

**Race Equality Scheme
for the Health and Safety Commission
and Health and Safety Executive 2005-2008**

For publication in December 2005

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Introduction

What do the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE) do?

Britain's Health and Safety Commission (HSC) and the Health and Safety Executive (HSE) – collectively referred to as HSC/E - are responsible for the regulation of almost all the risks to health and safety arising from work activity in Britain.

Our mission is to protect people's health and safety by ensuring risks in the changing workplace are properly controlled.

HSC/E's main activities include:

- promoting information and advice;
- promoting better management of risk;
- investigation of accidents, inspection of businesses;
- where necessary, enforcing the law; and
- making proposals for new or amended regulations.

Since the publication in 2004 of a new strategic direction, HSC/E has committed to focus on delivery of key targets to improve the health and safety outcomes in Great Britain through progressive improvement in the control of risks in the workplace. There is now a much stronger focus on health programmes, for example the introduction of *Workplace Health Connect* which will deliver free and impartial occupational health, safety and return to work advice and support for small and medium enterprises. More details of HSC/E's current activities can be found on our website at <http://www.hse.gov.uk>

Race Equality

The 1976 Race Relations Act, as amended by the Race Relations (Amendment) Act 2000, places on public authorities a General Duty to promote race equality, which means that they must aim to:

- eliminate unlawful discrimination;
- promote equality of opportunity; and
- promote good relations between persons of different racial groups.

To help them meet the General Duty, public bodies also have Specific Duties. These relate to examining and monitoring functions and policies, consulting on them and making the results public. They are also required to publish a Race Equality Scheme, which sets out how they plan to meet these duties.

HSC/E has additional Specific Duties as an employer to monitor our own staff and applicants for vacancies by racial group.

The duties under the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 and the *Code of Practice on the Duty to Promote Race Equality* are listed in Annex A.

Previous editions of the HSC/E Race Equality Scheme

Because of the close links between the work of the HSC and the HSE, we decided to publish a joint Race Equality Scheme. The first HSC/E Race Equality Scheme covered the period 2002-2005. It was published for consultation in May 2002 and an amended version, which incorporated feedback from the consultation process and evaluation of the first year of the scheme's operation, was published in September 2003: www.hse.gov.uk/aboutus/hsc/res.pdf

The current scheme was published for consultation in September 2005 and has been amended in the light of feedback. In particular, a need to make the language of the scheme clearer was identified. We are grateful to all those who have helped us to make improvements by letting us know what they think of the scheme.

Progress made and lessons learned

A short internal review has been carried out to learn the lessons of operating the first three years of the scheme.

The results of the assessment (Annex B) highlight a need for:

A clear **vision**, with demonstrated top-level commitment

A focus on the **business benefits** of the scheme

A commitment to **fewer, higher-impact** actions

Corporate commitment to diversity

The assessment of the 2002-2005 Race Equality Scheme coincided with a broader review of how HSE can improve the way in which it operates in an increasingly diverse society. In response to the review's findings, the HSE Board agreed in July 2005 a Vision for diversity (Annex C) and identified eight key Priorities for realising the Vision (Annex D). The Vision incorporates race equality values, principles and standards, setting them in the broader context of equality and diversity. All Board members have published – through HSE's internal intranet – their personal diversity objectives, underlining their commitment to drive forward action.

The revised Race Equality Scheme, therefore, contributes to a broader strategy for the promotion of diversity and draws on the lessons learned from a wider review of diversity as well as that of the earlier Race Equality Scheme.

The 2005 Race Equality Scheme – striving for excellence

The current edition of the scheme sets out how we aim to meet the General Duty and our Specific Duties covering policy and service delivery and our role as an employer. It aims to address the areas where potential for improvement has been identified. We will continue the important work we have been doing to ensure our personnel procedures and our communications with non-English speakers do not adversely discriminate.

In order to meet the priority requirements identified during the review process outlined above we have:

Articulated a Board **Vision** on diversity, published in July 2005

Drawn up a **Race Equality Action Plan** for the first year of the scheme, which identifies **fewer, higher-impact** priority activities to transform the Vision into a reality

The Race Equality Action Plan is at the heart of HSC/E's Race Equality Scheme. It sets out what we will do in 2005 and 2006. It will be regularly reviewed and updated and a new plan will be published annually. The Action Plan exists (and will be actively promoted) to go beyond the minimum requirements of a Race Equality Scheme and to clearly link HSC/E's activities on race equality to our diversity priorities.

