



Ministry of Defence

Equality & Diversity Scheme 2006-2009

Incorporating Race, Disability, Gender, Age, Religion or Belief and Sexual Orientation

**Armed Forces
Civil Service
Ministry of Defence Police**



**Foreword
by**

**Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff and
Bill Jeffrey, Permanent Under Secretary for Defence.**

We are delighted to introduce the first overarching Equality and Diversity Scheme for the Ministry of Defence, encompassing the Armed Forces, the Civil Service and the Ministry of Defence Police. Our decision to introduce an overarching Scheme demonstrates our continued commitment to our equality and diversity agenda and making equality and diversity integral to all our policies, functions and services. We consider that all diversity strands are of equal importance and one Scheme reinforces that message.

Our organisation is large and complex, being a Department of State as well as the Headquarters of our Armed Forces. The appendices to the Scheme provide a description of the structure of the Department and our approach to equality and diversity. Our annual Action Plan will address areas of concern as well as setting out the specific measures we intend to undertake to meet our specific and general duties under the various pieces of legislation. We are fully committed to attracting staff to reflect the diverse community that we serve.

We have worked closely with the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission, over recent years, to address specific issues of concern. We intend to build a meaningful relationship with the new Commission for Equality and Human Rights from its inception to keep up the momentum.



Air Chief Marshal Sir Jock Stirrup



Bill Jeffrey

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Bill Jeffrey, Permanent Under Secretary at the Ministry of Defence

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[Equality and Diversity Impact Assessment](#)

This Scheme has been Equality and Diversity Impact Assessed in accordance with the Department's Equality and Diversity Impact Assessment Policy as follows :

Full Equality and Diversity Impact Assessment undertaken. Due for review in April 2009.

INTRODUCTION

1. This first Defence Equality & Diversity Scheme takes account of existing, new and likely future legislation to promote equality and diversity. The Scheme will come into effect on 1 April 2006 and will be in force until 2009, with the first report against the Scheme being published in 2007. It sets out our strategy for meeting the statutory general and specific duties for Race, Disability and Gender. Additionally, the Scheme includes our approach to other diversity strands and outlines our arrangements for:

- Making the Scheme part of the culture of work at Defence;
- Identifying and assessing relevant functions and policies;
- Assessing and consulting on the likely effects of proposed policies on meeting the duty;
- Monitoring policies for any adverse impact on different groups;
- Publishing the results of our assessments, consultations and monitoring;
- Making sure that the public has access to information about us and our role;
- Training our employees regarding their part in meeting both our legal obligations and our commitment to equality and diversity as a whole as specified in our Unified Diversity Strategy
(<http://www.mod.uk/DefenceInternet/AboutDefence/Issues/DiversityAndEquality>).

THE MINISTRY OF DEFENCE (MOD) – ABOUT US

DEFENCE VISION

Defending the UK and its interests
Strengthening international peace and stability

A Force for good in the world

We achieve this aim by working together on our core task to produce battle-winning people and equipment that are:

- Fit for the challenge of today;
- Ready for the tasks of tomorrow;
- Capable of building for the future.

2. The Defence Vision is pivotal to everything that the Department does. It sets out the common purpose of all the military and civilian personnel who work in Defence. We are one of the largest government departments in the United Kingdom. We employ some 300,000 military and civilian staff, which includes our own civilian Police Force (which is a statutory police force operating within the MoD), Fire Service, teachers and medical staff.

3. To achieve this Vision, we have two high level outputs, reflecting our roles as a Department of State and as the headquarters for the nation's Armed Forces. These are intimately linked and interdependent:

- Developing **defence policy**, comprising the definition of the military capability and other objectives required of Defence to meet the Government's overall policy aims within planned resources;
- Providing the **military capability** needed to deliver defence policy and to support wider government policy objectives.

Both the policy and military capability are joint outputs which can only be effectively generated by the organisation working together in a fully integrated and coherent way. In view of our primary role, our main focus in respect of this Scheme is our employees.

4. **Service Personnel** - The British Armed Forces have a proud tradition and a reputation for excellence. They are required to make a personal commitment not asked of those in other walks of life and must have the full trust and respect of their colleagues to operate effectively in often difficult and dangerous circumstances.

5. **Civilian Personnel** - The Personnel Director is responsible for providing a civilian workforce of sufficient numbers that is appropriately skilled, managed and motivated, to support defence capability now, and in the future.

EQUALITY AND DIVERSITY – OUR APPROACH

Diversity Vision

Our vision is a workforce, uniformed and civilian, that is drawn from the breadth of the society we defend, that gains strength from that society's range of knowledge, experience and talent and that welcomes, respects and values the unique contribution of every individual.

Diversity Mission

We will create a culture that encourages and enables people throughout society to join us, and remain with us, to make their distinctive contributions and achieve their full potential, and that does not tolerate any form of intimidation, humiliation, harassment, bullying or abuse and will ensure each individual is treated fairly, with dignity and respect. Our mission is to break down all barriers of discrimination, prejudice, fear or misunderstanding, which can damage operational effectiveness.

GOVERNANCE

6. The Department has adopted a unified philosophy towards equality and diversity issues at the strategic level. This is reflected through the Defence Unified Diversity Strategy (UDS). The UDS ensures the development of equality and diversity action plans which are relevant to, and reflective of, the respective requirements of Armed Forces, MoD Civilians and MoD Police. These are undertaken in a way that supports broader MoD equality and diversity objectives.

7. The Chief of Defence Staff and the Permanent Under Secretary are responsible for equality and diversity policy, legislative compliance and application. They are supported in the role by the Defence Management Board and the Diversity Panel. The latter provides strategic direction to the Department in:

- Developing policies that promote equality for everyone;
- Implementing the UDS;
- Monitoring and evaluating the Department's equality and diversity policies and performance;
- Setting diversity priorities;
- Helping to project a positive image of the Department's approach to equality and diversity in the wider community.

EQUALITY AND DIVERSITY POLICY IN THE ARMED FORCES

8. Each of the Services has its own Diversity Team reporting to its respective Principal Personnel Officer (PPO) and responsible for developing and implementing policies on equality issues. The single Service teams work closely with the central diversity policy team, Service Personnel Policy (SP Pol), which reports to the Deputy Chief of the Defence Staff (Personnel) and is responsible for developing a tri-Service approach to diversity and equality issues. In particular, the SP Pol team:

- Looks at emerging legislation to determine its potential impact on the Armed Forces;
- Seeks any modifications and exemptions necessary to maintain operational effectiveness;
- Liaises with the Equal Opportunities Commission and Commission for Racial Equality;
- Participates in interdepartmental committees and consultations on diversity and equality issues.

9. The central Diversity Policy team liaises closely with their civilian counterparts in the Diversity Team to develop policies that apply across the Department.

EQUALITY AND DIVERSITY POLICY FOR CIVILIAN STAFF

10. The Diversity Team is part of the civilian Personnel Director's staff and is responsible for promoting equality and diversity for all civilian employees. It is also responsible for interpreting legislation and producing the Department's civilian policies on equality and diversity, which meet or exceed legislation. The team works closely with colleagues in the Service Personnel Policy area to seek common approaches and solutions wherever possible.

EQUALITY AND DIVERSITY POLICY IN THE MOD POLICE

11. Much of the civilian policy on equality and diversity applies to MoD police officers. However, a number of their employment conditions, for example on flexible working or maternity are linked with national police service arrangements. A policy team within the MoD Police and Guarding Agency's Human Resources Business Partner unit has responsibility for ensuring that police employment policy meets or exceeds legislation. This work is supported by the Agency's Diversity and Equality Unit, which also works with operational staff, to ensure that equality and diversity issues are properly taken into account in the delivery of services by the Ministry of Defence Police.

