

HM Inspectorate of Probation



Race, Disability and Gender Equality Scheme

2007–2010

FOREWORD

by

Andrew Bridges HM Chief Inspector of Probation

I am pleased to introduce HMI Probation's first Single Equalities Scheme detailing our objectives which are intended to address race, disability and gender equality within our own organisation and with the work of those we inspect.

We have set ourselves an overarching objective of working to remove improper discrimination in the criminal justice system. In our core inspection programmes we assess what measures the Probation Service, National Offender Management Service and Youth Offending Teams have in place to address the diverse needs of adult offenders and children and young people who have committed offences. We also look for evidence of positive recruitment, development and retention practices in relation to all staff which leads to an appropriately diverse workforce. The same approach is taken to partnership and community-based work by these organisations.

Within our own organisation we have developed a wide ranging approach to promoting diversity through our Diversity Action Plan which is published on our website. Measures include staff training, positive action to recruit black and minority ethnic inspection staff and recruitment of Welsh speaking inspectors.

This scheme brings together our ongoing work towards race and gender equality, with a new emphasis on disability. Impact assessments regarding all three equalities are planned in relation to our inspection methodology during 2007/2008. As a very small organisation of only 50 people, we also plan during the year to consult with those who have identified themselves as having a disability about both our internal and external work.

Through induction, training and the appraisal process all HMI Probation staff are encouraged to consider promoting diversity across all areas of their work. In our view this scheme provides a template for action over the coming three years.

ROLE OF HMI PROBATION

Statement of purpose

HMI Probation is an independent Inspectorate, funded by the Home Office and reporting directly to the Home Secretary. Our purpose is to:

- report to the Home Secretary on the effectiveness of work with individual offenders, children and young people aimed at reducing reoffending and protecting the public, whoever undertakes this work under the auspices of the National Offender Management Service or the Youth Justice Board
- report on the effectiveness of the arrangements for this work, working with other Inspectorates as necessary
- contribute to improved performance by the organisations we inspect
- contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners
- promote actively race equality and wider diversity issues, especially in the organisations we inspect
- contribute to the overall effectiveness of the criminal justice system, particularly through joint work with other inspectorates.

Our Annual Plan sets out our work for the year. It is agreed between the Home Secretary and HM Chief Inspector and is published on our website.

Home Office Objectives

HMI Probation contributes to the achievement of the overall Home Office objective of protecting the public, and particularly to the achievement of Home Office objective 5:

"Managing offenders to protect the public and to reduce reoffending".

We also contribute to the achievement of objective 2 (cutting crime, particularly violent and drug-related crime) and of objective 4 (rebalancing the criminal justice system in favour of the law-abiding majority and the victim), and to other relevant criminal justice system and Children's Services objectives.

HMI Probation Code of Practice

While carrying out our work we aim in particular to follow the Government's ten principles of inspection in the public sector, namely that inspection should:

- have the purpose of improving the service inspected
- focus on outcomes
- have a user perspective
- be proportionate to risk
- encourage rigorous self-assessment by the managers of the service inspected
- use impartial evidence
- disclose the criteria used to form judgements
- show openness about inspection processes
- have regard to value for money
- continually learn from experience.

To achieve our purposes and meet these principles, we aim to:

- work in an honest, professional, fair and polite way
- report and publish inspection findings and recommendations for improvement in good time and to a good standard
- promote race equality and wider attention to diversity in all aspects of our work, including within our own employment practices and organisational processes
- minimise the amount of extra work arising for probation areas or Youth Offending Teams as a result of the inspection process.

While carrying out our work we are mindful of Ministerial priorities and the Strategic Plan for the Criminal Justice System. We work closely with other criminal justice Inspectorates through the Criminal Justice Chief Inspectors' Group, and also with Inspectorates involved with work with children and young people. In addition, through a Probation Inspection and Audit Forum, we work closely with the Audit Commission, the National Audit Office and the Home Office Audit and Assurance Unit.

Developing the Scheme

We are a small organisation numbering a total of just 50 salaried staff.