A new Action Plan for 2007 and onwards will be prepared by HSE's Diversity Steering Group, and published towards the end of 2006. This will take account of the government-wide ten-point plan for diversity published in November. This has not yet been considered in detail, but covers much the same diversity territory as the HSE Board's Vision, with a strong focus on leadership, accountability, and embedding diversity throughout our work.

The rest of this document sets out:

- The Race Equality Action Plan 2005-2006
- How we will meet the *general* duty to promote race equality 2005-2008
- How we will meet our *specific* duties as a *public body* to promote race equality 2005-2008
- How we will meet our *specific* duties as an *employer* to promote race equality 2005-2008
- Consulting on the Race Equality Scheme
- Dealing with complaints
- Methods for review

Race Equality Action Plan for 2005 and 2006

Overarching Priority:

A. We will raise awareness amongst our staff of the business benefits of diversity.

Actions:

1. Publicise the Board's Vision for diversity.
 - i. Key documents (Board's Vision, Priorities, Objectives and Plans) available on the HSE staff intranet (November 2005)
 - ii. New HSE Chief Executive briefed (December 2005)
 - iii. Board reporting on Senior Civil Service diversity objectives (December 2005)
2. Publish examples of good practice
 - i. Articles in staff magazine (July and November 2005)
 - ii. Racial awareness seminar for HSE staff, with external speakers, during black history month (November 2005)

External Diversity Priorities:

B. We will build - and make better use of - the evidence base in our policies and operations.

Actions:

3. Review the results of research already carried out.
 - Where the results show scope for action, take steps to address different experiences of risk:
 - i. Research project to identify where migrant workers are working, the sort of risks they face, and how these risks compare with those faced by non-migrant workers (Progress report mid-December 2005, final report February 2006, subsequent workshops to review findings)
 - ii. Workshops on race issues to be included in a programme of diversity workshops (Plans with dates in place February 2006 for programme extending to end of 2006)
 - Assess what more we need to do to build and make better use of the evidence base:
 - i. Literature review "Religious, cultural and ethnic differences in risk taking behaviour and perceptions of risk" (available December 2005)
 - ii. Programme of further research (by the Health and Safety Laboratories and perhaps other bodies) on race issues

agreed within a diversity research programme (February 2006)

C. We will design interventions to take account of the different needs of, and impact on, particular ethnic minority groups.

Actions:

4. Race Impact Assessments on changing policies and practices
 - We will assess the impact on different groups – with a strong emphasis on race - of HSE's Strategic Delivery and Enabling Programmes, where HSE's work is now focused. Where these Programmes contain proposals for change, we will ensure that fuller race impact assessments are carried out as part of a wider diversity assessment. We will publish the findings of these assessments and share information – internally and externally - about how we change our plans as a result.
 - Impact assessment work will be carried out by the owners of the particular Programmes, but will be supported by:
 - better internal guidance taking account of advice from the Commission for racial equality (CRE) and the Cabinet Office
 - better guidance on consultation with ethnic minority organisations
 - more effective support from central internal diversity teams in HSE's Personnel Division and Policy Group.
 - i. Draft impact assessment pilots (October to December 2005) with results published internally to build up a body of expertise and good practice
5. Race Impact Assessment on Workplace Health Connect (WHC)
 - We will agree plans on how to carry out a Race Impact Assessment as part of the project to roll out WHC as a service with national coverage, and review the experience to inform future impact assessments on subsequent proposals for change.
 - The specification for consultants to carry out a review of delivery mechanisms for roll out of a service with national coverage includes the requirement to identify the flexibility of each option to enable the service to be accessible to all potential users – from the diversity perspective (including for example people whose first language is not English) and from the perspective of reaching groups who are traditionally hard to reach (eg in agriculture and construction). This is just one example of the diversity/accessibility principles that run throughout the design and associated procurement activity for all elements of WHC.
 - i. Plan agreed (February 2006)

D. We will reach out to people/organisations with particular understanding of diversity to improve our policies and practices and to ensure our advice and information is accessible.