THE LEGAL REQUIREMENT

INTRODUCTION

12. This section sets out our current and forthcoming obligations under UK employment and anti-discrimination legislation. We also state clearly where there are exemptions from this legislation for the Armed Forces and the Ministry of Defence Police. As a public authority, we are already subject to a race equality duty and will soon be subject to disability and gender equality duties. In anticipation of future legislation we intend to show, where appropriate, the same commitment to promoting equality of opportunity and tackling discrimination on grounds of age, sexual orientation, religion or belief, gender reassignment, family leave and working patterns.

RACE DUTY TO PROMOTE

13. The Race Relations Act 1976 as amended (RR(A)A 2000) imposes a general statutory duty, known as the race equality duty, on the public authorities specified or described in schedule 1A to the RRA.

General Duty

14. Since April 2001, when carrying out their functions, public authorities have been required to have due regard to the need to:

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

Specific Duties

15. Specific duties are imposed on listed public authorities to ensure better performance by them of the general duty. The specific duties cover obligations in respect of policy and service delivery and employment. Since December 2001 we have had to prepare and publish a race equality scheme (RES) and conduct ethnic monitoring of our workforce.

The MoD Race Equality Scheme 2002-2005

16. In 2002 we published the Ministry of Defence Race Equality Scheme covering the Armed Forces, MoD Civil Service and Trading Funds and Ministry of Defence Police (MDP), and in each subsequent year we have also published a progress report against the scheme. Our Race Equality Scheme (RES) can be found on the Department's website:

<http://www.mod.uk/DefenceInternet/AboutDefence/Issues/DiversityAndEquality/RaceEqualityScheme.htm>, together with our third and most recent progress report against it, which covers progress made during the period from August 2004 to July 2005 as well as providing a brief summary of the main achievements since the Scheme began.

17. As in previous years, copies of this report will be distributed at senior levels throughout the Department and a copy will be placed in the House of Commons library. It will also be available on the Department's internal and external websites.

DISABILITY DUTY TO PROMOTE

18. The DDA has been amended by the Disability Discrimination Act 2005 so as to impose on public authorities duties relating to disabled people which are similar to those imposed by the RR(A)A. These new duties are to be introduced on 5 December 2006.

General Duty

19. A public authority, when carrying out its functions, will have to have due regard to the need to:

- Eliminate unlawful discrimination against disabled people;
- Eliminate disability-related harassment of disabled people;
- Improve equality of opportunity for disabled people;
- Promote positive attitudes towards disabled people;
- Encourage participation by disabled people in public life;
- Take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

20. However, the Department will not have to have due regard to the need to take such steps, or improve equality of opportunity for disabled people, when acting in connection with recruitment to the Armed Forces or in relation to Service personnel in connection with their service.

Specific Duties

21. Regulations impose specific duties on listed public authorities, including civilians and the Armed Forces (except in relation to employment in the Services), to ensure the better performance by them of the general duty. Such duties will involve public authorities having to publish, review and implement a disability equality scheme, and to report on its implementation.

GENDER DUTY TO PROMOTE

22. The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions. The gender equality duty will come into effect on 6 April 2007.

General Duty

23. A public authority, when carrying out their functions, will have due regard to the need to:

- Eliminate unlawful discrimination and harassment;
- Promote equality of opportunity between men and women.

Specific Duties

24. The general duty is complemented by specific duties, which will be set out in secondary legislation, to assist public authorities in complying with the general duty.

FAIR EMPLOYMENT : NORTHERN IRELAND

25. We are required under the Fair Employment and Treatment (Northern Ireland) 1998 Order to monitor our workforce in Northern Ireland and provide a return each year to the Equality Commission for Northern Ireland containing prescribed information about our employees. In addition, as a public authority, we are also required to monitor the composition of those applying to fill vacancies for employment, the number of appointees, the number of promotees and the number of leavers. At least once every three years we are required to review our recruitment, training and promotion practices in order to determine whether fair participation in employment is being secured by both Protestants and Roman Catholics. Where participation is not being provided to either community we are required to consider the implementation of appropriate affirmative action measures, including the setting of goals and timetables for all applications and appointments.

EXEMPTIONS FOR THE ARMED FORCES

26. The Armed Forces are exempt from legislation that applies only to “employees” and/or “workers”, as Service personnel do not work under contracts. However, while the Employment Rights Act 1996 does not currently extend to service as a member of the Armed Forces, the Working Time Regulations 1998 and the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 do apply to such service.

Sex Discrimination Act 1975

27. The Sex Discrimination Act 1975 (SDA), which outlaws discrimination on grounds of sex in employment and other areas, formerly did not apply to service in the Armed Forces. It was amended in 1995 so as to remove that exemption and to provide as follows: “Nothing in this Act shall render unlawful an act done for the purpose of ensuring the combat effectiveness of the armed forces.” Consequently, the great majority of posts in the Armed Forces are open to women. They are currently excluded only from certain close-combat posts, subject to a requirement periodically to assess the position.

Disability Discrimination Act 1995

28. The Armed Forces are exempt from the application of the employment provisions of the Disability Discrimination Act 1995 (DDA), which make it unlawful for employers to discriminate against disabled people.

EXEMPTION FOR THE MINISTRY OF DEFENCE POLICE

29. Section 200 of the Employment Rights Act does not apply to the Ministry of Defence police officers.

OUR ARRANGEMENTS FOR MEETING THE GENERAL & SPECIFIC DUTIES

INTRODUCTION

30. In this section we set out our arrangements for meeting our obligations under the statutory general and specific duties which already exist for race, and will come into force in December 2006 for disability and in 2007 for gender. For transparency we have shown the duties separately for each of the three strands, followed by our arrangements to meet the duties. We also cover what we are doing for the other diversity strands, and detail cross cutting activities which cover all the diversity strands as part of our overarching approach to equality and diversity.

31. Our Service and civilian diversity policy teams will work with our Top Level Budget Holders, Service Commanders- in-Chief and other major delivery organisations, our training organisations, our network of Equality & Diversity Officers (Service Equivalent), Focus Groups, and our workforce both uniformed and civilian to ensure that we meet these duties. The views of the Department's Diversity Panel will also be sought, where appropriate.

THE REQUIREMENT

RACE

GENERAL DUTY	SPECIFIC DUTY
<p>To eliminate unlawful racial discrimination.</p> <p>To promote equality of opportunity and.</p> <p>To promote good relations between persons of different racial groups.</p>	<p>Publish a Race Equality Scheme which is a timetabled and realistic plan, setting out the authority's arrangements for meeting the general and specific duties.</p> <p>Review the Scheme (once every three years).</p> <p>Publish annually the results of monitoring.</p> <p>Employment - Monitor, by reference to racial group, gender, disability the numbers of:</p> <ul style="list-style-type: none"> • Staff in post; • Applicants for employment, training and promotion. <p>Monitor the number of staff from each racial group who:</p> <ul style="list-style-type: none"> • Receive training; • Benefit or suffer detriment as a result of performance assessment procedure; • Are involved in grievance procedures; • Are the subject of disciplinary procedures; • Cease employment.

