is to ensure that people responsible for providing access to and managing work-based pensions fulfill their obligations. We work with trustees, employers, pension specialists and business advisers, providing guidance and education to make clear what is expected of them and enabling them to achieve high standards. Whilst supporting people in meeting their responsibilities, we'll be tough on those who do not respect their obligations.

Our risk-based operational focus means we are better able to target our resources on areas that pose the greatest risk to our statutory objectives, and to take actions that are proportionate to these risks. Our operational approach is to educate, enable, and enforce. Listed below are our key functions, with examples of our activities in 2009-2010:

Educate

- We publish guidance to help trustees and advisers to understand and discharge their responsibilities, including the **Trustee toolkit**, of which there are over 40,000 registered users, in addition to nearly 3,000 users of our bite sized e-learning module.
- We make all our codes of practice and guidance available on our website which receives on average 45,486 visits per month and an average of 250,104 pages viewed monthly.
- We run a programme of communications to the regulated community including trustees, employers and professional advisers. Previous programmes have focused on defined benefit (DB) funding, risks to members of defined contribution (DC) schemes and governance and administration.

Enable

- Through proactive contact with schemes, on requirements including recovery plans and scheme returns, we are able to help them handle scheme-specific risks and to ensure that they comply with regulatory duties.
- We continue to use our outbound telephone campaign capacity as part of our ongoing proactive contact strategy.
- We use low cost email to highlight new publications, guidance and e-learning modules for professionals, trustees and employers – all of which are available via our website.

Enforce

- We make independent trustee appointments and member and third party appointments.
- We work with, and support, other regulators and law enforcement agencies in their investigations as appropriate.
- At any one time we may be considering the use of our powers in a number of cases; however, in most cases to date the potential use of our powers has proved sufficient deterrence to secure a satisfactory outcome.
- Where the regulator considers that certain enforcement action needs to be taken in respect of a pension scheme, the Determinations Panel will ensure that every regulatory decision is made after a full and impartial consideration.

To help us carry out our functions, we:

- Employ people²
- Procure goods, facilities and services
- Screen and impact assess our work.

Our approach to equality and diversity

The regulator is committed to valuing diversity and promoting equality of opportunity. Our aim is to maintain a culture that is fair and inclusive and that promotes respect for all, regardless of their race, gender, disability, religion or belief, age, sexual orientation or gender reassignment.

The regulator is covered by the requirements of the Public Sector Equality Duties³. These legal duties require us to promote, and in some cases monitor, equality in employment and in the delivery of services, in relation to race, gender and disability and to develop a programme of action in support of this. Key elements of these duties are summarised in our action plan in section 6. This scheme sets out how we will meet these legal requirements while also extending it to other areas of equality that we cover – age, religion or belief, sexual orientation and gender reassignment.

To ensure that the regulator brings together all of the work we are doing on equality and diversity, and to meet our legal duties, 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.

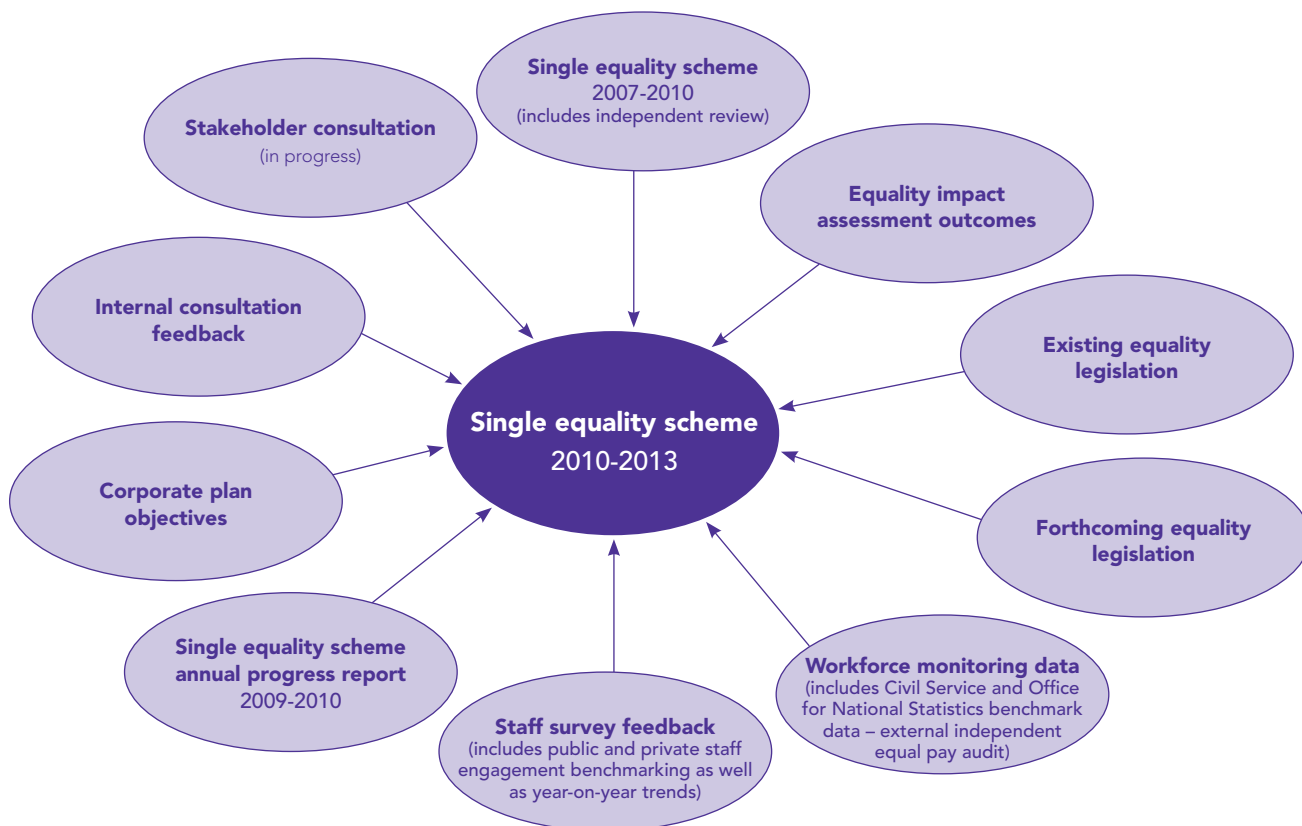
² As at 1 April 2010, the regulator employed approximately 350 staff based in Brighton (245 of these were permanent employees).