Actions:

6. Commission communications research
 - We will commission COI to undertake research on how HSE communicates with diverse groups, including racial groups
 - i. Results available (February 2006)

7. A new stakeholder engagement plan
 - We will research and create a stakeholder engagement plan, taking account of the Central Office of Information (COI) research, which lists and prioritises the most appropriate people and organisations to approach
 - i. Stakeholder engagement plan available (March 2006)

Internal Diversity Priorities:

E. As part of our workforce strategy, continue to improve the diversity of our workforce.

Action:

8. Build on good practice
 - We are looking again at what has worked well for us in the past on recruitment, promotion and development of ethnic minorities
 - We are researching and building on appropriate practice elsewhere in the public and private sector
 - We are considering how different approaches might be adopted to meet local recruitment needs

F. We will continue and develop actions to enable under-represented ethnic minority groups to develop the skills to progress upward more quickly.

Action:

9. Effective staff development
 - We will seek views from staff on what development measures might be appropriate to prepare those with potential to reach senior levels in the organisation
 - i. Results available (March 2006)

- We will set up a development programme that recognises people's different development needs

G. We will encourage and support staff networks

Action:

10. Promote HSE's Minority Action Group Network – MAGNET

- We will publicise the network, arrange and support events and seek feedback from members (ongoing)

How we will meet the general duty to promote race equality

2005-2008

Eliminating discrimination

HSC/E is committed to eliminating racial discrimination in our policies and in the ways they are put into practice. HSC/E's aim is to target our resources towards those sectors, occupations and work activities that present the most significant risks to health and safety. We will continue to do this while ensuring that we recognise the ethnic diversity of the employers and workers we target.

Historically we have not always considered how race might impact on the way we engage with our external stakeholders. We recognise that we need to change this because race is an important factor, particularly in terms of differences in people's vulnerabilities to health and safety risks; the networks and sources from which they gather information; and the languages they speak. This is as true of the way in which we treat migrant workers as we do British ethnic minority workers. We will take account of these factors to help us deal fairly and equally with all of our stakeholders.

We will work to ensure that everyone, regardless of race, can understand their rights and duties in terms of health and safety and has equal access to assistance and justice.

In HSE's Terms and Conditions of Contract for the provision of all services there is a statement to say that the contractor should not unlawfully discriminate on grounds, including race, within the meaning and scope of the provisions of the Race Relations Act 1976. HSE uses an additional Diversity Statement when tendering for internal training contracts, which includes HSE's aim to be an organisation that understands the diverse society in which it operates and conducts its business with sensitivity to people's diverse needs and perspectives of life. Tenderers must also, for example, explain how they would incorporate diversity issues into their proposed products and services.

A draft framework of practical advice on race equality and procurement has recently been developed by the Department of Work and Pensions (DWP) in accordance with the principles and guidance published by the Commission for Racial Equality. HSE is an active member of the Commercial Policy Best Practice Team in DWP that has overseen this work and HSE will be implementing the guidance together with model contract clauses when these are finalised. This will also have the benefit of ensuring an integrated and consistent approach across the Department.

Promoting equality of opportunity and good race relations

We have already undertaken a good deal of work to engage with ethnic minority communities. We will continue to forge links with organisations in local communities and to use our visiting staff to deliver seminars on a range of health and safety issues. In order to improve our engagement with ethnic minorities, each of HSE's seven regional operational divisions within our Field

Operations Directorate have produced plans identifying how they will engage with employers and workers from ethnic minorities. This has been backed up by guidance and training for our visiting staff on race awareness and dealing with racist incidents. We have particularly identified the need to reach out to ethnic minority and migrant workers in the construction and agriculture industries and are building on our experiences so far in order to better meet this need.

Internally, HSE has set up a Minority Action Group Network (MAGNET). Its first meeting was held in January 2005. The agreed objectives for this network are to actively promote the fair treatment of staff regardless of race and to promote the development and progression of minority ethnic staff so that, at all grades, HSE has a workforce that better reflects the society we live in. The network will also raise awareness of issues of ethnic diversity within HSE and how it contributes to the business needs of the organisation and supports the Government's agenda on ethnic diversity. The network is open to all HSE staff from any ethnic background.

We have continued to see a significant increase in the number of staff from ethnic minorities who have benefited from level moves (taking on a new role at the same job grade within a different team) for development purposes. This follows the introduction of less bureaucratic procedures in our revised performance appraisal and vacancy filling systems. Development moves give staff the opportunity to experience different aspects of HSE's business, to develop their skills and widen their career choices. We will continue to encourage staff to explore these opportunities and are monitoring our internal vacancy filling.

We will check our progress through feedback from MAGNET and regular staff surveys in which individuals will be encouraged to give frank responses to a series of questions about the impact of our policies. We will take action on areas where there are indications that we need to improve. The next pan-HSE staff survey will take place towards the end of 2005.

