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HEALTH AND SAFETY EXECUTIVE

The HSE Board

HSC and HSE Race Equality Scheme

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Issue

1 Approval for publication of the joint HSC/HSE Race Equality Scheme.

Timing

2 Urgent. We are required by the Orders made under the Act to publish a Race Equality Scheme by 31st May 2002. The Commission are due to consider the draft scheme on 14th May 2002.

Recommendation

- 3 That you agree:
- the wording of the Race Equality Scheme at **Annex A**;
 - The proposals for publication of the scheme at paragraphs 10-12; and
 - The continued provision of a central race equality support function as proposed at paragraph 15.

Background

4 The Board and Commission have previously indicated their commitment to take forward work on racial equality on ethical grounds, not simply because it is a legal requirement. However the recent race relations legislation, Statutory Code of Practice and guidance provide an excellent template for effective action; this paper therefore concentrates upon compliance with the legal requirements.

5 The Race Relations (Amendment) Act 2000 requires that in carrying out their functions public bodies have due regard to the need to:

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

6 Additionally, Orders made in 2001 impose specific duties on bodies including HSC and HSE to publish a Race Equality Scheme by 31st May 2002. The Orders identify the issues that should be covered in the Scheme and are supplemented by a Statutory Code of Practice and (currently draft) guidance published by the Commission for Racial Equality (CRE). Further details are contained in **Annex B**.

Argument

7 A Joint HSC / HSE Race Equality Scheme (see **Annex A**) has been drafted, following the format recommended by CRE guidance. Nominees from Directorates / Divisions (D/Ds) have contributed to the development of the scheme by carrying out race equality analyses in accordance with CRE guidance. The analyses identified the relevance of racial equality and recommended actions for improvement.

8 The scheme aims to ensure legal compliance, whilst avoiding expending resources on actions that do not make a significant contribution to race equality. For ease of reference in section 5 of the scheme, the D/D leading on each action point has been identified; this reference will not be included in the published scheme.

Consultation

9 The scheme is based closely upon the results of analyses by D/Ds. In particular, the action plan at section 6 of the scheme has been carefully worded to reflect the actions and timescales agreed with D/D nominees. Though time for consultation on the draft scheme itself has been limited, D/D nominees have been given the opportunity to comment.

10 There is not a legal duty to consult on the content of the Race Equality Scheme, but at their meeting on the 26th February 2002 the Commission indicated that they want wider consultation to take place. It was therefore agreed that an interim scheme should be published on the 31st May 2002, consultation should take place and a revised scheme should be produced by January 2003. The CRE have indicated that they would welcome such an approach which would represent good practice.

Presentation

11 The scheme is not intended for mass consumption, but rather as a single top-level document, from which articles and briefings will be derived. A limited external audience is envisaged consisting of those with specific interests in both racial equality and occupational health and safety. It will also be of relevance to members of HSE staff with interest in racial equality. It is proposed that the publication process should entail:

- a. printing of 500 copies in consultative document style, approximately 150 of which will initially be despatched to interested parties;
- b. inclusion on HSE's web site;
- c. a global e-mail alerting all HSE staff to the publication of the scheme and linking to it on the HSE web site; and
- d. approximately 5 discussion fora in Autumn 2002 for representatives of ethnic minority business communities.

12 A letter to the Minister is proposed, making him aware of the scheme. 40,000 public bodies are due to launch schemes on the same day; it is therefore unlikely that substantial media coverage can be obtained. However a limited news release to the health and safety press is proposed.

Costs and Benefits

13 The principle benefits of the scheme are not readily quantifiable. They include: improved engagement with significant minorities within the business community and workforce; compliance with Home Office legislation; and the control of a substantive risk to HSC's and HSE's reputations. In the longer term there should be health and safety improvements for ethnic minority workers.

14 Given the very limited time since the receipt of analysis results from D/Ds, it has not been possible to evaluate the total staff costs for HSE of implementing the scheme. However, all actions reflect proposals made by the individual D/Ds; several of the actions refer to work already underway.

15 A number of D/D nominees indicated that they would require a source of central support and expertise to assist them in taking forward actions targeting racial equality issues amongst our external stakeholders. It is proposed that the Band 3 central co-ordinating post, currently located in SASD Policy Division, should be maintained for the 3 year lifetime of this scheme, at which point the need for central coordination would be re-evaluated.

Financial/Resource Implications for HSE

16 As indicated in paragraph 14 above, there has not been time to compile a detailed costing for the actions contained in the scheme. But SASD is not currently resourced for the Band 3 coordinator post.