³ 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.

Section 3: How we developed the scheme

Our evidence base

In developing our scheme we carried out an evidence-based review using the following internal and external sources:



3 year review of the single equality scheme 2007-2010

In order to provide the foundations for the scheme, we commissioned an independent 3 year review of our single equality scheme 2007-2010 ('3 year review') to assess progress on the action plan and the difference the scheme has made. The 3 year review included an assessment of:

- equality impact assessment outcomes for the period 2007-2010
- compliance with existing equality legislation
- the implications of forthcoming legislation
- workforce monitoring data
- staff survey 2010 feedback
- outcomes from the diversity forum
- supporting evidence for each of the areas of the 2007-2010 action plan, including an assessment of current human resource practices, communications and customer-focused policies, and their practical application within the regulated community.

The full findings of the 3 year review can be found on our website at: www.thepensionsregulator.gov.uk/about-us/diversity.aspx

The findings of this review were used as the basis for further discussions with staff, 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.

Staff involvement

As part of our approach to involve staff we held consultations with our:

- Diversity forum, which consists of a group of staff with different remits and roles within the regulator – including trade union, disabled people and representations from HR, communications, customer relations, procurement and research – and includes a mix of genders, ethnicity, ages and working patterns.
- Executive management team, to discuss the findings and their implications for the organisation as a whole.

Stakeholder involvement

This scheme will be published on our website at: www.thepensionsregulator.gov.uk/doc-library/consultations.aspx in November 2010 and will open to public consultation for a 12 week period.

The consultation will be promoted to our relevant external stakeholders, including the DWP, the regulator's industry bodies and partner organisations, employers with whom we have a relationship through our secondment programme and equalities charities. A list of the external stakeholders we contacted can be found in Appendix 1 on page 30.

The aim of the consultation process is to:

- Ask if there are any improvements that the regulator can make to ensure that equality is embraced within the areas of our employment practices, policy making and service delivery that are not already covered in our action plan.
- Invite comments on the equality priorities of our 3 year single equality scheme.
- Ask if there are any additional actions that we should include in our single equality scheme.

The feedback from our engagement with stakeholders will be reviewed and fed into our scheme.

Section 4: Our feedback

1. Our employment practices

a) Workplace culture

i) Our approach

We aim to ensure that staff and job applicants have equality of opportunity for employment and advancement. This is on the basis of ability, qualifications and suitability for the work. This is regardless of race, gender, disability, religion or belief, age, sexual orientation, gender reassignment 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 do this through the use of:

- a human resources ("HR") strategy which is designed to:
 - ensure there is an ethical approach to managing people that is based on a concern for people, fairness and transparency
 - ensure people are valued and rewarded for what they achieve
 - place real value on having a range of capabilities and backgrounds within the organisation.
- Underpinning the HR strategy, diversity is embedded in our:
 - learning and development strategy
 - competency framework
 - approach to recruitment, reward and benefits
 - HR policies, including: equal opportunities, dignity at work, grievance and discipline and flexible working policies
 - diversity workforce monitoring.