Our arrangements – set out below - for meeting the *specific* duties to promote equality of opportunity provide a sound framework for HSC/E to meet its *general* duty to promote equality of opportunity and good race relations.

How we will meet our specific duties as a public body to promote race equality 2005-2008

i. Functions that are relevant to eliminating discrimination and promoting equality of opportunity and good race relations

We have identified and ranked the following functions and policies as relevant to the general duty on race.

High relevance to race equality

Policies and procedures affecting the public

- Publication and promotion of information regarding workplace risks etc, including HSE Books and the Internet;
- Assessment of impact, and consultation with our stakeholders on, proposed new policies;
- Promotion of our messages through the media;
- Local promotional initiatives and events;
- Monitoring and analysing risk; and
- Investigation of reported injuries, ill health and dangerous occurrences arising as a result of work activities in sectors enforced by HSE.

Policies and Procedures affecting our own staff

- Performance appraisal;
- Performance management;
- Staff training including public sector duties on race equality
- External recruitment; and
- Internal health and safety;
- Internal vacancy filling and promotion

Moderate relevance to race equality

Policies and procedures affecting the public

- Management of policy and practice for incident reporting, including the Incident Contact Centre;
- Investigation of complaints in businesses enforced by HSE;
- Inspection of work activities enforced by HSE;
- Enforcement against corporate bodies and individuals, including prosecution and enforcement notices (excluding elements of enforcement controlled by local authorities);
- Advice on work-related health and safety (oral or written), including via Infoline;

- Investigation and enforcement relating to working time legislation;
- Development of guidance, Codes of Practice and legislation; and
- Research.

Policies and procedures affecting our own staff

- Pay and conditions (excluding performance-related pay – which is covered under “Performance Appraisal”);
- Grievance procedures; and
- Disciplinary procedures.

Slight relevance to race equality

Policies and procedures affecting the public

- Investigation and enforcement relating to employers’ liability compulsory insurance;
- Permissioning and licensing;
- Purchasing; and
- Forensic service to HSE.

Policies and procedures affecting our own staff

- Absence and ill health management;
- Pensions and retirement;
- Exit monitoring;
- Expenses;
- Trade Union representation (staff unions: Prospect, PCS, and FDA); and
- Provision and support internally of information and communication technologies and other support.

ii. Assessing and consulting on the likely impact of our proposed policies on the promotion of race equality

The results of our review show we need to do more to assess and consult on our proposed policies. In particular, it showed a need to focus on our priority and enabling programmes. As indicated in the action plan, we are actively working to ensure that decisions on future policies and practice take proper account of race equality issues. The key points are:

- Our chief decision-making bodies are the Commission and the HSE Board. Guidance requires that papers to these bodies specifically identify what, if any, impact the policy is likely to have on race equality. However, those developing proposals under our strategic delivery and enabling programmes need to be more active in assessing their potential impact on minority ethnic groups. We will work to promote and improve our Diversity

Impact Assessment process and support programme managers to use it effectively;

- All significant policy changes are subject to consultation. This is normally carried out using consultative documents. We will amend guidance on consultation to identify and include relevant ethnic minority consultees where appropriate.

iii. Monitoring our policies for adverse impact on the promotion of race equality

In the HSC/E Race Equality Scheme 2002-2005 we identified 3 areas of particular significance:

- whether people from different racial groups experience different levels of risk;
- whether people from different racial groups have equal access to information and advice about health and safety; and
- whether experiences of operational contact, including enforcement action, differ between racial groups.

We have found it difficult to set up systems to monitor progress in these areas. For example, identifying levels of risk for different racial groups remains an issue for us. Two items of research: one to review the currently available data on differences in risk between different racial groups, the other to identify whether different racial groups experience different levels of occupational stress produced limited results. The first pointed to areas where further research could be undertaken, but its basic conclusion was that existing information in this area was minimal. The second reported that a combination of racial discrimination, gender and ethnicity is powerfully influential in work-related stress.

In the context of our decision to focus on fewer and higher impact actions and key diversity priorities we will:

- a) review the results of the two items of research in terms of:
 - what we can do to counteract different experiences of risk
 - what we need to do to build – and make better use of - the evidence base about differences in vulnerabilities to health and safety risks that particular racial groups may experience.