Environmental Implications

17 No significant implications identified.

Other Implications

18 The scheme and legislation apply equally in England, Scotland and Wales. Those from ethnic minorities are heavily represented in the small business community, so the scheme is of particular relevance to small businesses.

Action

19 That you agree:

- a. the wording of the Race Equality Scheme at **Annex A**;
- b. the proposals for publication of the scheme at paragraphs 11-12; and
- c. the continued provision of a central race equality support function as proposed at paragraph 15.

Race Equality Scheme for the Health and Safety Commission And Health and Safety Executive

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RACE EQUALITY SCHEME

1 Race equality values, principles and standards

The Health and Safety Executive and Health and Safety Commission appreciate the roles we can play in eliminating racial discrimination and promoting equality. Our mission statement 'reducing risks, protecting people' is central to our work and we want this to apply to everyone who may be affected by work activities, regardless of their race.

We are proud of the professionalism of our staff and the foundations that we have already put in place to eliminate racial discrimination. However, we recognise that as an organisation we can do more to ensure that we work in a way that is fair and accessible for all. We are committed to meeting the true spirit of the amended Race Relations Act and have begun a comprehensive programme of improvement that is outlined in this race equality scheme.

The Commission and Executive each have a duty to publish a race equality scheme. However, because our work is so closely aligned, we have decided to issue a single scheme that commits both organisations to working in partnership to achieve improvement.

We have already done much to promote understanding about the value of differences among individuals as an asset to HSE's business. We urge people to recognise that every individual's contribution should be valued, that everyone should be treated fairly, with decency, dignity and respect, and that throughout the organisation everyone's behaviour, as well as management styles and procedures, should be consistent with these principles. We will continue at every opportunity to ensure that this commitment is reflected in day-to-day practices and that all forms of harassment, discrimination, bullying or other unacceptable behaviour are excluded from working relationships.

2 Our race equality strategic aims

We are committed to working towards:

- { a workforce that is representative of the people we serve, with representation of those from ethnic minorities throughout the organisation, not just in junior grades;
- { staff who, regardless of their race, are equally satisfied with their work at HSC/E;
- { outside stakeholders who, regardless of their race, have similar levels of confidence in HSE and awareness of the part we play in occupational health and safety; and
- { identifying and closing any gaps in service provision, so that people have equal access to information, protection etc.

Wherever we do find gaps in these areas we want to raise the standard for all to the level of the best.

3 How we will meet the general duty

Eliminating discrimination

We are committed to ensuring that we have eliminated racial discrimination in our policies and in the ways they are put into practice. A fundamental principle of both HSC and HSE is our aim 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 among the employers and workers we target and strive to reach out to all of them.

To date, in our external functions, we have concentrated on treating everyone the same regardless of race, an approach often referred to as 'colour-blind'. We recognise this is no longer sufficient because there are differences between people, particularly in terms of the networks and sources from which people gather information; the languages spoken; and the way people speak. We aim to ensure that we take account of these factors to help us deal fairly and equally with all of our stakeholders.

This does not mean there will be any special cases. If prosecution is warranted, it will be taken and if an employee's concerns about health and safety in their workplace are found to be unwarranted, they will not be pursued. But we will work to ensure that everyone, regardless of their race, can understand their rights and duties in terms of health and safety and has equal access to assistance and justice.

A key step in helping us to ensure that we have eliminated discrimination will be monitoring the effect our policies have in practice. This will allow us to identify where indirect discrimination is taking place and help us to target our efforts more effectively. There are some very real challenges in making monitoring effective which have held back progress in the past. However, we see monitoring as one of our major race equality priorities for the next three years. Details of our approach are outlined in section 4.

All staff have been given the opportunity of attending 'Personal Challenge' diversity workshops where the effects of bias and prejudice in the workplace have been explored. We intend to follow this up with targeted training where necessary.

Promoting equality of opportunity and good race relations

The specific duties to promote equality of opportunity provide a sound framework for HSC and HSE to make improvements in real terms. We will follow the spirit of the specific duties by taking action as outlined in section 4. In developing this scheme we have analysed all our key policies and functions to identify the areas we need to target for improvement. The analyses identified that subtly different approaches are relevant to different parts of the organisation, and this is reflected in the action plan.

Internally, we have seen a significant increase in the number of staff who have benefited from level moves for development purposes. This follows the introduction of less bureaucratic procedures in our revised performance appraisal and vacancy filling systems which were introduced during 2000/01. We will continue to encourage staff to express interest in these opportunities and will monitor progress.

We will check our progress through 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 strong indications that improvements are thought necessary.

Promoting good race relations

We plan to continue with our regular participation in careers fairs, especially those that are aimed at ethnic minority communities. This will also include career-specific events such as legal careers fairs and sponsorship of special fellowships.