Staff are employed under different arrangements and therefore subject to different conditions. These include a number on secondment from HMI Constabulary, the Commission for Social Care Inspection and probation areas – each is subject to their parent organisation's conditions. Others are recruited directly using Home Office procedures and are thereafter subject to mainstream civil service conditions.

Our approach to equalities and diversity has been developed internally. We publish our Diversity Action Plan on the HMI Probation website. However, our main activities are carried out within the organisations we inspect and we consult widely with them about our inspection criteria and methodologies. We also ask for and obtain feedback during every inspection.

One of HM Inspectors has time dedicated to diversity and leads on this on behalf of the Chief Inspector. Work is directed by a multi-grade Diversity Working Group chaired by an Assistant Chief Inspector. It is also reported on or developed at a regular session at the bi-monthly staff meeting.

Equality Approach

Our approach both to inspection and how we manage ourselves has always been to consider diversity from an all-inclusive perspective. All aspects of diversity are considered under the following headings: Leadership, Staffing, Training and Resources and Involving Stakeholders.

Our overarching objective is to work towards removing improper discrimination in the criminal justice system and we make our contribution in the role of a statutory independent Inspectorate as described above. The Chief Inspector reports directly to the Home Secretary on this and other matters.

Monitoring and Evaluation

We assess the quality of work (by whoever undertakes it) to address the diverse needs of adult offenders and children and young people to prevent reoffending. Our methodologies emphasise the need to assess and plan for difference as an essential element of quality work in the supervision of offenders and children and young people.

We report on the quality of work in an area, and require Improvement Plans to be prepared four weeks from publication to address any shortfall. Agencies have a duty to report on progress through regional management structures and ultimately to Ministers.

From time to time we publish analysis of national performance against inspection criteria relating to diversity which is intended to assist those seeking to improve their performance. This is to be found on our website.

Internally we review achievement against our Action Plan on a six-monthly basis and take remedial action if necessary, e.g. in establishing a positive action scheme to recruit black and minority ethnic inspection staff in 2006 and 2007.

We report on our internal achievements in our Annual Report published in July of each year.

RACE EQUALITY ACTION PLAN

Outcome	Actions	Owner	Timescales
Race equality and other aspects of diversity continue to be integral to the Offender Management, Youth Offending Team, Thematic and Supporting People inspections	<ul style="list-style-type: none"> A clear definition of what we mean by good practice in relation to diversity, and how we expect to see it implemented, is included in inspection criteria and guidance to assessment. 	<ul style="list-style-type: none"> Assistant Chief Inspectors with responsibility for programme management 	<ul style="list-style-type: none"> Included in current guidance Reviewed annually
	<ul style="list-style-type: none"> An assessment of the impact of our inspection practice on internal and external stakeholders to be carried out to ascertain if it has a differential impact on people from black and minority ethnic groups. To consult internally and externally during this process and publish outcomes including Action Plans. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> Assessment by September 2007 Publish by January 2008
	<ul style="list-style-type: none"> Individual and summary reports detailing our findings, including on the quality of work and outcomes for black and minority ethnic offenders and children and young people, continue to be published regularly. 	<ul style="list-style-type: none"> Information Team 	<ul style="list-style-type: none"> Individual reports published within approximately three months of inspections
	<ul style="list-style-type: none"> Inspection findings are promoted to encourage good practice and published on our website. 	<ul style="list-style-type: none"> Assistant Chief Inspectors with responsibility for programme management 	<ul style="list-style-type: none"> At the end of each region for Offender Management and Phase for Youth Offending Team inspections

	<ul style="list-style-type: none"> • Priority is given to diversity at management and staff meetings to ensure that it is built into and sustained in all our work. 	<ul style="list-style-type: none"> • Chief Inspector 	<ul style="list-style-type: none"> • Bi-monthly
HMI Probation's internal procedures and functions promote race equality which ensure a representative group of staff that reflects the agencies we inspect	<ul style="list-style-type: none"> • Continue to conduct internal monitoring of all staff to ensure that black and minority ethnic staff make up a representative proportion at all levels. 	<ul style="list-style-type: none"> • Assistant Chief Inspector Support Services 	<ul style="list-style-type: none"> • Each January
	<ul style="list-style-type: none"> • Repeat the Shadowing Scheme annually for black and minority ethnic staff from probation areas and local authorities to provide better information about inspection as a career choice. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • April-July 2007
	<ul style="list-style-type: none"> • Ensure that every staff member has an objective related to promoting diversity in their Performance Appraisal and Development Review. 	<ul style="list-style-type: none"> • All managers 	<ul style="list-style-type: none"> • Ongoing
	<ul style="list-style-type: none"> • Staff are informed about support networks during induction and encouraged to make contact. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • As required, approximately every quarter