DISABILITY

GENERAL DUTY	SPECIFIC DUTY
<p>Promote equality of opportunity between disabled persons and other persons.</p> <p>Eliminate discrimination that is unlawful under the Act.</p> <p>Eliminate harassment of disabled persons that is related to their disabilities.</p> <p>Promote positive attitudes towards disabled persons.</p> <p>Encourage participation by disabled persons in public life.</p> <p>Take steps to take account of disabled persons' disabilities, even where that involves treating disabled person more favourably than other persons.</p>	<p>Publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties.</p> <p>Involve disabled people in the development of the scheme.</p> <p>The scheme should include a statement of:</p> <ul style="list-style-type: none"> • The way in which disabled people have been involved in the development of the scheme; • The method for impact assessment; • Steps which will be taken towards fulfilling this general duty (the action plan); • Arrangements for gathering information in relation to employment and, where appropriate, its delivery of education and its functions; • Arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes; <p>Within three years of the scheme being published, take the steps set out in the action plan (unless it is unreasonable or impractical to do so) and put into effect the arrangements for gathering and making use of information.</p> <p>Publish a report containing a summary of the steps taken under the action plan, the results of its information gathering and the use to which the information has been put.</p> <p>Employment Monitor, by reference to disability, the numbers of staff who :</p> <ul style="list-style-type: none"> • Apply for employment, training and promotion; • Receive training; • Benefit or suffer detriment as a result of performance assessment procedure; • Are involved in grievance procedures; • Are the subject of disciplinary procedures; • Cease employment.

GENDER

GENERAL DUTY	SPECIFIC DUTY
<p>Eliminate unlawful discrimination and harassment.</p> <p>Promote equality of opportunity between men and women.</p>	<p>Produce a Gender Equality Scheme and Action Plan identifying gender equality goals and showing the action it will take to meet them in consultation with employers and stakeholders.</p> <p>Publish the scheme setting out goals and planning outcomes.</p> <p>Monitor and review progress against the scheme.</p> <p>Review the scheme every three years.</p> <p>Develop, publish and regularly review an Equal Pay Policy, including measures to promote equal pay, ensure fair promotion and development opportunities and tackle occupational segregation.</p> <p>Conduct and publish gender impact assessments, consulting appropriate stakeholders of all legislation and major policy developments in employment, policy and services, and publish their criteria for conducting such impact assessments.</p> <p>Employment Monitor, by reference to gender, the numbers of staff who:</p> <ul style="list-style-type: none"> • Apply for employment, training and promotion; • Receive training; • Benefit or suffer detriment as a result of performance assessment procedure; • Are involved in grievance procedures; • Are the subject of disciplinary procedures; • Cease employment.

MEETING THE REQUIREMENT

RACE

GENERAL DUTY

New Horizons for Civilian Staff

32. New Horizons is a core competence-based self-development programme, designed to provide ethnic minority participants with the skills, abilities and confidence to help them to compete more effectively for opportunities in the Department. Mentors are available to support participants. The

Scheme provides participants with the opportunity to develop their own skills in managing in a diverse organisation.

Armed Forces

33. As part of their efforts to meet the General Duty, the Armed Forces entered into successive Partnership Agreements with the Commission for Racial Equality (CRE). The first covered the period from 1998 to 2003 and the second from 2003 to 2006. These Agreements set out areas in which progress was to be achieved including recruitment, retention, career progression and measures to prevent and deal with racial harassment and run in parallel with the Department's Race Equality Scheme. Discussions are currently being held with the Commission on the arrangements that will apply when the current Partnership Agreement expires in July 2006.

SPECIFIC DUTY

34. The Ministry of Defence Equality and Diversity Scheme 2006-2009, subsumes and replaces the MoD Race Equality Scheme (RES) 2002-2005. The RES is still available on the Department's website:

<http://www.mod.uk/DefenceInternet/AboutDefence/Issues/DiversityAndEquality/RaceEqualityScheme.htm>, together with our most recent progress report against it which covers progress made during the period from August 2004 to July 2005. We will also produce a short supplementary report to cover the period August 2005 to April 2006.

Functions And Policies

35. We have previously examined our functions and policies and identified those with relevance to the Race Relation (Amendment) Act which were listed in our RES. An interim review of this list was carried out in April 2005, and the results published on our website. This review will be used as the starting point for a programme of review and Impact Assessments as part of this Scheme.

DISABILITY

ARMED FORCES

36. The Armed Forces are exempt from the employment aspects of the relevant legislation.

GENERAL DUTY FOR CIVILIAN STAFF ONLY

The Disability Symbol (Two Tick Symbol)

37. The Disability Symbol is a Government initiative (Jobcentre Plus, part of the Department for Work and Pensions) developed so employers can show their commitment to good practice in employing disabled people. It is a recognition given by Jobcentre Plus to employers who have agreed to meet five commitments regarding the recruitment, employment, retention and career development of people with disabilities. The Department is an accredited user of the Disability Symbol as part of its commitment to the employment of disabled people generally and can use the symbol on appropriate correspondence.

38. The five commitments are:

- To interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities. This is called the Guaranteed Interview Scheme;
- To ensure there is a mechanism in place to discuss, at any time, but at least once a year, with the employees with disabilities what they can do to make sure they can develop and use their abilities;
- To make every effort to when employees become disabled to make sure they stay in employment.;
- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make the commitments work;
- Each year, to review the five commitments and what has been achieved, to plan ways to improve on them and let employees know about the progress and future plans.

39. The Guaranteed Interview Scheme (GIS) is one of the five Commitments of the Jobcentre Plus' "Disability Symbol", sponsored by the Department of Works and Pensions (DWP). The Department is an accredited user of the "Disability Symbol" and therefore agrees to offer all disabled job applicants who meet the minimum qualifying criteria, a guaranteed interview. This applies to both internally and externally advertised posts. The aim of this commitment is to encourage people with disabilities to apply for jobs by offering an assurance that should they meet the minimum criteria they will be given the opportunity to demonstrate their abilities at the interview stage.

40. We take a pro-active approach towards making reasonable adjustments in the workplace. All staff with disabilities are encouraged to consider having a workplace assessment (via JobCentrePlus) where it is felt that adjustments to the working environment (excluding building requirements) might be appropriate. We also encouraged our staff to declare their disability to help us fulfil our obligations to them, both in terms of legal and Departmental policy. All disability data is held confidentially and will only be used in pursuit of the Department's equality and diversity policies.

Recruitment Training

41. As part of our regular training improvements a new course, Disability Equality in Recruitment, has just been launched. This is an interactive course which guides individuals through the Disability Discrimination Act 1995, helping them to meet their legal responsibilities when recruiting staff. The course aims to ensure that disabled candidates are not discriminated against in the recruitment procedure.

SPECIFIC DUTY

Functions And Policies

42. We have previously examined our functions and policies and identified those with relevance to race and which were listed in our RES. An interim review of this list was carried out in April 2005, and the results published on our website. This further review will be used as the starting point, and will also take account of our duties regarding disability, for a further programme of review and Impact Assessment. Also as part of this programme we will consult with our civilian Disability Steering Committee and local networks to seek their views and input regarding the review process, impact assessment and the any follow on work required which will be reflected in our Action Plans.

GENDER

GENERAL DUTY

Positive Action Training for Civilian Women Staff

43. We offer specific training, called Positive Action Training for Women, which is targeted at women entering the management grades, (where women are under represented in this Department). This provides an opportunity for participants to examine behaviour by and towards women in management; exchange views on issues connected with being a minority; and to work on interpersonal skills, particularly assertiveness.

Supplementary e-learning:

44. The “Secrets of Women Leaders” is available at one of our Electronic Learning Centres.

Armed Forces

45. As part of their efforts to meet the General Duty, the Armed Forces have entered into an Agreement with the Equal Opportunities Commission on measures to prevent and deal with sexual harassment. We are also:

- Working with NATO allies on the development of a comprehensive policy on integrating gender issues into operational planning;
- Working with the Foreign and Commonwealth Office on the UK’s response to UN Security Council Resolution 1325 on Gender in Peacekeeping;
- Considering further work on the incidence of Violence Against Women in the light of the recent report by the Women’s National Commission.

SPECIFIC DUTY

Functions And Policies

46. The functions and policies identified in our RES and reviewed in April 2005 will be used as the starting point for a further programme of Review and Impact Assessment which will take account of gender duty requirements.