We have already undertaken a good deal of work aimed at reaching out to ethnic minority communities. We will continue to forge links with schools and colleges in inner city areas and to build partnerships with local community business organisations. We will also continue to use our Workplace Contact Officers to deliver seminars on a range of health and safety issues to local communities. We will continue to build rapport with the Racial Equality Councils (REC) and, through them, other local ethnic minority business and community organisations. We have particularly identified the need to reach out to ethnic minority workers in the construction industry and will build on our experience to move into this rapidly changing industry sector.

We plan to take more account of the views of different groups of staff on various issues. Our Director General has already introduced sessions where different groups of staff (ethnic minority, those with disabilities, women etc) can come along and express their views and concerns in complete confidence and will pursue these sessions, taking up suggestions wherever possible. On appointment, the Director General also held an 'open-line' where anyone could write to him to tell him of their experiences, what they like/dislike about the organisation and offer suggestions for improvement. This may be repeated at some future date.

4 How we will meet the specific duties

Our functions that are relevant to eliminating discrimination and promoting equality of opportunity and good race relations.

Highly relevant to race equality

Policies and procedures affecting the public

- 1) Publication and promotion of information regarding workplace risks etc, including via HSE Books and the Internet.
- 2) Consultation with our stakeholders on proposed new policies.
- 3) Promotion of our messages through the media.
- 4) Local promotional initiatives and events.
- 5) Statistical monitoring and analysis of risk.

Policies and Procedures affecting our own staff

- 6) Performance appraisal.
- 7) Performance management.
- 8) Staff training.
- 9) External recruitment.
- 10) Internal vacancy filling and promotion.
- 11) Provision of agency staff.

Fairly relevant to race equality

Policies and procedures affecting the public

- 12) Investigation of reported injuries, ill health and dangerous occurrences arising as a result of work activities in sectors enforced by HSE.
- 13) Managing policy and practice for incident reporting, including the Incident Contact Centre.
- 14) Investigation of complaints in businesses enforced by HSE.
- 15) Inspection of work activities enforced by HSE.
- 16) Enforcement against bodies corporate and individuals, including prosecution and enforcement notices (excluding elements of enforcement controlled by local authorities).
- 17) Advice on work-related health and safety (oral or written), including via Infoline.
- 18) Investigation and enforcement relating to working time legislation.
- 19) Policy development of guidance, Codes of Practice and legislation.

Policies and procedures affecting our own staff

- 20) Pay and conditions (excluding performance-related pay).

Slightly relevant to Race Equality

Policies and procedures affecting the public

- 21) Research.
- 22) Investigation and enforcement relating to employers liability compulsory insurance.
- 23) Permissioning and licensing.
- 24) Purchasing.
- 25) Forensic service to HSE.

Policies and procedures affecting our own staff

- 26) Grievance procedures.
- 27) Disciplinary procedures.
- 28) Absence and ill health management.
- 29) Pensions and retirement.
- 30) Exit monitoring.
- 31) Internal health and safety.
- 32) Expenses.
- 33) Trade Union representation.
- 34) Provision and support internally of information and communication technologies and other support.

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

We recognised some time ago that we can do more to consult representatives of our ethnic minority stakeholders. As indicated in the action plan, we are actively working to ensure that decisions on future policies and practice take proper account of racial equality issues. The key points are:

- 1) Our chief decision-making bodies are the Commission and the HSE Board. Papers to these bodies will be required to specifically identify what, if any, impact the policy is likely to have upon racial equality. This will be supported by guidance and advice. Other decision-making bodies in HSC and HSE will shadow this approach.
- 2) All significant policy changes are subject to consultation. This is normally carried out using consultative documents. We are already acting to improve the representation of ethnic minorities in our consultation directory. Guidance will be amended to require that all consultation exercises identify and include ethnic minority consultees where appropriate.
- 3) In the longer term we are reviewing our consultation methods to consider how and where other forms of consultation may be appropriate. The need to effectively include representatives of ethnic minority stakeholders will be included as a priority issue in this review process.

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

While there are a multitude of possible measures, we have identified three bottom-line factors:

- { whether people from different racial groups are at different levels of risk;
- { whether people from different racial groups have equal access to information and advice about health and safety; and
- { whether individuals from certain racial groups are more likely to be subject to enforcement action (prosecution or enforcement notices).

In all three, differences may be justifiable on non-racial grounds, but it is important that we can identify what is happening. What we can say is that certain racial groups are concentrated in industrial sectors where we know there are higher levels of risk than average. We will continue to monitor these trends and use them to inform how we communicate our messages.