Resources are made available to ensure that the necessary time and training are available to achieve race equality objectives	<ul style="list-style-type: none"> All staff undertake Diversity Awareness training in their first year. 	<ul style="list-style-type: none"> Diversity Training Team 	<ul style="list-style-type: none"> June, August and December 2007
	<ul style="list-style-type: none"> All staff undertake an induction session within three months of appointment to understand the role of HMI Probation in promoting race equality and other aspects of diversity. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> April 2007 and as required thereafter
	<ul style="list-style-type: none"> A Diversity Working Group meets bi-monthly to support the agenda. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> Bi-monthly
	<ul style="list-style-type: none"> A dedicated slot on the agenda is spent at each staff meeting to examine an aspect of our work in promoting diversity. To include a session with the Commission for Racial Equality in May 2007. 	<ul style="list-style-type: none"> Chief Inspector 	<ul style="list-style-type: none"> Bi-monthly

DISABILITY ACTION PLAN

Outcome	Actions	Owner	Timescales
Staff with a disability feel supported and enabled to participate fully in the life of the organisation	<ul style="list-style-type: none"> To encourage individuals to disclose their disability through the development of an understanding of the benefits of a Disability Equality Scheme. To be promoted in a staff meeting. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> Build into November staff meeting
	<ul style="list-style-type: none"> To continue to conduct annual monitoring of staff. 	<ul style="list-style-type: none"> Assistant Chief Inspector Support Services 	<ul style="list-style-type: none"> Each January
	<ul style="list-style-type: none"> Invite internal consultation with those who have already identified themselves as having a disability within the first year. To consider any necessary improvements to recruitment, staff development and working practices in relation to disability within the second year. 	<ul style="list-style-type: none"> Assistant Chief Inspector Diversity and Recruitment 	<ul style="list-style-type: none"> Consult by March 2008 Develop practices by March 2009
	<ul style="list-style-type: none"> An assessment of the impact of our inspection practice on internal and external stakeholders to be carried out to ascertain if it has a differential impact on people with a disability. To consult internally and externally during this process and publish outcomes including Action Plans by the end of 2007/2008. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> Assessment by September 2007 Publish by January 2008

	<ul style="list-style-type: none"> • Staff are informed about support networks and encouraged to participate during the induction period. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • As required, approximately every quarter
	<ul style="list-style-type: none"> • Individual and summary reports detailing our findings, including on the quality of work and outcomes for offenders and children and young people with disabilities, continue to be published regularly. 	<ul style="list-style-type: none"> • Information Team 	<ul style="list-style-type: none"> • Individual reports published within approximately three months of inspections
Resources are made available to ensure that the necessary time and training are available to achieve disability equality objectives	<ul style="list-style-type: none"> • All staff undertake Diversity Awareness training in their first year. 	<ul style="list-style-type: none"> • Diversity Training Team 	<ul style="list-style-type: none"> • June, August and December 2007
	<ul style="list-style-type: none"> • All staff undertake an induction session within three months of appointment to understand the role of HMI Probation in promoting disability equality and other aspects of diversity. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • April 2007 and as required thereafter
	<ul style="list-style-type: none"> • A Diversity Working Group meets bi-monthly to support the agenda. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • Bi-monthly
	<ul style="list-style-type: none"> • To make use of a staff meeting by November 2007 to promote understanding of the disability equality duty and HMI Probation scheme to all staff. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • November 2007