For example, as part of our Workplace Health and Safety Survey, we will be looking at results by ethnicity for the first time;

- b) identify whether the advice and information we provide is accessible to all racial groups; and
- c) continue to consider ways of identifying whether employers from different racial groups have different experiences of operational contact.

iv. Publishing the results of consultations, assessment and monitoring

The HSE and/or HSC consider each major policy change. Formal papers include the significant findings of consultations and are published on our website as a matter of course.

Where consultations are particularly relevant to issues of race equality, we will take additional steps to publicise their findings. Steps may include:

- inclusion of a summary in the HSC annual report;
- announcement on our website
- press releases to relevant ethnic minority media

We keep copies of all responses to consultations. All individual consultation responses can be viewed by members of the public on request, unless a consultee has specifically stated that they want their comments to remain private.

v. Ensuring public access to information and services

HSE has commissioned research to examine its communications with diverse groups. This study, due to report in January 2006, will include a consideration of priority languages for translations and report on our effectiveness in communicating with different racial groups. The results of this research will be used to produce guidance for our communications teams and checklists for staff to help them to communicate more effectively.

Enquiries

HSE's Infoline provides a source of free information to members of the public on occupational health and safety issues. It is run by a contractor to HSE, who has access to Language Line, a national 24-hour interpretation service. Staff at Infoline receive training in using Language Line. We will explore ways to make Infoline more accessible to non-English speakers.

Meetings in person

We have systems in place to provide interpretation and translation facilities for our operational staff. We will continue to operate these systems and seek ways to improve their uptake and effectiveness. Particular attention will be paid to ways of advertising their availability, for example through our intranet.

Publications

HSE produces a vast range of publications, from leaflets explaining basic rights and duties to highly technical books. We have an agreed policy for communication with non-English speakers. As a result, we have made available (through hardcopies and/or our website) a significant number of our free publications in multiple languages. These include leaflets giving core health and safety information aimed at employers and employees. The advice for employees is available in 23 languages.

We will continue to provide HSE publications in multiple languages where a need is identified.

Media promotion

Our Press Office uses a wide variety of specialist and general media to promote occupational health and safety messages. We recognise that different racial groups tend to access different media and we attach a high priority to targeting the appropriate messages to different racial groups. The racial mix relevant to different issues and industrial sectors will be identified to improve the targeting of appropriate messages.

vi. Training

Between November 2004 and May 2005, approximately 1000 HSE staff who regularly carry out external visits were trained in HSE's duties on race. The lead trainers of the consultants contracted to provide this training were themselves from minority ethnic backgrounds. Senior management were actively involved to demonstrate their commitment. In total, there were 38 workshops and these have been extremely well received.

We will promote the key points of the training through a dedicated intranet area and by integrating them into inspectors' "Early Years" training.

HSE is currently supporting three minority ethnic staff on the Cabinet Office "Pathways 2" training programme and one of the seventeen members of staff on SPATS is also from a minority ethnic background. HSE is arranging two new Windsor Fellowship placements, which started in July 2005.

How we will meet our specific duties as an employer to promote race equality 2005-2008

Workforce data

HSE's workforce data is analysed by gender, race, disability and job band. Our database can also provide information on age, location within the HSE structure (which is organised in Directorates and Divisions), length of service, date to current post, salary, hours of work, temporary/permanent etc.

We do not normally analyse our racial data by different racial group. This is because most groups account for less than 10 individuals and analysis would therefore breach confidentiality. We have, however, surveyed staff to ensure that the information we hold is as accurate as possible. In this survey we collected data by different racial group and can now make the analysis on this basis, as long as it does not breach confidentiality.

Not everyone has declared their racial origin to us, despite encouragement to do so. We have this information for around 63% of our workforce. We, therefore, have some way to go to reach the 90%+ recommended by CRE guidance. We think it is important that this information is collected on a voluntary basis. We will, therefore, encourage staff to tell us about their ethnic origin by:

- Asking all new entrants to complete a questionnaire about their ethnic background and reminding those who do not complete it in the first instance
- Asking line managers to explain to their staff how the information is used and to encourage them to provide it
- Engaging with our trade unions to encourage their members to provide this information

The 2005 Staff Survey will ask about race and other diversity issues and will trigger a further survey if anomalies are found within current data.