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1. Our employment practices continued...

a) Workplace culture continued...

ii) Key findings

Our 3 year review found that although much work has been done in this area:

- We need to highlight our approach to equality, promoting it more widely than the website
- We need to monitor the impact of our flexible working policy
- There is scope to further strengthen our recruitment and selection process, taking further steps to consider the needs of disabled applicants and maximising opportunities to recruit from diverse groups
- No impact assessment was conducted when developing the dignity at work policy and evidence from the staff survey suggests further work on promoting the policy, and our wider commitment to diversity, would be beneficial.

Our diversity forum confirmed we need to:

- continue to raise staff awareness, engage managers and promote our diversity initiatives and forum
- provide more communication around the area of disability
- continue to promote our approach to equality and diversity through our induction programme.

Our staff survey data indicated that:

- 78% of all staff believe they are treated with fairness and respect, which was above public and private sector benchmarks
- 88% of staff believe the regulator to be an equal opportunities employer (again higher than public and financial sector benchmarks)
- Whilst the numbers of disabled respondents was small (4% of all respondents), their responses to many of the staff survey questions were consistently less positive by 5 percentage points or more.

The forthcoming legislation requires us to:

- Review our practices in relation to employment, service delivery and policy making in light of the Equality Act 2010 and The Public Sector Duties 2011.

iii) Areas for our action plan

- We will consider ways to further highlight and promote our approach to equality.
- We will monitor the outcome of requests for flexible working and include the results in our annual report of progress.
- We will ensure that all our policies and practices (including this scheme) are updated to reflect the Equality Act 2010 and The Public Sector Duties 2011 and that managers and staff are trained in the changes.

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1. Our employment practices continued...

b) Workforce diversity

i) Our approach

The regulator gathers workforce monitoring data inclusive of gender, ethnicity, age, sexuality, disability and religion and publishes the results on an annual basis. A copy of our annual monitoring data can be found in our 'Single equality scheme annual reports of progress 2009-2010' published on our website. This report addresses the Race Equality employment duty to monitor applications for employment, promotion, grievances, disciplinary action, performance appraisal, those receiving training and those leaving employment by ethnic origin.

ii) Key findings

Our workforce monitoring data for 2009-2010 shows that:

- Our profile has remained broadly consistent over the last year with a predominantly white workforce.
- Our monitoring statistics show that 2.5% of the workforce declare a disability, however 4% of respondents to the recent 2010 staff survey declared a disability. This suggests that the number of employees with a disability is higher than recorded. Some employees have a disability, but choose not to report it.
- It is clear from the relatively high level of 'no responses' and feedback from our diversity forum that we need to better promote our data collection approach so that we have more comprehensive data to analyse.

At present, we monitor applications for employment, promotion, grievances, disciplinary action, performance appraisal, and those leaving employment by ethnic origin. However, there is no centralised recording system to collect data in respect of applications for training. Work is planned for 2010-2011 to enable compliance with current race equality duty legislation.

We implemented the removal of our compulsory retirement age of 65 in June 2010 and sponsor the Windsor Fellowship⁴ internship programme. Both of these may result in changes to our overall workforce profile – although as a small organisation we appreciate that this may take time before any potential impact can be seen.

Our 3 year review suggests that priority must be given to the implementation of an upgraded HR system to enable us to better gather and analyse workforce data.

iii) Areas for our action plan

- We need to better promote our data collection approach so that we have more comprehensive data to analyse.
- We need to continue positive action initiatives, such as the Windsor Fellowship, to reach out to diverse communities and ensure that our staff profile is as inclusive as possible.
- We need to monitor the impact of the removal of our compulsory retirement age.
- We need to ensure legal compliance by setting up a process to monitor training applications.

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⁴ The regulator sponsors the Windsor Fellowship's Leadership Programme for Undergraduates (LPU). This is designed for Black, Asian and minority ethnic undergraduates who have already exhibited talent and potential. The programme is composed of intensive residential seminars, a Personal Enhancement Programme (PEP), a summer internship with the sponsoring organisation and voluntary work which each fellow selects for themselves.

1. Our employment practices continued...

c) Equal pay

i) Our approach

The regulator has an equitable remuneration strategy, aligned to the competency framework and practices, which includes an equality-proofed job evaluation system and payment of non-progression based market rates. A full equal pay audit is carried out every 3 years.

ii) Key findings

- The last equal pay audit was carried out in 2009 and no significant pay differentials relating to gender, race, disability, age, part-time working or length of service were identified. A summary of the findings can be found in 'The Pensions Regulator's commitment to diversity and the single equality scheme: Annual report 2008-2009' on our website.
- Results of the staff survey 2010 indicate that 63% of respondents feel their pay is fair. This is an increase on previous years (59% for 2009 and 56% for 2008). A higher percentage of women than men believe their pay is fair (66% v 62%).

iii) Areas for our action plan

- A further equal pay audit will be required by 2012.

d) Flexible working

i) Our approach

The regulator offers a range of flexible working practices including flexible attendance and a formal flexible working patterns policy.

ii) Key findings

- Our workforce monitoring data shows that 23% of women and 4% of men work part-time.
- Our staff survey 2010 shows a positive response – 78% of staff believe they are able to strike the right balance between work and home life.
- The regulator removed its compulsory retirement age of 65 in June 2010.

iii) Areas for our action plan

- The results of flexible working monitoring should be included in our single equality scheme annual report of progress for 2010-2011.
- The impact of removing the compulsory retirement age on the regulator's workforce age profile and HR policies should be monitored.