We have put considerable effort into trying to identify levels of risk for different racial groups. However, even our largest survey, which included 70000 respondents, was too small for us to be able to confidently identify whether there are different levels of risk for different racial groups. We could introduce simple, but ineffective, systems for monitoring so that we can say we are complying with the law. However, we want to spend some time developing our monitoring systems so that they provide meaningful information that we can use to make a real difference to racial equality. We have therefore initiated a number of actions. Timescales for completion are given in the action plan.

- 1) We have contracted researchers to carry out a review of the currently available data to see if there is any more we can say about risk differences between racial groups. This will help us to clearly identify the remaining gaps and how we can address them.
- 2) We have commissioned research to identify whether different racial groups experience different levels of occupational stress. An earlier study suggested that this might occur, but was not conclusive.
- 3) In certain circumstances where people suffer an accident or ill health as a result of work, a responsible person (usually their employer) is required to report this to the enforcing authority. It is possible that there will be differences in the rate of reporting according to the ethnicity of the affected person. There are particular difficulties with developing a monitoring regime that will provide meaningful results, particularly in terms of achieving an adequate response rate. However, this information is very important to our race equality plans. We will develop a methodology for determining reporting based upon best practice in racial monitoring and the data which can be reasonably obtained in practice.
- 4) We want to be able to monitor by racial group those killed as a result of work activities. We are awaiting the outcome of a pilot study by the Home Office Coroners Section into obtaining information on ethnicity of the deceased from next of kin. This issue needs to be addressed with great sensitivity and we are keen to work with other agencies so that the bereaved are not repeatedly asked for the same information.
- 5) We will expand on current work to identify whether awareness of our work and satisfaction of our services differ between racial groups.
- 6) We will develop and implement a method, based on best racial monitoring practice, aimed at identifying whether there are different enforcement rates against individuals from different racial groups. We believe that for health and safety purposes it will be extremely difficult to usefully determine the racial group of a company, since frequently the ethnicity of directors, shareholders and managers within a single company differ. We will look further at this aspect, but do not propose to try to monitor the race of companies at this stage.

Publishing the results of consultations, assessments and monitoring

Each major policy change is considered by the Health and Safety Executive and/or Health and Safety Commission. 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 further steps to report back on the findings. Depending on the particular circumstances, steps may include: inclusion of a summary in the HSC annual report, a report in relevant ethnic minority media and an announcement on our website. 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.

Ensuring public access to information and services

Enquiries

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, and has access to Language Line, a national 24-hour interpretation service. Staff at Infoline receive training in using Language Line. We recognise that we can do more to promote the availability of the service and make it accessible to non-English speakers. We therefore plan to review and monitor these aspects.

Meetings in person

We already have systems in place to provide interpretation and translation facilities for use by operational staff. We will review experience of using these services with a view to improving both uptake and effectiveness. Particular attention will be paid to staff competency in working with interpreters.

Publications

HSE publishes a vast range of publications, from leaflets explaining basic rights and duties to highly technical books. We have identified the need to get the right information to the right people in the right way and this is particularly true for those stakeholders whose first language is not English. We already have a policy on provision of information in Welsh (required by legislation), and have now drafted a policy on communicating with those who use other languages. The draft policy is based upon extensive research and addresses not only languages used, but also the appropriate format and how we can promote and distribute the information. We have consulted widely with our staff and external stakeholders and intend to begin putting the policy into action within a matter of months.

Media promotion

Our Press Office uses a wide variety of both specialist and general media to assist the promotion of occupational health and safety messages. We recognise that different racial groups tend to access different media. We can do more to target the appropriate racial groups for each message and have identified this as a high priority in our action plan.

The racial mix relevant to different issues and industrial sectors will be identified to help target messages appropriately, and press officers will be provided with training and support in working with ethnic minority media organisations.

Training staff

The role at the centre is very much one of guidance and support. Our policy is to encourage our Directorates and Divisions, and staff within them, to take individual responsibility for issues relating to diversity. As a result of the race equality analysis process, Directorates and Divisions are currently planning training that will target specific issues relevant to racial equality in practice, such as working effectively with interpreters. These plans are still being devised and we will report in more detail when we revise this scheme in early 2003.

Those co-ordinating our approach to racial equality work keep their professional knowledge current through specialist workshops/seminars (eg through the CRE) and other consultancy training on specific equality issues.

As previously outlined under 'eliminating discrimination' , all staff have been given the opportunity of attending 'Personal Challenge' diversity workshops where the effects of bias and prejudice in the workplace have been explored. We intend to follow this up with targeted training identified as necessary by evaluation of the workshops etc.