Recruitment, vacancy filling and promotion

We keep a very careful watch over our policies and practices on recruitment, vacancy filling and promotion. We have put in place arrangements to monitor data by racial group where necessary. Through equality-proofing our procedures and monitoring results, we have identified a number of actions that we continue to take forward:

- a) Monitoring the ethnicity of applicants;
- b) Providing clear and concise recruitment literature, using bullet points, summaries and step-by-step guides to the selection process;
- c) Contracting out of the sift process to experienced management consultants to ensure that everything possible has been done to eliminate discrimination at this stage of the process;

- d) Amending HSE's procurement rules to require tenderers to set out their approach to race within the tender responses;
- e) Monitoring the impact of our recruitment literature (which has been carefully designed with the needs of different racial groups in mind). We will continue to take positive action to encourage applications from ethnic minorities. For example, by attending events such as job fairs in areas with high ethnic minority populations.
- f) Where we plan to introduce new exercises into the assessment process, we will quality assure them to address potential for racial discrimination.

HSE undertook much less recruitment in 2003/4 and 2004/5 than in previous years. However, we continue to attract high quality applicants and have been successful in recruiting a good proportion of ethnic minority applicants. This is due to a combination of factors including promotional activities; improvement of targeted advertising; contracting out sifting of application and test marking. We will continue with this approach to attract new applicants. We also plan to undertake more awareness raising activity in target communities.

Progress against targets is outlined in Annex E.

Training

Monitoring minority ethnic staff attending general management courses has not provided reliable data. Directorates are asked to record this information, which they have attempted to do, but many people attending the courses choose not to declare their ethnicity. Of the information held currently, 240 delegates attended the "Essential Training for Managers" programme. Of these, only 12 declared their ethnic background (5%). This is insufficient data from which to make an analysis.

We will encourage staff to provide information on their ethnic background when they attend training courses. We will monitor the results.

Performance appraisal

A new system ("Your Performance Matters") was introduced on 1 April 2005. A panel, made up of senior managers in the Directorate and one independent member, assess recommendations for high performance awards. Recommendations and awards are monitored by race and investigated by the Chair if there is any apparent bias.

All managers at Senior Civil Service level are now required to have a diversity management objective for which they are accountable, and fairness and consistency is a foundation stone of the new system. The high performance moderation panel requires more senior staff to be aware of the need for fair distribution of assessments across all minority groups, their accountability for this, and the need to take action when appropriate.

We will consider aspects of diversity, including racial equality, in the review of the first year of our Team Recognition Award Scheme (expected in Spring 2006).

Grievances

A Harassment Contact Adviser network has been set in place to help provide front-line informal discussion and advice. Personnel Division monitor all formal grievance complaints and selection board decisions. We now have the ability to monitor this data by ethnic group.

Appeals against performance assessment are monitored by racial group on a sample basis. Divisions are encouraged to identify evidence of discrimination that does not reach the stage of a formal complaint.

Disciplinary action

All disciplinary cases, including dismissals, are monitored and detailed records are kept identifying individuals, disciplinary issue, details of the formal investigation and outcome. A system is now in place to monitor issues by racial group.

Discrimination by HSE staff on the grounds of race is specifically identified in our staff handbook as serious or gross misconduct.

Further research is needed to determine Divisional handling of informal casework.

Other reasons for leaving

The facility is in place to provide statistical data by racial group. All leaving questionnaires received from staff who resign are monitored and action taken as necessary.

Consultation processes

Consulting our staff and public on the Race Equality Scheme and keeping them informed of progress

This scheme was revised following consultation in the first year (May 2002 – May 2003). Responses were generally very supportive of our initial draft and so the revisions were relatively minor.

The current scheme has been amended following consultation, which produced 32 responses. Despite much positive feedback, there was a call for more clarity in the wording of the scheme and a more clear focus on action.

The public

We will involve representatives of our stakeholders in the process of reviewing our progress. We plan to do this by meeting key interest groups.

A report of progress against our action plan will be published on an annual basis, will be available on our website and will be summarised in our annual report.

Staff

We will consult our staff on significant changes by publishing our action plans on our 'Diversity Matters' Bulletin Board and inviting comments through our network of Diversity Liaison Officers, from our Trade Unions and from our ethnic minority staff network, MAGNET.

Articles have been, and will continue to be, published in our monthly in-house magazine '*express*'. Articles will give an overview of any planned changes as well as reporting progress against our action plan.

Dealing with complaints

How we will deal with complaints about this scheme or of racial prejudice by HSC or HSE

We have well-established formal systems for handling complaints about HSC/E and its staff. These apply to all complaints against the organisations, including those of racial prejudice.