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1. Our employment practices continued...

e) Working environment

i) Our approach

We take practical steps to provide a fair and inclusive working environment. We have an accessible building and are able to provide reasonable adjustments to ensure an accessible and adaptable workplace.

ii) Key findings

- Our 3 year review found that considerable work has been done in ensuring that our working environment is fair and inclusive.
 - Our staff survey 2010 shows that 88% of staff are satisfied with their physical working conditions.
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iii) Areas for our action plan

- Office/physical facilities should be kept under ongoing review to ensure they meet the needs of disabled people.

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2. Our policy making and service delivery

a) Equality impact assessments and monitoring

i) Our approach

We have a process for carrying out equality impact assessments to identify the extent to which key elements of the regulator's policy and practice provide fair access to opportunities within the organisation, or to the services it provides. A copy of our equality impact assessment template can be found in Appendix 2 on pages 31 to 35.

The results of our equality impact assessments are published on our website.

ii) Key findings

- Our 3 year review found that:
 - More attention needs to be given to the way equality impact assessments are carried out. A greater focus needs to be placed on identifying and establishing an evidence base in order to inform decisions that will deliver positive outcomes
 - All new policies (both internal policies for employees and external customer-focused policies) need to be screened to take account of equality issues preceding any policy development; and all existing policies should be monitored on an ongoing basis
 - All managers who are responsible for policies, services and functions need to take ownership of equality impact assessments within their area – they need to be aware of their obligations and be capable of meeting them
 - Partnership working with other organisations should be considered: either locally or with organisations whose focus relates to financial regulation and employer compliance in order to minimise duplication of effort and enable more meaningful consultation and involvement.
- Our diversity forum is keen for us to provide easy-to-use frameworks and tools.

iii) Areas for our action plan

- The equality impact assessment process should be embedded as part of our normal day-to-day work. We will do this by:
 - Revising our existing equality impact assessment guidance and tools (ensuring they are updated to reflect the new duties in 2011) so that they are easy to use
 - Providing all managers who are responsible for policies, services and functions with training on their duties (particularly the new duties in 2011) and the equality impact process
 - Monitoring and providing support to those undertaking equality impact assessments and implementing measures.

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2. Our policy making and service delivery continued...

b) Communications

i) Our approach

We seek to ensure that the guidance and support we provide for customers through our regulatory communications programme, our Customer support team and our website is accessible and appropriate to their needs. Our published documents can be produced in Braille, large print, audio or other languages and we have a Welsh language scheme. Our website has text size adaptability and is compliant to W3C AA level.

ii) Key findings

- The 3 year review found that:
 - Our communications approach is undergoing a full equality impact assessment
 - Our website has been updated to provide targeted content across the different audience types, as well as more general improvements to the quality of the service and user experience
 - The trustee section of the website includes a wide range of materials to support trustees, including access to an e-learning programme. Although compliant to W3C AA level, there is no indication in the instructions on how accessible the programme would be for someone with a hearing or visual impairment, nor is there any statement about who to contact regarding a more accessible version if required. There has been no dialogue with an external disability reference group, who would review and test the website from an accessibility perspective
 - There is no statement on the diversity page to inform visitors of the availability of the single equality scheme or annual reports of progress in other formats or languages, however this can be found elsewhere on the site
 - Contact information on the website provides telephone, fax, email and postal information but does not offer any textphone facility
 - Work is underway to set up appropriate information services to support all the employers who will be required to comply with new legislation regarding pension reform. An initial equality impact assessment screening exercise has been carried out and further impact assessments will be carried out during development and implementation of these services.

iii) Areas for our action plan

- The equality impact assessment for communications should be completed – and include – consideration of a textphone facility, providing easy-to-read formats for customers (in respect of the complaints process or whistleblowers), translation services (where appropriate) and an external disability reference group.
- Reference to the availability of the single equality scheme or annual reports of progress in other formats or languages should also be included.