Arrangements to meet specific employment duties

Workforce data

Currently, our workforce data is generally analysed by gender, race, disability and job band. Our database can also provide information on age, Directorate/Division, length of service, date to current post, salary, hours of work, temporary/permanent etc.

We do not currently analyse our racial data by different racial group, although we have recently completed a survey of staff to ensure that the information we hold is as accurate as possible. In this survey we have collected the data by different racial group and will therefore in future be able to make the analysis on this basis.

Not everyone has declared their racial origin to us, despite encouragement to do so. We currently have this information on around 60% of our workforce. We prefer to opt for a voluntary approach as we feel it would be extremely damaging to race relations within our organisation to force the issue at this point in time. However, over the next three years we hope to improve significantly upon this figure.

Recruitment, vacancy filling and promotion

We keep a very careful watch over our policies on recruitment, vacancy filling and promotion and the way in which they operate in practice. Through equality-proofing our procedures and monitoring results, we have identified a number of actions that we propose to take forward:

- { A mechanism for considering effects on ethnicity of changes to recruitment process will be addressed at Board level.
- { Continued monitoring of ethnicity of applicants is required to identify any arising issues.
- { Apart from the 'messages' given in our recruitment literature, it is important that documentation is clear and short, using bullet points, summaries and step-by-step guides to the selection process.
- { Continue with our approach of contracting out the sift process to experienced management consultants to ensure that everything possible has been done to eliminate discrimination at this stage of the process.
- { Amend HSE's procurement rules which will require tenderers to set out their approach to race within the tender responses.
- { Continue to monitor 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 by attending job fairs etc held in regions where ethnic minority groups are encouraged to apply. We will continue to review attendance at these events and locations.

- { We will be introducing new exercises into the assessment process which will require review and adjustment to ensure discrimination is controlled as far as is reasonably practicable.

Training

Training is not currently monitored by racial group. We are confident that we can use our in-house data recording system to record the training activity for each individual member of staff. This will require a feasibility study but there are likely to be other benefits too in terms of training management information.

Work is in hand to review and update if needed training targeted at Band 6 (Administrative Officer) level.

Performance appraisal

A review on performance box marks is carried out annually, with the results being brought to the attention of the HSE Board. The performance guidance includes good practice information on avoiding discrimination and highlights steps which reporting officers must take to check quality of reports.

The new appraisal system, which will incorporate an independent check of performance outturns, is being designed in consultation with staff and Trade Unions. This will involve a major pilot involving some 600 staff (including different racial groups).

Grievances

A Harassment Contact Adviser network has recently been set in place to allow informal discussion and advice. Monitoring of all grievance complaints and selection board decisions is undertaken by Personnel Division, although not currently monitored by racial group. We plan to introduce monitoring by racial group within the lifespan of this scheme.

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

Disciplinary action

We take disciplinary action where needed, including behavioural areas, and apply effective actions and remedies. All disciplinary cases are monitored and detailed records are kept identifying individuals, disciplinary issue, details of the formal investigation and outcome, although not currently monitored by racial group. We plan to introduce monitoring by racial group within the lifespan of this scheme.

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

Dismissals and other reasons for leaving

No formal monitoring is currently undertaken. We will need to link this information with statistical data on patterns of leaving etc and give more thought to how we will undertake the monitoring.

5 Our action plan and timetable

We have carried out detailed analyses of our policies and procedures on a Directorate by Directorate basis. The analyses identify specific actions to be taken by individual teams. Full details are not included here for the sake of brevity. Below are the key actions which have a wide effect on the work of HSE.

YEAR ONE (completion by 31 May 2003)

POLICIES AND PROCEDURES AFFECTING THE PUBLIC

- 1 Actively consult on the contents of this Race Equality Scheme with ethnic minority and other stakeholders, including the Trades Unions representing our staff, and issue a revised Scheme taking account of the feedback.
[SASD PD3]
- 2 Implement guidance requiring all Commission and Board papers containing proposals for new policies to specifically address the likely effects of the policies on promoting racial equality. **[SASD SECRETARIAT]**
- 3 Produce and distribute formal guidance to staff on three key issues:
 - using interpreters and translators;
 - taking enforcement action where differences in language significantly contribute to the risk; and
 - recording and reporting evidence of racial harassment that operational staff encounter during their routine work.**[FOD LEAD, WITH INPUT FROM HID AND RI]**
- 4 Field Operations Directorate will use available information to determine the racial mix of the people it serves on a local / regional basis and will then devise a brief plan for engaging with stakeholders from different racial groups. **[FOD DIVISIONS]**
- 5 Publish and promote core information on occupational health and safety in key languages other than English and Welsh for both workers and employers.
[TRANSLATION WORKING GROUP/SASD PD3 AND DIAS]
- 6 Carry out training for all press officers to assist them in working effectively with the ethnic minority media. **[DIAS 2]**
- 7 Complete a research project into methods for determining key occupational health and safety risks for different racial groups.
[SASD PD3 AND HD EMSU]
- 8 Each Sector (those responsible for operational policy relating to specific industrial sectors) will produce a brief plan that indicates the racial mix in their industrial sector, the likely implications for policy and the actions required to ensure that proper regard is given to racial equality. **[FOD]**