GENDER ACTION PLAN

Outcome	Actions	Owner	Timescales
<p>To demonstrate that there is an equality of opportunity between men and women within the organisation and that attention is paid to potential discrimination during inspections</p>	<ul style="list-style-type: none"> To continue to conduct annual monitoring of staff. 	<ul style="list-style-type: none"> Assistant Chief Inspector Support Services 	<ul style="list-style-type: none"> January each year
	<ul style="list-style-type: none"> An assessment of the impact of our inspection practice on internal and external stakeholders to be carried out to ascertain if it has a differential impact on men and women. To consult internally and externally during this process and publish outcomes, including Action Plans, by the end of 2007. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> Assessment by September 2007 Publish by January 2008
	<ul style="list-style-type: none"> Individual and summary reports detailing our findings, including on the quality of work and outcomes for male and female offenders and children and young people, continue to be published regularly. 	<ul style="list-style-type: none"> Information Team 	<ul style="list-style-type: none"> individual reports published within approximately three months of inspections
	<ul style="list-style-type: none"> Staff are informed about support networks and encouraged to participate during the induction period. 	<ul style="list-style-type: none"> Diversity Working Group 	<ul style="list-style-type: none"> As required, approximately every quarter

	<ul style="list-style-type: none"> • Use of a staff meeting to ensure that all staff understand the requirements of the gender equality duty by the end of 2007/2008. 	<ul style="list-style-type: none"> • Diversity Working Group 	<ul style="list-style-type: none"> • November 2007

THE LEGISLATION

The Race Relations (Amendment) Act 2000

Introduction

The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 – referred to as the 2000 Act throughout this annex – places a general duty on public authorities to promote race equality. Under the new duty, and through all relevant functions, public authorities are required 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.

The Home Office is subject to the 2000 Act and published a revised Race Equality Scheme in May 2005.

Context

The Race Relations Act 1976 provides the legislative base for anti-racist policies within Britain. The 1976 Act was significantly strengthened as a result of recommendations that came out of the Macpherson Report on the Stephen Lawrence murder inquiry. The 2000 Act amended the 1976 Act so as to:

- (a) prohibit race discrimination in public functions not previously covered by the 1976 Act;
- (b) place a general duty on specified public authorities to have due regard to the need to promote race equality;
- (c) give the Home Secretary powers to impose specific duties on public authorities that are subject to the general duty, and to add to the list of bodies to which the general duty applies.

A 'racial group' in the 2000 Act is a group of people defined by colour, ethnicity, race, nationality, national or ethnic origins. The new anti-discrimination provisions and the general duty for public authorities listed in the 2000 Act came into effect on 2 April 2001.

Schedule 1A to the 1976 Act, as amended, lists the bodies and other persons subject to the general duty.

There have also been several advances in race equality law through the European Community, including:

- Article 13 of the Treaty of Amsterdam which conferred upon member states the ability to "*take action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation*"
- Council Directive 2000/43/EC, which implements the principle of equal treatment between people irrespective of racial or ethnic origin. It was adopted by European Union member states in 2000
- Race Relations Act 1976 (Amendment) Regulations 2003 which redefined indirect discrimination, introduced a new definition of harassment (applicable to both employers and employees), redefined the burden of proof and its application to institutional liability, and removed those exceptions that are contrary to the principle of equal treatment for all.

Specific duties

The specific requirements in relation to our Race Equality Scheme are as follows:

- (a) the preparation and publication of a scheme which sets out how we intend to meet its obligations under the general duty and other specific duties which have been set and are relevant to it;
- (b) an assessment of our functions and policies which we feel are relevant to the general duty (which must be reviewed at least every three years);
- (c) our arrangements for assessing and consulting on the impact that any policies it is proposing are likely to have on the promotion of race equality;
- (d) our arrangements for monitoring its policies for any adverse impact on the promotion of race equality;
- (e) Our arrangements for publishing the results of:
 - i. assessment under (b)
 - ii. assessing and consulting under (c)
 - iii. monitoring under (d);
- (f) our arrangements for ensuring that those from minority ethnic communities have access to information and to services that it provides;
- (g) our arrangements for the training of its staff on issues relevant to the general duty and the specific duties (see definitions below).