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2. Our policy making and service delivery continued...

c) Research

i) Our approach

We carry out regular research to maintain a sound understanding of developments in the pensions environment, track stakeholders' views of the effectiveness of the regulator, and to inform our strategies, policy and communications activities. As our current audiences are mainly trustees, employers, professional advisers and industry providers, we do not always cover diversity in full in every research study, as it is not always appropriate.

ii) Key findings

- Our 3 year review found that continued effort devoted to understanding our audiences is needed. This area is undergoing a full impact assessment

iii) Areas for action plan

- The equality impact assessment on research should be completed

d) Procurement

i) Our approach

We source goods, facilities and services from external suppliers and we seek to ensure that the suppliers and contractors with which we conduct our business do not operate in a way that contradicts legislation or the regulator's policy on equality. We do this through the use of:

- a diversity impact assessment included as part of the evaluation criteria for all bidders
- a vendor form to capture information at the 'supplier creation' stage – allowing us to measure and monitor small and medium-sized employer's usage and spend
- a pre-qualification questionnaire containing key questions on diversity and requesting the production of the company's diversity policy
- key equality and diversity clauses in our terms and conditions covering goods, services and consultancy terms and conditions
- staff awareness training.

We include contractual clauses to ensure that external suppliers are legally obliged to deliver to our policies and guidelines.

ii) Key findings

- Our 3 year review found that much work has been done in this area following a full impact assessment in 2008 and equality and diversity has been embedded within the procurement process. The new procurement policy took effect as of February 2010 and the procurement team is making changes to their systems to analyse the monitoring data gathered. This is included as a new key performance indicator for 2010-2011.
- Procurement is expected to be a key focus for the new Public Sector Equality Duties 2011.

iii) Areas for our action plan

- The outcomes of our key performance indicators should be monitored and reported on.
- We need to ensure that our procurement policies comply with the Equality Act 2010 and the Public Sector Equality Duties 2011.

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3. Continuing consultation and involvement

a) Staff involvement

i) Our approach

- We have an established diversity forum. The forum is made up of a representative group of staff, including our trade union and disabled people. The forum meets twice a year and invites staff to review and monitor progress against our action plan and highlight issues that need addressing. The forum has informed the development of the single equality scheme, including identifying priorities for the next 3 years.
- We carry out regular staff engagement monitoring which includes obtaining feedback on staff perceptions of equality and diversity issues.
- We are members of the Stonewall Diversity Champions programme which helps us enhance lesbian, gay, bisexual and transgender equality in the workplace.

ii) Key findings

- Our 3 year review found that:
 - our diversity forum needs to encourage staff with visible and invisible disabilities to get involved for it to be as representative as possible
 - it is important to continue work with Stonewall and other relevant diversity action groups as part of our commitment to equality and diversity.
- Our diversity forum:
 - would like us to consider re-submitting an entry into the Stonewall Workplace Equality Index
 - is keen to explore and action specific diversity-related improvements or issues as they arise (with working groups formed from the main diversity forum).

iii) Areas for our action plan

- Better representation of disabled people within our diversity forum should be encouraged and the forum membership should be utilised for topic-specific task groups.
- Re-submission of an entry into the Stonewall Workplace Equality Index should be considered.

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3. Continuing consultation and involvement continued...

b) Stakeholder involvement

i) Our approach

Our current audiences are mainly trustees, employers, professional advisers and industry providers. We place a priority on our understanding of, and engagement with, our regulated community. As outlined in 2)c)i), we carry out regular research to maintain a sound understanding of developments in the pensions environment, to track stakeholders' views of the effectiveness of the regulator, and to inform our strategies, policy and communications activities.

ii) Key findings

- Our 3 year review found that:
 - We need to strengthen our approach to engagement; greater efforts are needed to identify opportunities to engage with, and involve, stakeholders, services users and customers. Whilst the majority of these are presently companies and organisations, the regulator has a duty to engage with representatives from these organisations and engage more widely with other diverse groups.
 - We need to place greater emphasis on the extent to which the services the regulator provides take account of disabled people, through evidence gathered via consultation, involvement and monitoring. We need to give this area greater focus – beyond using the diversity forum – and need to consult more widely with employees and stakeholders, such as disabled trustees or disabled users. Where no action is required, or needs are being met, then this needs to be documented.
-

iii) Areas for our action plan

- We need to consider ways to further enhance our engagement and involvement with stakeholders and wider representative groups, to document our approach and to establish measures of progress.

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Section 5: Our single equality scheme

Our equality priorities

Following a review of the feedback we received about equality and diversity within the regulator, we have identified the following key priorities which form the basis for our single equality scheme action plan for 2010-2013. These priorities address the most significant gaps within our existing employment practices, policy making and service delivery:

- **Mainstreaming**
Integrating equality and diversity into policy development, implementation, evaluation and review. Each part of the organisation is able to accept responsibility for promoting equality of opportunity and challenging discrimination.
- **Raising awareness**
Building the capacity knowledge, understanding and commitment of all our staff to both meet our statutory obligations and to encourage and promote equality and diversity (through training and provision of accessible tools).
- **Engagement**
Increasing the involvement of under-represented groups in all our internal and external policies and services.
- **Data collection**
Improving our data/evidence base, in order to understand more about the issues that our employees, customers and stakeholders face, so that we can better address disadvantage and inequality, review progress and measure success.