- 9 Determine the racial mix of workers in the rail industry and identify key implications for HSC/E policy and practice in this sector. **[RD AND RI]**
- 10 Complete research into attitudes to, and awareness of, occupational health and safety among employers from ethnic minority groups. **[SASD PD4]**
- 11 Review how policy on the employers' duty to communicate information to their employees in a comprehensible form (Management Regulation 10) is promoted and enforced in practice. **[SASD SDSMB]**
- 12 Review policy relating to personal protective equipment (hard hats, breathing apparatus, gloves etc) to identify if particular racial groups are disadvantaged in a way that is unjustifiable. **[SPD B]**
- 13 Develop and implement a model for assessing the relevance of racial equality to complex issues of health policy. **[HD]**

POLICIES AND PROCEDURES AFFECTING OUR STAFF

- 14 Carry out an annual review of the relationship between ethnicity and performance appraisal markings. **[PERSONNEL]**
- 15 Monitoring of pay through an expanded equal pay audit. **[PERSONNEL]**
- 16 Evaluate and eliminate potential discrimination in the development of a new staff performance management system. **[PERSONNEL]**
- 17 Deliver targeted diversity training as identified to be necessary by the evaluation of the 'Personal Challenge' workshops. **[PERSONNEL]**
- 18 Introduce ethnic monitoring of staff training activities. **[PERSONNEL]**
- 19 Review key aspects of our recruitment policy, including recruitment literature, promotional activities, and the use of assessment centres for recruitment purposes. **[PERSONNEL]**
- 20 Introduce ethnic monitoring of applicants for internal vacancy filling and promotion including application, sift and interviewing. **[PERSONNEL]**
- 21 Monitor arrangements for the provision of agency staff to HSC/E. **[PERSONNEL]**

YEAR TWO (completion by 31 May 2004)

POLICIES AND PROCEDURES AFFECTING THE PUBLIC

- 1 Establish a methodology for determining if people from different racial groups are subject to different levels of risk to their health and safety. **[SASD ESAU]**

- 2 Complete research into whether workers from different racial groups are exposed to different levels of occupational stress, including what influence workplace harassment may have on levels of stress. **[SASD PD3]**
- 3 Implement monitoring to determine if there are inequalities in those making enquiries to HSE. **[DIAS]**
- 4 Deliver seminars for all operational staff in the Field Operations Directorate and Railways Inspectorate explaining recent amendments to guidance relevant to racial equality, including use of interpreters etc. **[FOD AND RI]**
- 5 Deliver briefing to staff in Technology Division on the relevance of the Race Relations Act to occupational health and safety. **[TD]**
- 6 Following review, implement new internal guidance to improve consultation with ethnic minority stakeholders during the general policy development process. **[SASD SDSSB / SDOGB]**
- 7 Ensure that all HSC Priority Programmes have included consideration of racial equality issues in their plans.
[PRIORITY PROGRAMME MANAGERS / SASD SDSMB]
- 8 Establish a system for monitoring complaints made against HSC/E by racial group of complainant. **[SASD SECRETARIAT]**

POLICIES AND PROCEDURES AFFECTING OUR OWN STAFF

- 9 Review HSC/E pay policy issues not already addressed in the review of performance management above. **[PERSONNEL]**
- 10 Review policy on staff taking time off. **[PERSONNEL]**

YEAR THREE (completion by 31 May 2005)

POLICIES AND PROCEDURES AFFECTING THE PUBLIC

- 1 Develop a methodology aimed at determining if the rate of accident and ill-health reporting varies according to the ethnicity of the person affected.
[SASD PD3 / ESAU / HD EMSU]
- 2 Review the effect of revised HSC/E policies on people from different racial groups in the offshore oil and gas industry. **[SPD C / HID]**
- 3 Review the effect of revised HSC/E policies on people from different racial groups in hazardous installations (large chemical works etc). **[HID]**
- 4 Review good practice on race equality established elsewhere in HSC/E and adopt relevant practice in the Nuclear Safety Directorate where appropriate.
[NSD]