Gender Goals

47. As outlined in the draft gender duty there is a requirement for gender goals to form part of the body of the gender equality scheme. Our gender goals are currently contained in our Action Plan for 2006/07. We will revisit this requirement when reviewing our Scheme in early 2007.

CROSS CUTTING ACTIVITIES

TRAINING

48. In support of our Diversity vision and to meet the general duty, it is important that our entire workforce, civilian and uniformed, are properly trained, that their awareness is raised and that they are sensitive to diversity issues. To achieve this we have a Training Management Framework. There are several levels of training from our initial induction courses through to specialist training for specific posts.

Armed Forces

49. Awareness of the Armed Forces' equality and diversity policies and the responsibility for ensuring that people, both within the Services and in the wider community with whom they come into contact as part of their duties, are treated fairly and with respect is now a key component of every individual's training. It is covered in initial training and at other key stages throughout Service careers.

Civilian Staff

50. Equality and diversity training is mandatory and is regularly refreshed and updated. Feedback from training events is monitored to assess the quality and impact of our equality & diversity training.

Ministry of Defence Police (MDP)

51. Like the Armed Services, the MDP recognises that it is essential that its officers treat everyone in the community they serve with respect and dignity and so places high importance on diversity training. Respect for race and diversity is a key component in the national police service competency framework to which MDP officers work and diversity training is given to new recruits and to existing staff at regular intervals.

Main Training Providers

Joint Equality and Diversity Training Centre)

52. The Joint Equality and Diversity Training Centre (JEDTC) at Shrivenham provides:

- Training for Service Personnel, Equal Opportunities Advisers and Civilian Equality and Diversity Officers;
- Training for senior Service and civilian personnel;
- Bespoke training delivered to individual units and establishments to meet the requirements of Commanding Officers and line managers.

dblearning

53. dblearning is the main training provider for our civilian staff, and is embedding equality and diversity issues across a range of their training products in line with the aim of mainstreaming equality and diversity into every aspect of Defence business.

54. One example of how equality and diversity training is made available is via e-learning as part of a training packages offered at our Defence Electronic Learning Centres (DELCS) to our workforce,

civilian and uniformed wherever they are located. It provides a network of Walk-In DELCs delivering on-line learning Defence-wide, and a pool of Rapid Reaction DELCs to support deployed forces wherever they may be. Individual learners can obtain courses from the Laptop Loan Pool and a Courseware Loan Pool provides licensed software.

MDP Training College

55. Diversity training for MDP officers is provided by the MDP's own Training College.

HARASSMENT OR BULLYING - JOINT SERVICE PUBLICATION (JSP) 763

56. It is Defence policy that all military or civilian personnel, regardless of rank, grade or status, have a right to protection from harassment, and a responsibility to ensure that the working environment is free from harassment and that the dignity of others is respected. As such, all personnel must:

- Ensure that their own conduct does not cause offence;
- Challenge colleagues who harass others;
- Be prepared to offer support to those who suffer or witness harassment;
- Be prepared to report harassment against themselves or others.

57. JSP 763 is a guide for all Service and civilian personnel on making, responding to, advising on, investigating, and deciding on complaints of harassment or bullying. It was introduced with effect from 1 April 2005 and is being reviewed during spring 2006 to reflect lessons learned during the first year of operation of the new procedures.

58. MDP has conduct guidelines which are in line with the rest of the police service, so has separate arrangements for dealing with harassment or bullying. However, these arrangements are closely aligned with those in JSP 763, whilst remaining consistent with police service procedures.

59. In addition, the Armed Forces have also entered into formal agreements with:

- The Commission for Racial Equality to promote racial equality by recruiting more people from ethnic minorities; improving the retention of Service personnel from ethnic minorities; and, taking action to prevent racial harassment and discrimination;
- The Equal Opportunities Commission to prevent and deal with sexual harassment.

CIVILIAN OCCUPATIONAL WELFARE SERVICE (OWS)

60. Our OWS helps keep people effective at work by providing specialist professional support for staff and management on any matter that could affect an employee's effectiveness at work. The OWS gives independent and impartial advice and assistance on a wide variety of issues which include death in service, harassment and bullying, illness, injury and medical retirement, bereavement, relationships and addiction. The OWS offers two levels of assistance: a Helpline Response Centre, which can help in situations where an individual needs either a straightforward discussion of practical remedies or factual information to tackle their particular issue. In addition to the Helpline, a network of professionally trained Welfare Officers can provide face to face discussion on more complex issues.

61. The OWS has a wide range of contacts, both local and national, with organisations that can provide help and support with a variety of issues including debt and financial problems, domestic matters and healthcare.

REVIEW OF FUNCTION AND POLICIES

Equality & Diversity Impact Assessment Tools (E&DIATs)

62. Legislation requires us to undertake a thorough review of functions and policies in respect of race, disability and gender. To assist us with the review programme we have developed E&DIATs, as a means of carrying out Impact Assessments of our policies to ensure that they not only comply fully with the Duties placed upon us, but also ensure equal treatment for all our workforce and customers. It is Departmental policy that all new policies, relating to employment and non-employment issues, must be equality-proofed as they are developed. We have a huge number of extant policies and arrangements are in hand for these to be equality-proofed as part of a continuous rolling programme of review so that equality-proofing becomes embedded into all aspects of our business.

63. As policies are developed or reviewed, they will contain an "Equality & Diversity Impact Assessment Statement," and will be placed on a forward review programme. Policies will initially be "screened," to assess the potential impact of diversity issues to determine relevance and proportionality. If this screening shows that diversity issues are relevant to the policy, policy holders will carry out a Full Equality and Diversity Impact Assessment to ensure that any adverse impact is identified and that it is fully justified, removed, minimised or managed. Any further action will comply with the procedures set out in the E&DIATs and should inform future Action Plans. Our E&DIATs require consultation with our staff and we will do this through our civilian Focus Groups, Top Level Budget Holders, the Services' Principal Personnel Officers', the Equality and Diversity Officers Networks and the Trades Unions.

PROCUREMENT

Race

64. Most of our commercial business is in the procurement of defence equipment and in-service support. The introduction of DEFCON 516 (Defence Condition 516) in June 2004, requires our contractors to notify the Department of any prosecution or proceedings arising under the Race Relations (Amendment) Act 2000. Also, contractors carrying out work at the Department's premises or alongside civil servants, are required to comply with the reasonable direction of the Department to enable it to fulfil its statutory duty to promote race equality. The condition provides advice to contractors on the types of behaviour expected of them whilst carrying out their obligations under MoD contracts such as encouraging the use of verbal and non-verbal language which will not cause racial offence. The general contract condition described above applies to all contracts placed by us. In addition, all the obligations are to be applied equally to subcontractors in carrying out their duties.

Disability, Gender And All Other Diversity Strands.

65. We intend to extend the arrangements for race described above to ensure that we also meet our statutory obligations in respect of disability and gender either by appropriate amendments to DEFCON 516 or by introducing new Standard Conditions of Contract. The new arrangements will also cover all other diversity strands.

RECRUITMENT

Armed Forces

66. The Armed Forces are equal opportunities employers (although some exemptions have been granted from relevant legislation in recognition of the unique nature of service in the Armed Forces) and are fully committed to providing a working environment free from harassment and discrimination. It is our policy that all three Services offer people from every part of UK society the opportunity to serve in the Armed Forces so that they can become more representative of this country's diverse society. Individuals are valued for their abilities regardless of their race, religion, ethnic background, gender and/or sexual orientation. The Armed Forces believe that harnessing the talents and skills of individuals from different backgrounds/groups enhances operational effectiveness.