Employment duties

There are also the following specific duties relating to employment issues:

- (a) certain public authorities subject to the general duty are required to have in place arrangements for monitoring the ethnicity of:
 - i. staff in post
 - ii. applicants for jobs, promotion and training;
- (b) if such a body has more than 150 full-time employees it is required to have in place arrangements for monitoring the ethnicity of staff who:
 - i. receive training
 - ii. benefit or suffer detriment as a result of performance appraisal
 - iii. are involved in grievance procedures
 - iv. are the subject of disciplinary procedures
 - v. are dismissed or leave for other reasons;
- (c) as a public authority subject to these employment duties, we must publish annually the results of the above ethnicity monitoring.

The Disability Discrimination Act 2005

The Disability Discrimination Act 2005 places a general duty on public authorities to promote disability equality. The Home Office is subject to the Act and produced a Disability Equality Scheme which was published on 4 December 2006.

Legislative context

The Disability Discrimination Act 1995 has been amended by the 2005 Act so that it now places a duty on all public bodies to promote disability equality. We recognise that the 1995 Act was an important step towards achieving equality for disabled people, but disability equality has not had the same statutory emphasis or history as sex or race discrimination (the Sex Discrimination Act 1975 and Race Relations Act 1976 are both over 30 years old). The Government commissioned a Disability Rights Task Force which reported in 1999 (*Towards Inclusion: Civil Rights for Disabled People*) and recommended a number of amendments to the 1995 Act. This resulted in the Disability Discrimination Act Amendment Regulations (2003), which came into force on 1 October 2004.

This new positive duty marks another important stage, as it requires public bodies to be proactive in promoting equality for disabled people, rather than simply to make reasonable adjustments for their staff and service users in order not to discriminate. The duty requires a 'root and branch' overhaul of policy making procedures within public authorities as well as demanding much greater openness.

DUTIES UNDER THE DISABILITY DISCRIMINATION ACT 2005

General duty

The Disability Discrimination Act 2005 places a **general** duty on all public sector authorities, including Government Departments and agencies, to promote equality for disabled people. It represents a significant change in the way public authorities organise their services to improve the lives of disabled people. All public authorities must, in carrying out their 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: and
- take steps to take account of the disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

The general duty to promote disability equality places positive responsibilities on authorities to work proactively towards a more equal society by mainstreaming disability equality into the ways in which they carry out their functions. It builds on the duties already implemented under the Act, including the duty to make 'reasonable adjustments' to ensure that disabled people can access employment and occupation, education, goods, facilities, services, functions and premises.

The general duty requires public authorities to give due regard to the need to promote disability equality in relation to policy and practice including inspection, planning, policy making, service delivery, regulation, enforcement and employment.

'Due regard' means that authorities should always consider the need to promote disability equality in proportion to its relevance; it requires more than simply giving consideration to disability equality. It will not always be possible for authorities to adopt the course of action which will best promote disability equality, but public authorities must ensure that they have due regard to the requirement to promote disability equality alongside other competing requirements.

Areas exempt from general duty

The Act excludes the following certain actions of public authorities from being subject to the general duty:

- a judicial act (whether done by a court, tribunal or other person)

- any act done on the instructions or on behalf of a person acting in a judicial capacity
- any act of, relating to, or making or approving of an Act of Parliament, or an Order in council and
- where a public authority is exercising a statutory power and has no discretion as to whether or how to exercise that power, or no discretion as to how to perform its duty.

Specific duties

The 2005 Act places **specific** duties on the Home Office as a public authority. They are set out in the Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005. The Regulations are intended to assist public authorities in meeting the general duty. In particular, they set out what public authorities should do to plan, deliver and evaluate action to eliminate discrimination, promote equality, and report on the activity which they undertake.

The specific disability equality duties require the Home Office to:

- (a) publish and implement a Disability Equality Scheme, setting out how it intends to fulfill its general and specific duties;
- (b) involve disabled people in producing the scheme and developing an action plan;
- (c) set out how the Home Office will assess the impact of existing and proposed activities on disabled people;
- (d) produce an action plan for implementing the duty to promote disability equality for the next three years;
- (e) set out how the Home Office will gather evidence on progress towards disability equality, including in relation to the:
 - recruitment, retention and development of disabled staff, and
 - extent to which the Home Office services and functions meet the needs of disabled people;
- (f) set out how the Home Office will use the information it collects, to review the effectiveness of the action plan, and to produce future Disability Equality Schemes; and
- (g) report on progress every year and review and make appropriate revisions to this scheme at least every three years.