Our policy on communicating with non-English speakers identifies that we will produce core documents in key languages that explain basic rights and duties. We propose to include details of how to make a complaint in the core documents.

Internally there are a number of routes through which complaints may be handled. For example, we have established a Harassment Contact Adviser network which individuals can approach, in confidence, about any issues of harassment or unacceptable behaviour. Where there are grievances or complaints that cannot be resolved informally, we have a formal grievance procedure. Issues can be raised by the individual concerned or through Trade Union representation.

Methods for review

HSE has established a Diversity Steering Group who will review progress against this scheme. The group is chaired at Board level and includes other senior managers from across HSE. They will report progress to both the Board and the Health and Safety Commission on an annual basis.

At the end of each financial year we will contribute to a Cabinet Office progress report. This informs the Prime Minister on progress on diversity across the Civil Service. The report from HSC/E includes progress on under-representation issues as well as racial monitoring.

DUTIES UNDER THE RACE RELATIONS ACT 1976 AS AMENDED BY THE RACE RELATIONS (AMENDMENT) ACT 2000 AND THE CODE OF PRACTICE ON THE DUTY TO PROMOTE RACE EQUALITY

General Duties

HSC/E has a general duty to promote race equality, which requires that we aim to:

- a) eliminate unlawful racial discrimination;
- b) promote equality of opportunity; and
- c) promote good relations between persons of different racial groups

Specific Duties

HSC/E also has specific duties, which fall into two categories:

i. Those covering *policy and service delivery*, to:

- a) assess functions and policies, or proposed policies, which are relevant in order to meet the general duties above;
- b) assess and consult on the likely impact of proposed policies on the promotion of race equality;
- c) monitor policies for any adverse impact on the promotion of race equality;
- d) publish the results of assessments, consultations and monitoring in (b) and (c);
- e) ensure public access to information and services we provide; and
- f) train staff in connection with both the general and specific duties.

ii. Those relating to our *role as an employer*, to:

- a) Monitor, by racial group:
 - the numbers of staff in post; and
 - applicants for employment, training and promotion from each racial group;
- b) Monitor, by racial group, the number of staff who:
 - receive training;
 - benefit or suffer detriment as a result of performance assessment procedures;
 - are involved in grievance procedures;
 - are the subject of disciplinary procedures; or
 - cease employment with HSC/E

FINDINGS FROM HSC/E'S REVIEW OF THE RACE EQUALITY SCHEME 2002-2005

Progress made and areas for improvement

Good progress was made in relation to the actions we set ourselves as an employer.

In relation to the actions we set ourselves as a service provider, progress declined after the first year. The area where we encountered most problems was in carrying out impact assessments. We also had difficulties in relation to monitoring.

The reasons for this were found to include:

- a) insufficient focus on the potential business benefits of the scheme;
- b) an emphasis on a large number of actions which related more to process than outcome and a lack of prioritisation of these actions;
- c) unrealistic timescales;
- d) a loss of focus in the context of substantial structural re-organisation; and
- e) insufficient co-ordination of action across the organisation.

Lessons learned

The review specified a need to:

- a) avoid a purely process-driven approach;
- b) set out an ambitious Vision;
- c) secure top-level commitment to the Vision;
- d) have fewer and higher impact actions which focus on the potential business benefits of the scheme and identify key priorities aimed at driving forward the Vision. These include:
 - externally, a focus on priority and enabling programmes; in particular assessing the impact that these programmes may have on race equality;
 - internally, development of and support for the network of black and minority ethnic staff as a key agent for change; recruitment promoting HSE as an organisation which welcomes and values diversity; and staff development/progression encouraged by line management and role models;
- e) introduce more effective co-ordination across HSE of the actions contained in the revised scheme; and
- f) include the revised scheme as a separately identifiable, but integral, part of a more cohesive approach to diversity.

HSE BOARD'S VISION FOR DIVERSITY

HSE's vision is "to gain recognition of health and safety as cornerstone of a civilised society". That society is a diverse one. To achieve our vision, we must protect all people's health and safety in the workplace whatever their race, gender, disability, age, religion or sexual orientation – indeed whatever their background and outlook on life. Our ability to improve health and safety outcomes depends on this – it's a business imperative for us.

To be successful therefore, HSE needs to be an organisation which really understands the diverse society in which it operates; which is clear about the impact of its policies and operations on that diverse society; and which confidently conducts its business with sensitivity and respect for people's different needs, vulnerabilities and perspectives on life.