Internal responsibility and progress reports

- Our chief executive has overall responsibility for ensuring that the scheme is implemented.
- The scheme is co-ordinated by the human resources business unit.
- Our action plan outlines the timescales for action and accountabilities for each of the key elements of the single equality scheme.
- Progress on specific elements of the scheme will be overseen and reviewed at business leader level.
- The board and executive management team receive annual reports of progress.
- The equality and diversity forum meets regularly to review and monitor progress and will highlight issues that need addressing.
- The scheme will be fully reviewed after 3 years.

External publication, promotion and progress reports

The single equality scheme will be published on the regulator's website along with an annual review of progress and the results of reviews and equality impact assessments.

The scheme will also be promoted to relevant external stakeholders, including recruitment agencies and our third party service providers.

Section 6: Our action plan

The actions set out in this plan relate to what we do as an organisation.

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. 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. As a general principle, wherever one of the duties has a more detailed requirement, we aim, as a matter of good practice, to match this requirement across each of the 3 duties.

The actions in the plan have been prioritised to address our most significant areas of weakness in our approach, and will be delivered in line with our financial budgets.

Our equality duties

The 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)⁵. The main requirements of these duties are summarised⁶ in the tables on pages 24 and 25.

We have certain legal obligations under the 3 equality duties to promote equality in the areas of disability, gender and race. These areas can be found on pages 24 and 25.

Our action plan can be found on pages 26 to 29 and each action in the plan relates to one or more parts of a given duty. For ease of reference, the action plan includes a column showing which action relates to which duty.

⁵ 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.

⁶ 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.

Our disability duties require us to carry out our functions, having due regard to the need to:

1. Promote equality of opportunity between disabled persons and other persons.
2. Eliminate discrimination that is unlawful under the Act.
3. Eliminate harassment of disabled persons that is related to their disabilities.
4. Promote positive attitudes towards disabled persons.
5. Encourage participation by disabled persons in public life.
6. Take steps to take account of disabled persons' disabilities – even where that involves treating disabled persons more favourably than other persons.
7. Produce a disability equality scheme and to:
 - a) Involve disabled people in developing this scheme
 - b) 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')
 - the regulator's arrangements for gathering information on employment and, where appropriate, delivery of education and its functions
 - arrangements for putting the information gathered to use – in particular reviewing the effectiveness of the regulator's action plan and preparing subsequent schemes.
8. Take the steps set out in our action plan (unless unreasonable or impractical to do so) and put into effect the arrangements for gathering information and making use of it within 3 years of the scheme being published.
9. Publish a report with:
 - a summary of the steps taken under the action plan
 - the results of information gathering
 - the use to which the regulator has put the information.

continued over...

Our gender equality duties require us to have due regard to the need to:

10. Eliminate unlawful discrimination and harassment (including discrimination and harassment for people who intend to undergo, are undergoing, or have undergone, gender reassignment).
11. Promote equality of opportunity between men and women in all of our functions.
12. Prepare and publish a gender equality scheme showing how the regulator intends to fulfill the general and specific duties and setting out its gender equality objectives.
13. Consult employees, service users and others (including trade unions) in preparing the scheme.
14. Take into account any information we have gathered or considered relevant as to how policies and practices affecting gender equality in the workplace and in the delivery of our services.
15. Formulate overall gender equality objectives and consider the need to have objectives to address the causes of any gender pay gap.
16. Ensure that the scheme sets out the actions the regulator 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.
17. Implement the scheme and our actions for gathering and using information within 3 years of publication of the scheme, unless it is unreasonable or impracticable to do so.
18. Review and revise the scheme at least every 3 years.
19. Report on progress annually.

Our race equality duties require us to:

20. Eliminate unlawful racial discrimination.
21. Promote equality of opportunity.
22. Promote good relations between people of different racial groups
23. Monitor staff in post, applicants for employment and promotion, grievances, disciplinary actions, performance appraisals, those receiving training and those leaving employment, by ethnic origin.
24. Publish the results of monitoring annually.