Civilian Staff

67. Recruitment is carried out on the basis of fair and open competition, and selection is on merit in accordance with the guidance laid down by the Civil Service Commissioners'. We are committed to fair and equitable treatment for all with the aim of creating a work environment that respects all values and diversity. Throughout all our recruitment processes, fair treatment, whether it is on the grounds of gender, race, colour, nationality, ethnic or national origin, disability, marital status, sexual orientation, age, religion or belief, political opinion or any other difference not associated with an individual's ability to do the job, is an overarching priority.

68. We recruit new staff on a permanent or temporary basis to fill gaps in posts or skills as business needs arise. Permanent recruitment is carried out on the basis of fair and open competition, seeking to reflect the diverse community we serve.

69. Our policy is to advertise, and compete, internal vacancies, with few exceptions. This gives all staff visibility of every available posts and the opportunity to apply for them.

Ministry of Defence Police

70. The MDP recognise that there are sound business reasons why it should be as representative as possible of the community it serves. The MDP has worked for several years to a Key Target on recruitment of women and ethnic minorities and continue to take positive action to encourage people from both these groups to join the organisation.

71. Whilst there is no bar to disabled people joining the MDP, the strict medical and fitness standards required for entry to the police service do mean that people with some disabilities are unlikely to be able to be recruited. However, the MDP is able to make some reasonable adjustments to enable disabled people to participate in the recruitment process, most notably for candidates with dyslexia.

72. Positive action has also been taken to encourage gay men and women to join the MDP, including advertising in the "pink" press. The MDPs' recruit intakes generally include people from a wide range of age groups and no specific action has been considered necessary to attract older, or younger candidates. There is a minimum age for appointment of police constables (18½ years) in line with national police service arrangements and an upper age limit governed by current civil service pension rules.

ORGANISATIONAL EVENTS & FEATURES

73. In-house fora, conferences, seminars, roadshows and workshops are all used to help develop a culture of equality. Awareness about equality and diversity issues is also raised through the publication of features in Focus, our Defence-wide newspaper, and in "Paperclips" a civilian in-house magazine covering personnel issues. Feedback from these events, features and articles helps us to assess the impact of our equality and diversity policies.

74. The Armed Forces also use a variety of media to promulgate their policies on equality and diversity. For example, the Royal Navy's Diversity and Equality Newsletter. The Services co-operate where appropriate, on articles and interviews in the wider media for example, a recent article in *Attitude* magazine featuring three gay Service personnel talking about their experiences; a contribution to Stonewall's publication 'The Way We Live Now', interviews with Service personnel on BEN TV (an Afro-Caribbean station) etc. The Armed Forces engage in a wide range of promotional, recruitment and outreach activities. Examples include annual sponsorship of the Muslim News Awards; participation in the Chinese New Year celebrations, Notting Hill Carnival, Asian Melas, community carnivals, Pride events, youth initiatives (for example, the Sikh Youth Camp, sponsorship of the basketball championships at the London Heathrow Games), etc; links with community associations (for example, the Derby West Indian Community Association, Neasden Hindu Temple); and special projects (RN apprentices assisted in the refurbishment of the Sikh Temple Community Centre, Southampton).

75. The MDP similarly uses its own in-house magazine "Talk Through" to raise awareness and has held seminars at both national and local level. Articles on the MDP have appeared in publications aimed at the ethnic minority and gay communities. The MDP regularly uses its involvement in community events to promote its positive approach to diversity issues and is particularly involved in various multi-agency initiatives, such as crime and disorder partnerships, community safety groups and domestic violence fora

TRADE UNIONS - CIVILIAN STAFF

76. The Trade Unions (TUs) are able to make a positive contribution to the advancement of equality and diversity issues in the Department. They are a useful source of support and advice in individual cases. We have a top level forum where the TUs discuss equality and diversity issues with management on a regular basis. The local Trade Unions also work with local management on equality and diversity issues.

GATHERING INFORMATION

Employment

77. We will gather, analyse, evaluate and measure our performance and progress to determine any patterns of inequality in accordance with the specific duties placed upon us for race, disability and gender. In addition our Scheme will also include the other diversity strands: age, religion or belief, sexual orientation, family leave and work patterns. This analysis will be carried out across the whole spectrum of employment, from joining to leaving our employ. Statistical information is normally collected and presented to professional standards by the Defence Analytical Services Agency (DASA). Where data is collected from other sources, we will ensure that it is validated by DASA and suitably caveated, where appropriate.

78. As part of our modernisation programme we are transforming the way in which we deliver Human Resource (HR) policy and information for our civilian staff into a single modern, e-enabled

People, Personnel and Pensions Agency. Centralised services will provide easier access to more comprehensive data on representation and on the experiences of different groups within our workforce in relation to, for example, recruitment, performance appraisal, promotion and retention. As the programme moves forward we will be able to provide policy makers, both corporately and within business units, with better evidence upon which to base decisions. TLBs will be able to analyse the statistics for their areas to provide feedback to the annual report against the Scheme.

79. Similarly, the Armed Forces are implementing a new integrated personnel and pay system, the Joint Personnel Administration (JPA) system, rollout of which is due to commence in 2006 and be completed by late 2007. Once fully implemented, JPA should provide better information about Armed Forces' personnel and enable more detailed monitoring of manpower trends.

Surveys

80. In addition to statistical information, we gather information from civilian staff surveys and exit surveys. Each of the Services conducts Continuous Attitude Surveys covering a wide range of personnel issues, including a section on equality and diversity which is common across all three Services. The results of these surveys are analysed to provide information about attitudes and trends to underpin the development of personnel policies.

CONSULTATION

81. Although statistical evidence is an important factor when monitoring the effectiveness of our policies, consultation with our civilian workforce and Trade Unions, provides valuable and important feedback about the effectiveness of our policies. When developing this Scheme and Action Plans we consulted fully with our major stakeholders:

- Top Level Budget Holders;
- The Services' Principal Personnel Officers;
- The Equality and Diversity Officers Network;
- Our Trade Unions through the Equality and Diversity Whitley Committee;
- Our Civilian Focus Groups:
 - Ethnic Minority Steering Committee;
 - Disability Steering Committee;
 - Lesbian, Gay Bisexual and Transgender Forum;
 - The Gender Panel.

82. In addition to specifically consulting these groups on this Scheme and our Action Plans, we regularly consult them on our diversity activity and proposed policies. At a lower level, minority support groups also contribute to planning and decision making in various business areas. For example, the MDP's Women's Staff Association regularly see and comment on policy proposals brought forward to the Agency's Management Board.

REPORTING

83. We will review and revise our Scheme early in 2007, in readiness for the new gender duty which comes into force in April 2007. This will also allow use to make any adjustments and incorporate any improvements made since its launch. To accompany our Scheme, we have also published a set of Action Plans setting out our programme of proposed action for 2006/07. We will then analyse and review the outcome and publish our first report in autumn 2007. Based on our findings, we will then develop our Action Plans for 2007/08. This process will be repeated in subsequent years. Copies of our annual reports will be distributed at senior levels throughout the Department and copies will be placed in the House of Commons library. They will also be available on our internal and external websites. Alternative formats can be made available.

IN ADDITION TO MEETING THE STATUTORY REQUIREMENTS

OTHER DIVERSITY STRANDS – AGE, RELIGION OR BELIEF, SEXUAL ORIENTATION AND FAMILY AND WORK PATTERNS

84. We also intend to extend the Scheme where appropriate, and apply the same principles that already apply in law for race and that will soon apply for disability and gender, to age, religion or belief, sexual orientation and family leave and work patterns (but not necessarily with the same statistical analysis), except where it is inappropriate to do so in respect of the Armed Forces. These areas are likely to be subject to future legislative requirements under a “Duty to Promote” and this Scheme will be amended to take new legislation into account as and when they arise. As statistics are not currently held on these areas, we propose:

- To consider whether to introduce similar monitoring requirements as currently exist for Race, Disability and Gender as noted above;
- To use surveys to identify problem areas/anomalies; analysis of that data; and, actions to remedy/minimise any adverse impact;
- To ensure relevant consultation exercises are undertaken.