HSE will do this best if we ourselves reflect that diverse society - if the make-up of our staff at all levels reflects the people we are dealing with. Encouraging and valuing diversity amongst our own staff is therefore key to our success and effectiveness, and one of our core values. We want to be a fair and inclusive organisation, respecting what each person brings to our business and recognising the value it adds.

PROMOTING DIVERSITY IN HSE: KEY PRIORITIES FOR 2005-2006

In July 2005, the HSE Board agreed on eight priorities for particular attention in the current year:

Overarching

1. **Raise awareness** amongst all staff of the business benefits of diversity, the Board's vision for diversity and the need for further progress in HSE

External Diversity

2. **Build – and make better use of – the evidence base** in our policies and operations, for example on stress and ethnicity and on differential patterns of ill health among different ethnic groups;

3. **Design interventions** to take account of different needs of, and impact on, particular groups (such as older workers) and so help improve health and safety outcomes;

4. **Reach out** to people/organisations with particular understanding of diversity, to improve our policies and delivery (e.g. how best to influence ethnic minority owned/managed businesses) and to ensure our advice and information is accessible (e.g. for migrant workers);

- We will carry out a Race Impact Assessment as part of the project to roll out Workplace Health Connect as a service with national coverage, and review the experience to inform impact assessments done in relation to subsequent proposals. This will take forward the three external diversity priorities.

Internal Diversity

5. **Diversity of the workforce:** as part of our workforce strategy, continue to improve the diversity of our workforce and increase the representation of under-represented groups including by ensuring that recruitment reaches out more widely and by promoting HSE's image as an organisation which welcomes and values diversity;

6. **Career development:** continue and develop positive action to enable under-represented groups to develop the skills to progress upward more quickly;

7. Encourage and support the existing **networks** for women, disability and ethnic minorities and the establishment of others; and

8. Reward good **behaviour**, and tackle unacceptable behaviour, wherever it occurs

ANNEX E

PROMOTING THE DIVERSITY OF HSC/E'S STAFF – TARGETS AND PERFORMANCE INDICATORS

The target we have set ourselves for internal ethnic minority representation was established following publication of the Cabinet Office benchmark for the Senior Civil Service (SCS) in April 2005 . The benchmark for ethnic minority representation in the SCS by 2008 is 4.0%.

We propose a target of 4.0% to be achieved by 2008 for the SCS in HSE, in line with the Cabinet Office benchmark. We believe this target is both aspirational and achievable but also takes into account HSE's particular circumstances. There are very few employees from ethnic minority groups in our main feeder bands (B1 and B2) and there is little external recruitment at present to these levels. Our turnover at SCS level is relatively low and vacancies that do arise rarely attract applicants that we seek to target. In part, this is a reflection of the fact that many of the specialist industries from which we recruit are predominately white.

Our target was determined using an analysis of factors such as: the current situation across all job bands; age profiles; likely promotion rates; the effects of increased recruitment activity in attracting ethnic minority applicants; and the impact of awareness-raising activities, particularly on the development of ethnic minority staff. To these factors we then applied an element of 'stretch' to ensure our target is genuinely challenging. This target will be reviewed on an annual basis.

The targets for ethnic minority staff below the SCS have been calculated on the same basis. As these bands are the main source of talent for the SCS, it is clear that our success in achieving these targets will have a significant impact on our ability to achieve the desired levels of representation in the SCS. For this reason, a large part of our Diversity Action Programme is aimed at broadening the mix of people we appoint in the main recruitment bands (B3, B4 and B6), and at their subsequent development. The arrangements we are setting in place are more likely to have a longer-term effect and we should see far greater representation at senior levels within the next 7-10 years. The table below shows our progress since the targets were set.

Table 1: Progress against targets

Band	in post 1 April 1999	in post 8 March 2005	HSE Target 2005 (as projected 1/4/99): tick indicates target was met or exceeded	HSE/Cabinet Office Targets 2005 - 08
	%	%	%	%
SCS	0.0	1.8	1.8	4.0
B1 (G6)	0.8	1.50	2.3	4.1
B2 (G7)	1.2	2.04	2.1	3.7
B3 (SEO)	3.0	4.35	✓ 3.8	6.8
B4 (HEO)	3.1	6.64	✓ 4.4	7.8
B5 (EO)	7.6	10.02	✓ 9.3	16.5
B6 (AA/AO)	8.6	7.89	9.9	17.6
TOTAL	4.7	5.65	5.9	10.5