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Our action plan

We educate, enable and enforce					
Reference number	Outcomes	Action	Timescale	Lead responsibility	Equality duty relevance
1.	Our methods of communicating are accessible to all	Finalise the communications equality impact assessment and add outcomes to the action plan	Year 1 (2010-2011)	Head of Customer and Channels (supported by the Head of HR)	Disability: 1, 5, 6 Gender: 11 Race Duty: 20, 21
2.	We have a proportionate evidence base that covers all appropriate equality areas, and is used to inform our ongoing work	Finalise the research equality impact assessment and add outcomes to the action plan	Year 1 (2010-2011) and ongoing	Head of Strategic Research and Analysis (supported by the Head of HR)	Disability Duty: 7b Gender Duty: 15 Race Duty: 20
3.	We engage and work with stakeholders and wider representative groups	Explore opportunities to work with key external stakeholders (eg Employers Forum on Disability, Opportunity Now, Employers Forum on Age, Employers Forum on Religion and Belief (to continue to review our equality and diversity performance; and consider working in collaboration with diversity-based organisations or linking with diversity networks within DWP or other relevant public sector organisations)	Year 3 (2012-2013) and ongoing	TBC	Disability: 1-9 Gender: 10-18 Race Duty: 19-23
We employ people					
4.	Provision of opportunities for under-represented groups and widening of the pool from which our staff are drawn	Implementation of the Windsor Fellowship internship programme for 2010 and 2011	Year 1 (2010-2011) and ongoing	Head of HR	Race: 20, 21
5.	Compliance with the Equality Act 2010	5.1 Review and update all relevant policies and training materials to comply with the Equality Act 2010 5.2 Provide line managers with training on the Equality Act 2010	Year 1 (2010-2011)	Head of HR (with specific changes allocated to relevant business leaders as appropriate)	Disability: 1-6 Gender: 10, 11 Race: 19, 20, 21
6.	Compliance with the Public Sector Equality Duties 2011	6.1 Review and update all relevant policies and training materials 6.2 Provide training for managers and staff on the Public Sector Equality Duties 2011	Year 1 (2010-11)	Head of HR (with specific changes allocated to relevant business leaders as appropriate)	Disability: 1-9 Gender: 10-18 Race: 19-23

We employ people continued...					
Reference number	Outcomes	Action	Timescale	Lead responsibility	Equality duty relevance
7.	Workforce monitoring is compliant with the requirements of the Race Equality Duty	Establish a process to monitor applications for training	Year 1 (2010-11)	Learning adviser	Race: 22
8.	Promotion of our flexible working approach through our workforce monitoring	Monitor uptake of flexible working by equality profile and measure progress annually.	Year 1 (2010-11)	HR adviser (employee operations)	Disability: 1, 2 Gender: 10, 11 Race: 19, 20, 21
9.	Promotion of our approach to greater workforce diversity	9.1 Monitor impact of removal of retirement age 9.2 Monitor impact of Windsor Fellowship	Year 1 (2010-2011)	9.1 Head of HR 9.2 HR business/secondment partner	Age Race: 20, 21
10.	Ensure that our working environment and application of policies is fair and inclusive so staff feel confident that where bullying/harassment is reported action will be taken and without a negative impact	10.1 Carry out an equality impact assessment dignity at work policy 10.2 Promote the dignity at work policy to all staff	Year 2 (2011-2012)	Head of HR	Disability Duty: 1-7 Gender Duty: 10-11 Race Duty: 19-22
11.	Promotion of our approach to equality and diversity via our internal communications	Review induction material for new recruits	Year 2 (2011-2012)	Head of HR	Disability: 1-9 Gender: 10-18 Race Duty: 19-23
12.	Disabled staff are fully supported in all areas of their employment	12.1 Review our recruitment and selection process bearing in mind the needs of disabled applicants 12.2 Review ways to support disabled staff (eg IT systems) and ensure representation	Year 2 (2011-2012)	12.1 Head of HR 12.2 Head of HR (with specific changes allocated to relevant business leaders as appropriate)	Disability: 1-9
13.	We improve the percentage of applicants and employees who record information about disability, religion or belief and sexual orientation, or state that they would prefer not to	Actively promote the use and benefits of our monitoring process to applicants during our recruitment practices	Year 2 (2011-2012)	Head of HR	Disability: 1-9 Gender: 10-18 Race Duty: 19-23

We employ people continued...					
Reference number	Outcomes	Action	Timescale	Lead responsibility	Equality duty relevance
14.	Monitor and address any pay gaps across the regulator	Carry out an equal pay audit	Year 3 (2012-2013)	Head of HR	Gender Duty: 14
15.	We promote our approach to equality and diversity via our internal and external communications	Communicate internally and externally to raise the diversity profile	Year 3 (2012-2013)	Head of HR	Disability: 1-9 Gender: 10-18 Race: 19-23
16.	We maximise opportunities to recruit from diverse groups	Review recruitment process to establish opportunities to encourage applications from individuals of more diverse groups	Year 3 (2012-2013)	Head of HR	Disability: 1, 5 Gender: 10, 11 Race: 19, 20
17.	Support staff with specific equality and diversity issues	Evaluate the benefits of submitting an entry to the Stonewall Workplace Equality Index	Year 3 (2012-2013)	Head of HR	Gender: 10-11
We procure goods, facilities and services					
18.	Though procurement we achieve a diverse supply chain and our contracts are governed by a robust equality framework	Monitor the implementation of the procurement strategy and take action accordingly	Year 1 (2010-2011)	Procurement lead	Disability: 1-9 Gender: 10-18 Race Duty: 19-23
We screen and impact assess our work					
19.	We have a robust and transparent equality impact assessment process	Review equality impact assessment guidance and template	Year 1 (2010-2011)	Head of HR	Disability: 1-9 Gender: 10-18 Race Duty: 19-23
20.	Our employees are equipped with the skills they need to carry out equality impact assessments	Provide equality impact assessment training to key staff (especially business leaders and managers) in the business	Year 2 (2011-2012)	Head of HR	Disability: 1-9 Gender: 10-18 Race Duty: 19-23
21.	Equality impact assessment process is embedded and working well	Monitor and review the equality impact assessment process	Year 3 (2012-2013)	Head of HR	Disability: 1-9 Gender: 10-18 Race Duty: 19-23