- 5 Complete the testing of significant issues of pre-existing health policy against the assessment model and identify remedial action as identified to be necessary. **[HD]**

POLICIES AND PROCEDURES AFFECTING OUR OWN STAFF

- 6 Review the remaining aspects of staff recruitment policy, including advertising, application forms, sift mechanisms and search agencies. **[PERSONNEL]**
- 7 Review monitoring arrangements for staff grievance procedures. **[PERSONNEL]**
- 8 Review monitoring arrangements for staff conduct and disciplinary procedures. **[PERSONNEL]**
- 9 Review policy on further education for staff. **[PERSONNEL]**
- 10 Review staff absence procedures. **[PERSONNEL]**
- 11 Review procedures and practice for referral of staff to occupational medical advisors. **[PERSONNEL]**
- 12 Monitor our arrangements for managing the performance and development of staff in their first twelve months of employment probation procedures. **[PERSONNEL]**
- 13 Review monitoring arrangements relating to staff leaving HSE. **[PERSONNEL]**
- 14 Review staff expenses code. **[PERSONNEL]**

6 How we will review our action plan and timetable

We will review our progress against plans at the mid-year and end of year stages, revising and adjusting plans where necessary to keep up the momentum and to take account of new factors. Each review will be presented to, and considered by, the Health and Safety Commission and the Health and Safety Executive Board.

At the end of each financial year we will contribute to a Cabinet Office progress report to the Prime Minister on progress with diversity issues across the Civil Service. Our report includes progress on under-representation issues as well as racial monitoring.

7 Race equality targets and performance indicators

External targets

The absence of existing data on the effects of HSC and HSE policies makes it impossible to set appropriate specific targets and indicators at this stage. Therefore, initially our targets will be those set out in our action plan, and our performance indicators will be the effective completion of the tasks in accordance with the timescale.

The establishment of effective monitoring regimes are high priorities in our action plan. As monitoring provides baseline information on our current performance, we will amend out equality targets and performance indicators accordingly.

Internal targets

The target we have set ourselves for internal ethnic minority representation for 2005 was established following publication of the Cabinet Office benchmark for the Senior Civil Service (SCS) in April 1999 under the Modernising Government Agenda. Their benchmark for ethnic minority representation in the SCS by 2005 is 3.2%.

It was clear however from our analysis that it would be virtually impossible for HSE to achieve the target. This is mainly due to the low base from which we are starting. There are very few staff 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, especially in senior Head Office posts, 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 industries from which we recruit are predominately white male.

We have therefore proposed a target of 1.8% for the SCS in HSE which we believe is both stretching and achievable but also takes into account HSE's particular circumstances. 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.

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 improving 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 in the three years since the targets were set.

| BAND | 1 APRIL 1999 | | 1 MARCH 2002 | | TARGET 2005* | |
|-----------------|--------------|-----|--------------|-------------|--------------|-----|
| | NUMBER | % | NUMBER | % | NUMBER | % |
| SCS | 0 | 0 | 0 | 0 | 1 | 1.8 |
| B1 G6 | 1 | 0.8 | 3 | 2.3 | 3 | 2.3 |
| B2 G7 | 7 | 1.2 | 15 | 2.5 | 12 | 2.1 |
| B3 SEO | 35 | 3 | 54 | 4.4 | 45 | 3.8 |
| B4 HEO | 17 | 3.1 | 47 | 7.3 | 24 | 4.4 |
| B5 EO | 31 | 7.6 | 42 | 8.2 | 38 | 9.3 |
| B6 AO/AA | 103 | 8.6 | 117 | 11.2 | 118 | 9.9 |
| TOTAL | 194 | 4.7 | 278 | 6.5 | 241 | 5.9 |

* Projected figures at 1 April 1999

Promotion targets

To meet the target we have set for the SCS we need to ensure that ethnic minority staff are adequately represented in the feeder bands. However, our internal vacancy filling procedures are based solely upon merit and it would be wrong therefore to set targets. What we propose to do is to evaluate promotions since our new internal vacancy filling procedures were introduced in 1996 and to closely monitor results so that we can establish what needs to be done and where (eg mentoring, coaching).

Geographical targets for ethnic minority representation

In terms of geographical targets, we are not looking at feeder bands to the Senior Civil Service. The targets we are looking for are for overall representation for any given locality. We are advised by our economists/statisticians that the 'working population' taken from the latest population census (1991), although somewhat dated, is the most appropriate place to start. We could use the Labour Force Surveys, which are more current, but they are only based on sample snapshots rather than total population. DTLR (our sponsoring Department) have advised their agencies to use the population census. Therefore for the sake of consistency we have used the same approach.