We are also required to:

- take the steps set out in the action plan (unless it is unreasonable or impractical to do so) and put into effect the arrangements for gathering and making use of information within three years of the Scheme being published
- make information and services accessible to the public
- train our staff in the disability equality duties; and

- monitor the way the Home Office works as an employer to identify how our employment practices affect staff in the Home Office, including disabled staff.

The Gender Equality Duty

The Gender Equality Duty (GED) came into force in April 2007. It requires public authorities to promote equality between men and women and eliminate unlawful sex discrimination and harassment. This means the public sector have to develop policies, design services and have employment practices with the different needs of men and women in mind. The duty covers all the functions of a public authority, such as policy making, public services and employment.

Instead of relying on only individuals to make complaints about sex discrimination, the duty places the legal responsibility on public authorities to demonstrate that they treat men and women fairly. Thirty years after the introduction of the Sex Discrimination Act 1975, there is still widespread discrimination. The rights of individuals do not oblige organisations to promote equality. The GED will bring about real change in the culture of public organisations and the onus will be on organisations to promote equality, rather than just on individuals to take cases. It does not replace the right of individuals to take cases against a public authority.

The Equality Act 2006

The Equality Act 2006 includes within it a new positive duty on public bodies to promote gender equality. Under the new duty, and through all relevant functions, public authorities are required to have due regard to the need to:

- eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act 1975 and discrimination that is unlawful under the Equal Pay Act 1970
- promote equality of opportunity between men and women.

Legislative context

The Equality Act 2006 amends the Sex Discrimination Act 1975 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
- promote equality of opportunity between men and women.

Men and women, including transsexual people, may experience different forms of disadvantage depending on their age, ethnicity, colour,

religion/belief, sexual orientation, marital or civil partnership status, and disability status. In order to understand and address questions of gender equality, we may need to consider such complexity and whether particular groups of men or women are experiencing particular disadvantages.

This new duty marks another step forward, as it requires us to be proactive in promoting equality for women, men and transsexual people, rather than simply to make adjustments for our staff and service users in order not to discriminate. The duty requires a 'root and branch' overhaul of our policy making procedures, as well as demanding much greater openness.

Unlawful discrimination in the Sex Discrimination Act 1975 and Equality Act 2006 means:

- (a) direct or indirect discrimination against men and women, in employment and education; in goods, facilities and services and in the exercise of public functions;
 - (b) harassment, sexual harassment and discrimination on the grounds of pregnancy and maternity leave;
 - (c) discrimination on the grounds of gender reassignment in employment and vocational training;
 - (d) direct and indirect discrimination in the employment field on the grounds that a person is married or has a civil partner;
 - (e) victimisation on the basis of gender.
- 1) In employment and vocational training, the Sex Discrimination Act 1975 also protects individuals who are discriminated against because they:
 - intend to undergo gender reassignment
 - are currently undergoing gender reassignment
 - have already undergone gender reassignment.
 - 2) Transsexual people are protected under existing sex discrimination legislation from discrimination and harassment on the grounds of gender reassignment in employment and vocational training. We are legally required to take this into account when addressing that part of the duty which requires the elimination of unlawful discrimination and harassment.

Specific duties

The specific requirements in relation to our Gender Equality Scheme are as follows:

- (a) publish a Gender Equality Scheme by 6 April 2007, identifying gender equality goals and showing the actions we will take to implement them;
- (b) consult our employees and stakeholders as appropriate in drawing up our Gender Equality Scheme;
- (c) monitor progress and publish annual reports on progress;
- (d) review the scheme at least every three years;
- (e) develop and publish a policy on equal pay arrangements between men and women – including measures to promote equal pay and ensure fair promotion and development opportunities to tackle occupational segregation – which we will review at regular intervals (for example every three years);
- (f) conduct and publish gender impact assessments, consulting appropriate stakeholders, covering all major proposed developments in employment, policy and services;
- (g) develop and publish an arrangement for identifying developments that justify conducting a formal gender impact assessment.