We publish and review our single equality scheme					
Reference number	Outcomes	Action	Timescale	Lead responsibility	Equality duty relevance
22.	Implement our single equality scheme and monitor and publish our findings annually	Produce single equality scheme and action plan 2010-2013 and promote the scheme internally and externally	Year 1 (2010-2011)	Head of HR	Disability: 7-9 Gender: 13-18
23.	We review progress against our single equality scheme 2010-2013	Carry out a 3 year review of our single equality scheme 2010-2013	Year 3 (2012-2013)	Head of HR	Gender: 17
24.	Implement a single equality scheme for 2013-2016	Produce new single equality scheme	Year 3 (2012-2013)	Head of HR	Disability: 7

Appendix 1:

List of external stakeholders

1. Department for Work and Pensions (DWP)
2. The regulator's industry bodies and partner organisations
3. Employers we currently have a relationship with through our secondment programme
4. Windsor Fellowship
5. The Work Foundation
6. Schneider-Ross diversity consultants
7. Stonewall
8. Race for Opportunity
9. Opportunity Now
10. Employers Forum on Age
11. Employers Forum on Disability
12. Employers Forum on Religion and Belief
13. General public, via The Pensions Regulator's website

Appendix 2: Template for equality impact assessments

Part 1: Initial questions The policy or service		
Question	Comment	More information needed?
1. What is the aim or purpose of the policy, service or practice?		
2. Who is it aimed at (eg everyone, particular categories or groups of people)?		
3. Could the aims be in conflict with equal opportunities or good relations between groups (eg who is it intended to benefit)?		
4. Are there any criteria, requirements or processes that could contribute to inequality (eg who is eligible, access to information, location)?		
5. Is there scope for inconsistency/ different treatment in how it is applied or delivered?		
6. Does the policy/service/ practice include any measures designed to meet special needs, or to promote equal opportunities or good relations between groups?		

Part 1: Initial questions continued...						
General impressions						
Question	From consultation	Surveys/ research	Regular monitoring	Complaints	Other feedback	National/ wider data
7. What information do we have on its impact in general terms (eg popularity, high rates of complaints, changes requested)?						
Question	Different ethnic groups	Gender	Disability	Other issues eg age, religion		
8. Do we have any information, currently, on the impact of the policy, service or practice for different groups eg from community feedback or staff perceptions? (Indicate whether the impact is positive, negative or neutral)						
Part 2: Assessing feedback and practical outcomes						
Question	Different ethnic groups	Gender	Disability	Other issues eg age, religion		
1. What does available data/results of consultation indicate on take up/usage by different groups? Indicate whether there is No difference/possible adverse impact/possible positive impact/not known						
2. Is there insufficient data from which to judge comparative impact?						
3. Is there any detailed information on comparative impact (eg regarding individual ethnic groups, specific disabilities etc)? Please mark with an * and expand in the bottom box on page 33.						

Part 2: Assessing feedback and practical outcomes continued...				
Question	Different ethnic groups	Gender	Disability	Other issues eg age, religion
4. How can we find out more?				
5. If there is adverse impact, what are the possible or likely reasons?				
6. Is the adverse impact directly or indirectly discriminatory?				
* Detailed information on any of the above groups (See question 3 on page 32)				

Part 3: Initial recommendations
<p>What changes or practical measures would achieve the policy's aim – without causing adverse impact (eg changes in communication methods, eligibility criteria, outreach, measures to build awareness)?</p>
<p>* For particular ethnic groups</p>
<p>* Gender</p>
<p>* Disability</p>
<p>* Other</p>

Part 4: Further steps

1. What are the main data gaps?

2. How can we obtain a fuller assessment of impact (eg consultation, surveys, group discussions, pilot projects, complaints and customer feedback)?

3. Who should be consulted and how?

4. What do we need to do next?

5. Who will be responsible?

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Consultation document

Single equality scheme 2010-2013

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