85. We have published a Guide for Commanding Officers and line managers on how to support individuals’ spiritual needs for example, facilities and time off for religious observance, religious dress and dietary requirements.

86. Our equality and diversity policies are available on our internal and external web sites.

APPENDIX 1 – MOD: MORE ABOUT US

WHO DO WE SERVE?

87. We are responsible for implementing the policies, set by the Government of the day, for Defence. Individual police forces are an immediate customer and we work increasingly closely with the civilian police and local authorities in their counter-terrorist roles. We deliver limited services directly to members of the public; which include

- The payment of pensions, including war pensions, to former employees;
- Policing various establishments occupied by Service personnel and their families;
- Policing the Royal Mint and other sites where our Service personnel and civilian staff work alongside private sector personnel;
- Policing establishments occupied by our American allies in the UK.

88. We are able to utilise some of our assets required to deliver our core output of military capability, to provide other non-core support activities to outside organisations. These include:

- Military Aid to Civil Authorities (for example, DEFRA during the foot and mouth disease crisis; the Home Office during the firemen's strike; DfID and the FCO in support of the Asian tsunami and Pakistan earthquake relief efforts);
- Search and Rescue (for example, shipping accidents, mountain rescues);
- Fisheries Protection – assisting the UK Coastguard;

89. We have a wide range of partners who assist with the delivery of our core objective of delivering military capability. These include other government departments, allies and foreign governments, industry, academia and intelligence agencies.

PARLIAMENTARY PROCEDURES AND ACCOUNTABILITY

90. Parliamentary business is managed through our Parliamentary Branch, which aims to help Ministers and officials meet their obligations to Parliament and the public as effectively and economically as possible. Ministers are accountable to Parliament for all Defence matters and Parliament exercises this accountability and scrutiny through:

- Parliamentary Questions – both written and oral;
- Parliamentary Debates – debates in both houses on defence related issues;
- House of Commons and House of Lords Select Committees. For example, the Public Accounts Committee investigates the Department's use of public funds, while the House of Commons Defence Committee conducts investigations into defence issues.

THE HEAD OFFICE

91. The Head Office is our headquarters and here, under the direction of the Secretary of State, the Defence Council and the Defence Management Board, it is responsible for leading the Defence contribution to the development of the Government's foreign and security policy and wider government objectives and for translating those objectives into departmental policy and the defence capability needed to deliver it. The Head Office has four main roles:

- Advising our Government on Defence;
- Making policy and setting Departmental strategy;
- Planning and resource allocation;
- Management of Defence.

TOP LEVEL BUDGET HOLDERS

92. The delivery of Defence outputs falls to Top Level Budget Holders, Service Commanders-in-Chief and the heads of other major delivery organisations. They are responsible for the delivery of specific outputs, typically elements of military capability, or supporting services to other Top Level Budgets linked to the provision of agreed resources. Resources for each Top Level Budget are set out in Service Delivery Agreements between the Permanent Under Secretary (PUS) and the Chief of Defence Staff (CDS) on the one hand and the Top Level Budget Holder, or Service Chief where appropriate, on the other.

DEFENCE AGENCIES

93. The Top Level Budget structure also includes a number of Executive Agencies funded directly from the Defence Budget (of which the Defence Procurement Agency and Defence Estates are both Agencies and Top Level Budgets). These are delivery organisations typically providing support services, either to specific internal customers (as laid down in Service Delivery Agreements), or corporate services to the Department generally.

TRADING FUNDS

94. Other Executive Agencies are Trading Funds, financed by the sale of goods and services to the Ministry of Defence, other Government Departments and commercially. Although these bodies operate at arm's length on a day-to-day basis, they remain part of the MoD, which is responsible for their governance and performance management and for providing strategic direction.

APPENDIX 2 – EQUALITY AND DIVERSITY: MORE ABOUT OUR APPROACH

THE DIVERSITY PANEL

95 The Diversity Panel is co-chaired by the Permanent Under Secretary (PUS), the Diversity Champion for Civil Service and MoD civilians, and the Chief of the Defence Staff, the Armed Services Diversity Champion, and includes a mix of internal and external members who have a range of experience in diversity issues. The role of the Diversity Panel is to:

- Provide strategic direction to the Department in developing policies that promote equality and diversity for everyone;
- Implement the Unified Diversity Strategy;
- Monitor and evaluate the Department's equality and diversity policies and performance;
- Set diversity priorities;
- Help project a positive image of the Department's approach to diversity in the wider community.

96. The Diversity Panel is also informed by the various diversity focus groups and networks throughout the Department.

97. The Unified Diversity Strategy, (UDS):

(<http://www.mod.uk/DefenceInternet/AboutDefence/Issues/DiversityAndEquality>).

was created by our Diversity Panel and provides the strategic framework to implement our equality and diversity policies. It, incorporates the following:

- Introduction;
- Diversity Vision;
- Diversity Mission;
- Objectives;
- Working in Partnership;
- Taking Responsibility;
- Complying with Legislation;
- Communicating and Building Commitment;
- Measuring Progress;
- The Business case for Diversity.

THE ARMED FORCES

98. The strategic direction for the Armed Forces' equality and diversity policies is given by the Chief of the Defence Staff and single Service Commanders-in-Chief through a hierarchy of committees:

- The Service Personnel Board (SPB), chaired by the Deputy Chief of the Defence Staff (Personnel) and comprising the Services' Principal Personnel Officers (PPOs) and the Director-General Service Personnel Policy.
- The Service Personnel Executive Group (SPEG), chaired by the Director-General Service Personnel Policy and comprising senior representatives of the Services' Principal Personnel Officers (PPOs).
- The Armed Forces' Diversity and Equality Steering Group (AFD&ESG), chaired by the Director Service Personnel Policy (Service Conditions) and comprising members of the Services' Diversity Teams and representatives from the Service Personnel Strategy division, the civilian Diversity Team, the Joint Equality and Diversity Training Centre and the Defence Analytical and Statistical Agency. The AFD&ESG may convene Working Groups to develop proposals on specific issues, as required.

99. Responsibility for the implementation of the Armed Forces' equality and diversity policies rests primarily with the Principal Personnel Officers operating through the chain of command.

100. The Armed Forces have entered into formal agreements with:

- The Commission for Racial Equality to promote racial equality by recruiting more people from ethnic minorities; improving the retention of Service personnel from ethnic minorities; and, taking action to prevent racial harassment and discrimination;
- The Equal Opportunities Commission to prevent and deal with sexual harassment.

CIVILIAN STAFF

101. The strategic direction for civilian equality and diversity policies is given by the Permanent Under Secretary through the Personnel Director. We have a series of networks and focus groups to advise on, and take forward, our policies.

Equality and Diversity Officers Network

102. As part of this large organisation the PUS has given delegated powers of responsibility for the management of civilian staff, to nominated TLB Holders and Agency Chief Executives. Under these delegated powers they are formally responsible to PUS for ensuring that management practice complies with our diversity policy, and for promoting equal opportunities best practice throughout their area of responsibility. To assist them in this role, they each appoint a senior Equality and Diversity Officer who is responsible for equality and diversity issues including:

- Ensuring that equality and diversity is incorporated into TLB business plans;
- Publicising and promoting civilian equality and diversity policy and best practice;
- Identifying and addressing issues specific to their TLB, on the implementation of diversity and work life balance policies;
- Supporting local networks;
- Providing appropriate input to equality and diversity reports;

- Liaising with the civilian Diversity Team;
- Acting as the official spokesperson at local Whitley meetings.