As a starting point, we compared our staffing profile in HSE offices across the country to see where there is under-representation. The picture is disappointing, with only a handful of local offices reflecting the ethnic population figure for the locality. As local offices generally only recruit locally at B5/6 level Directorates/ Divisions do not have much scope to influence these figures. However, Directorates/Divisions can do much to raise the profile of HSE within their local communities eg engaging in outreach activities (Toxteth, Moss Side, Brixton etc), developing links with schools and colleges and holding open days.

The geographical targets will be for HSE to achieve. They are not aimed at any particular Directorate/Division in the locality and it will be for all to make efforts to do whatever they can to increase representation.

We plan to review our targets when the results of the 2001 Population Census are published in the summer of 2002.

8 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, HSE or their staff. These apply to all complaints against the organisations, including those of racial prejudice. They are detailed in free documents including *The Health and Safety Executive and you*.

Our draft 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, entirely confidentially, about any issues of harassment or unacceptable behaviour. In the first instance, this is an avenue where complaints can be discussed without having to move on to more formal procedures. However, where there are grievances or complaints that cannot be resolved informally, we have a grievance procedure which individuals can follow. Issues can be raised by the individual concerned or through Trade Union representation. Our Diversity team are also happy to discuss and give advice on issues raised by individuals.

9 Consulting our staff and public on the scheme and keeping them informed of progress

We regard this scheme essentially as a consultation draft. We are not content to set a plan without giving our stakeholders a proper opportunity to influence it. Therefore we will be actively consulting on the content of the scheme with the public, our staff and the Trade Unions and will produce a revised scheme in early 2003 which takes account of feedback.

The public

We want to achieve wide coverage for our Race Equality Scheme. But we recognise we will be one of 40000 public bodies publishing schemes at the same time and that many of our stakeholders will understandably be more interested in the outcomes rather than the scheme itself. We therefore need to carefully target promotion so as to avoid being lost amongst the many. We will:

- ◆ use news releases to make the health and safety trade press aware of the scheme;
- ◆ send copies to key organisations who represent the interests of those from ethnic minorities in the workplace;
- ◆ publish the scheme on our website;
- ◆ hold a series of forums for representatives of ethnic minority workers and employers to discuss the contents of the scheme and possible improvements; and
- ◆ seek wider publicity when we launch our revised scheme in early 2003.

Once the revised scheme is in place we will involve representatives of our stakeholders in the process of reviewing our progress on an annual basis. We plan to do this by holding annual forums for the key interest groups.

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

Staff

We will consult our staff by publishing our action plans on our 'Diversity Matters' Bulletin Board and invite comments through our network of Diversity Liaison Officers and from our Trade Unions.

Articles have been, and will continue to be, published in our monthly in-house magazine 'express'. Articles will not only give an overview of the changes that are coming, but also report progress against our action plan.

Requirements of the Race Relations Act (Statutory Duties) Order 2001 relating to the contents of a Race Equality Scheme

2(2) *A Race Equality Scheme shall state, in particular -*

- a. *Those of its functions and policies, or proposed policies, which that person has assessed as relevant to its performance of the duty imposed by section 71(1) of the Race Relations Act; and*
- b. *That person's arrangements for -*
 - i) *assessing and consulting on the likely impact of its proposed policies on the promotion of race equality;*
 - ii) *monitoring its policies for any adverse impact on the promotion of race equality;*
 - iii) *publishing the results of such assessments and consultation as are mentioned in sub-paragraph (i) and of such monitoring as is mentioned in sub-paragraph (ii);*
 - iv) *ensuring public access to information and services which it provides; and*
 - v) *training staff in connection with the duties imposed by section (71(1) of the Race Relations Act and this Order.*

(3) *Such a person shall, within a period of three years from 31st May 2002, and within each further period of three years, review the assessment referred to in paragraph (2)(a).*

CRE draft guidance on elements for inclusion in a Race Equality Scheme

Elements of a Race Equality Scheme

- *Our race equality values, principles and standards*
- *Our race equality strategic aims*
- *How we will meet the general duty*
- *How we will meet the specific duties*
- *Our action plan and timetable*
- *How we will review our plan and timetable*
- *Our race equality targets*
- *Our race equality performance indicators*
- *How we will deal with complaints*
- *How we will consult our staff and the public, including ethnic minority communities, at different stages of the action plan*
- *How we will tell our staff about our plans and activities*
- *How we will tell the public about our race equality progress*

(extract from: "Statutory code of practice on the duty to promote race equality - a guide for public authorities" consultation draft. Published by the Commission for Racial Equality December 2001)