The network of Equality and Diversity Officers meets on a quarterly basis to share best practice and keep up to date with equality and diversity developments.

Ethnic Minority Steering Committee

103 All the members of the Ethnic Minority Steering Committee (EMSC) have volunteered for this role, not only to offer their own views as ethnic minority staff, but also to represent the interests and concerns of the ethnic minority staff working across the Department. They achieve this through:

- Debate with ethnic minority employees in the forum of local ethnic minority discussion groups;
- Regular meetings with the civilian Diversity Team, to discuss those aspects of Departmental policies and practices which impact upon ethnic minority staff;
- Out of committee liaison on matters which may be of particular concern to ethnic minority staff but not require a formal meeting;
- Meetings with senior officials and Ministers.

104. Networks are still being developed with two currently set up:

- STC Network (RAF Strike Command);
- Defence Estates Network.

Disability Steering Committee (DSC)

105. The DSC consists of one volunteer disabled representative from each TLB, who represent their TLB, and who offer not only their own views, as individuals with a disability, but also represent the interests, concerns and special needs of disabled staff working throughout the Department. They achieve this through:

- Regular meetings with the civilian Diversity Team to discuss those aspects of Departmental policies and practices which may impact upon disabled staff;
- Out of committee liaison on matters which may be of particular concern to disabled staff but not requiring a formal meeting;
- Establishing and developing local support networks. Currently there are several:
 - Portsmouth - Disability Action Forum;
 - Land-The WALCON Disability Focus Group;
 - Northern Ireland - Northern Ireland Disability Steering Group and the Lisburn Network;
 - Donnington/Stafford (DLO) - DSDC North Disability;
 - Scotland - Scottish Area Network;
 - York - The Catterick and North East Network;
 - DPA/DLO - Contact Ability;
 - AG - Upavon Garrison Disability Forum;
 - RAF Benson - The RAF Benson Focus Group.

MoD Lesbian, Gay, Bisexual and Transgender (LGBT) Forum

106. The LGBT Forum is a Departmental workplace diversity forum, again comprising volunteer staff, who represent the lesbian, gay, bisexual and transgender staff working throughout the Department and who wish to be referred to as LGBT staff. The aim of the Forum is to:

- Ensure that the Department fully meets its obligations and commitments under the Employment Equality (Sexual Orientation) Regulations 2003;
- Ensure that the Department fully meets its obligations and commitments under the Sex Discrimination (Gender Reassignment) Regulations 1999;
- Raise awareness and publicity of LGBT issues throughout the Department;
- Provide a channel of communication between LGBT staff and the Department via the civilian Diversity team, the Personnel Director and TLB Equality and Diversity Officers;
- Provide a means by which LGBT staff can meet in a private and safe environment to discuss LGBT issues and that facilitates interaction and communication between LGBT staff;
- Form a confidential support network of LGBT staff working within the Department;
- Oppose discrimination and inequality, particularly on the grounds of sexual orientation or gender identity;
- Promote the welfare of LGBT staff.

The Gender Panel

107. The Civilian Gender Panel is the most recently established forum. It is chaired by the Department's Gender Champion and comprises representatives from within and outside Defence who have an interest in increasing the representation of women in the Department. All the women's networks so far established are represented. It provides a channel of communication between Women's Networks and the Centre. Its aims are:

- To ensure that the Department fully meets its obligations and commitments under Equal Opportunities legislation;
- To implement the Manifesto for Civilian Women;
- To raise awareness and publicity of Gender issues throughout the Department;
- To provide a channel of communication between Women's Networks and the Centre via the civilian Diversity team, the Personnel Director and the Diversity Panel;
- To promote the sharing of best practice both within the department and externally;
- To oppose discrimination and inequality on the grounds of gender;
- Look for ways to work more closely with our Service colleagues and to find common solutions wherever possible.

Women's Networks established to date:

- Ministry of Defence Police & Guard service Women's Network;
- Portsmouth Women's Network;
- Bath/Bristol Women's Network;
- London Women's Network;
- Adjutant General area Women's Network.

Network Diversity Champions

108. We have recently appointed senior level "Champions" for each of the diversity strands represented by the Focus Groups. These Champions will work closely with their respective Focus Groups and represent their views at senior level.

MINISTRY OF DEFENCE POLICE

109. The equality and diversity work of the Ministry of Defence Police (MDP) is driven by a Diversity Programme Board which is chaired by the Chief Constable. This Board meets at six weekly intervals and includes representatives of each of the MDP and Guarding Agency's (MDPGA) Management Board members as well as the Defence Police Federation, Trade Unions and minority staff support networks. Currently only one network – the Women's Staff Association – is in being but the Agency is working to establish similar networks for gay, ethnic minority and disabled staff. The Programme Board sets the strategic direction for the Agency's equality and diversity activity and oversees activity on diversity action plans.

110. MDP has a dedicated Diversity and Equality Unit (DEU) which is responsible for carrying out the activities listed above for equality and diversity Officers across the MDPGA. Although MDP's primary customers are internal, MDP officers have regular contact with members of the public in a variety of situations. There is, therefore, a need for the MDP's diversity work to address both employment and non-employment issues and so a particular responsibility of the DEU is to ensure that equality and diversity issues are taken into account in the provision of services. The DEU is supported by diversity managers in each of the MDP's five Divisions who ensure that equality and diversity is included in local plans.

111. Respect for race and other diversity strands is a key competence for police officers and is specifically tested in the police recruitment process. The MDP provides its own training for its officers, drawing on national police service training materials. Equality and diversity plays an important part in the training of new recruits as well as being threaded through almost all police training.

LINKS WITH OTHER ORGANISATIONS

112. We are active members of the following organisations:

- Race for Opportunity;
- The Employers Forum on Disability;
- Stonewall;
- Employers Forum on Age;
- Opportunity Now;
- Employers Forum for Belief;
- Daycare Trust;

- Working Families;
- We also participate in a number of interdepartmental committees and consultations on equality and diversity issues.

APPENDIX 3 – LEGISLATION: MORE ABOUT UNDERPINNING EQUALITY AND DIVERSITY LEGISLATION

113. Our Equality and Diversity Scheme has been extended beyond our statutory duties to include other diversity strands, subject to the Armed Forces and Ministry of Defence Police Exemptions, namely age, religion or belief, sexual orientation, gender reassignment and work-life balance and, where appropriate, we will apply the same principles, but not necessarily the same statistical analysis, for reporting that already applies in law in respect of race and disability and will shortly apply to gender.

AGE

114. The Employment Equality (Age) Regulations 2006, which come into effect on 1 October 2006, will apply to civilian staff and MDPGA personnel only, as the Regulations contain an exemption for the Armed Forces (see below). From October 2006, in most situations, it will be unlawful to discriminate against the former or harass them on grounds of age. Exceptionally, certain differences of treatment on grounds of age may be objectively justified.

115. From 1 April 2006, the Department's normal retirement age (NRA) will change to a common retirement age of 65 for all civil servants below the Senior Civil Service (SCS).

RELIGION OR BELIEF

116. The Employment Equality (Religion or Belief) Regulations 2003, which came into force on 2 December 2003, outlaw discrimination on grounds of religion or religious or similar philosophical belief in employment and vocational training.

117. A Guide on Religion and Belief in the MoD and Armed Forces was printed and promulgated in August 2005. The Guide aims to highlight our policies in relation to religion and belief. It also explains how the Employment Equality (Religion or Belief) Regulations 2003 apply to the Armed Forces and civil service and aims to raise awareness of some of the most commonly practised religions and beliefs in the UK.

118. The Employment Equality (Religion or Belief) Regulations 2003 do not extend to Northern Ireland, where the Fair Employment and Treatment (Northern Ireland) Order 1998 makes it unlawful for employers to discriminate against people on the ground of religious belief or political opinion. The Order also requires registered employers to submit annual monitoring returns giving details of the community background of their workforce, and to review their recruitment, training and promotion practices at least once every 3 years.

SEXUAL ORIENTATION

119. The Employment Equality (Sexual Orientation) Regulations 2003, which came into force on 1 December 2003, outlaw discrimination on grounds of sexual orientation in employment and vocational training.

120. The Civil Partnership Act 2004, which came into force on 5 December 2005, gives same-sex couples the opportunity to form a civil partnership and gain legal recognition of their relationship. The Act also contains provisions enabling certain overseas same-sex relationships to be treated as civil partnerships. The Act amended the SDA so as to outlaw discrimination against civil partners, as well as married people, in employment.

Gender Reassignment

121. The SDA was extended by the Sex Discrimination (Gender Reassignment) Regulations 1999 to outlaw discrimination against transsexual people in employment. Since May 1999 it has been unlawful for an employer to discriminate against a person who has undergone, is undergoing or intends to undergo gender reassignment, unless being of a particular gender is a genuine occupational qualification for the job.

122. The Gender Recognition Act 2004, which came into force on 4 April 2005, allows transsexual people who are able to satisfy the necessary evidential requirements to apply for legal recognition in their acquired gender. Following a successful application, the law regards the transsexual person, for all purposes, as being of their acquired gender.

FAMILY LEAVE AND WORK PATTERNS

Maternity Leave and Pay

123. An employee who is pregnant or gives birth to a child has the right to take 26 weeks' paid leave and, if she has 26 weeks' continuous service, a further 26 weeks' unpaid leave. The Work and Families Bill, currently going through Parliament, provides for the maximum maternity pay period to be extended from 26 to 52 weeks.

Paternity Leave and Pay

124. An employee with 26 or more weeks' continuous service who is the father of a child, or who is married to or the partner of the child's mother or adopter, has the right to take either one week's or two consecutive weeks' paid leave to care for the child or support the child's mother or adopter. The Work and Families Bill, currently going through Parliament, provides for the introduction of a new statutory right to additional paternity leave following the birth of a child or the placement of a child for adoption.

Adoption Leave and Pay

125. Employees with 26 or more weeks' service who have been matched with a child for adoption are entitled to take 26 weeks' paid leave in respect of the child, and a further 26 weeks' unpaid leave if the child was placed with them for adoption. The Work and Families Bill, currently going through Parliament, provides for the maximum adoption pay period to be extended from 26 to 52 weeks.

Parental Leave

126. Employees with not less than one year's continuous service who have, or expect to have, parental responsibility for a child are entitled to take 13 (or 18 in the case of a disabled child) weeks' unpaid leave to look after the child or make arrangements for the child's welfare.

Time Off for Dependants

127. All employees have the right to take a reasonable amount of time off work, which need not be paid, to deal with certain unexpected or sudden emergencies involving someone who depends on them, and to make any necessary longer-term arrangements.

Part-time Working

128. Part-time workers have the right not to be treated less favourably than comparable full-time workers unless the treatment in question is objectively justified.

Flexible Working

129. Employees with 26 or more weeks' continuous service who are parents of children aged under 6 (or 18 in the case of disabled children) have the right to request to work flexibly (for example, part time or from home), and their employers have a duty to consider their requests seriously. The Work and Families Bill, currently going through Parliament, will extend the right to request flexible working to employees who have caring responsibilities for adults.

Patterns of Work

130. Workers are entitled to adequate rest breaks where the pattern according to which their employers organise work is such as to put their health and safety at risk, in particular because the work is monotonous or the work-rate is predetermined.

EXEMPTIONS FOR THE ARMED FORCES

131. The Armed Forces are exempt from legislation that applies only to "employees" and/or "workers", as Service personnel do not work under contracts. However, while the Employment Rights Act 1996 does not currently extend to service as a member of the Armed Forces, the Working Time Regulations 1998 and the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 do apply to such service.

Sex Discrimination Act 1975

132. The Sex Discrimination Act 1975 (SDA), which outlaws discrimination on grounds of sex in employment and other areas, formerly did not apply to service in the Armed Forces. It was amended in 1995 so as to remove that exemption and to provide as follows: "Nothing in this Act shall render unlawful an act done for the purpose of ensuring the combat effectiveness of the armed forces." Consequently, the great majority of posts in the Armed Forces are open to women. They are currently excluded only from certain close-combat posts, subject to a requirement periodically to assess the position.

Disability Discrimination Act 1995

133. The Armed Forces are exempt from the application of the employment provisions of the Disability Discrimination Act 1995 (DDA), which make it unlawful for employers to discriminate against disabled people.

Employment Equality (Age) Regulations 2006

134. The Armed Forces will be exempt from the application of the Employment Equality (Age) Regulations 2006, which outlaw discrimination on grounds of age in employment and vocational training. These Regulations will come into force on 1 October 2006.

Maternity Leave and Pay

135. Servicewomen have a right to Statutory Maternity Pay (SMP), provided they meet the qualifying conditions, but are not entitled to Statutory Maternity Leave. However, provision for maternity leave equating to the statutory arrangements is made by the Armed Forces' Occupational Maternity Scheme.

Adoption Leave and Pay

136. Service personnel have no right to adoption leave but the Armed Forces operate an adoption leave scheme that mirrors statutory provision.

Paternity Leave and Pay

137. Servicemen have no right to paternity leave but, again, the Armed Forces operate a paternity leave scheme that mirrors statutory provision.

EXEMPTION FOR THE MINISTRY OF DEFENCE POLICE

138. Section 200 of the Employment Rights Act does not apply to Ministry of Defence police officers.

RELEVANT LEGISLATION (AS AMENDED)

Equal Pay Act 1970
Equal Pay Act (Northern Ireland) 1970
Sex Discrimination Act 1975
Sex Discrimination (Northern Ireland) Order 1976
Race Relations Act 1976 and RR(A)A 2000
Statutory Maternity Pay (General) Regulations 1986
Social Security Contributions and Benefits Act 1992
Pensions Act 1995
Occupational Pension Schemes (Equal Treatment) Regulations 1995
Disability Discrimination Act 1995
Disability Discrimination (Meaning of Disability) Regulations 1996
Disability Discrimination (Employment) Regulations 1996
Employment Rights Act 1996
Protection from Harassment Act 1997
Race Relations (Northern Ireland) Order 1997
Working Time Regulations 1998
Fair Employment and Treatment (Northern Ireland) Order 1998
Northern Ireland Act 1998
Human Rights Act 1998
Employment Relations Act 1999
Maternity and Parental Leave etc Regulations 1999
Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
Equality (Disability, etc) (Northern Ireland) Order 2000
Race Relations Act 1976 (Statutory Duties) Order 2001
Race Relations Act (Statutory Duties) (Scotland) Order 2002
Employment Act 2002
Paternity and Adoption Leave Regulations 2002
Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002
Flexible Working (Procedural Requirements) Regulations 2002
Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002
Social Security Contributions and Benefits Act 1992 (Application of Parts 12ZA and 12ZB to Adoptions from Overseas) Regulations 2003
Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003
Employment Rights Act 1996 (Application of Section 80B to Adoptions from Overseas) Regulations 2003
Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003
Statutory Paternity Pay (Adoption) and Statutory Adoption Pay (Adoptions from Overseas) (No 2) Regulations 2003
Employment Equality (Religion or Belief) Regulations 2003
Employment Equality (Sexual Orientation) Regulations 2003
Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003
Race Relations Act 1976 (Statutory Duties) Order 2003
Race Relations Act 1976 (Statutory Duties) Order 2004
Gender Recognition Act 2004
Civil Partnership Act 2004
Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005
Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005
Employment Equality (Age) Regulations 2006
Equality Act 2006